

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 9, 2014**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 9, 2014, with Chair Ron Wesen, Commissioner Kenneth A. Dahlstedt, and Commissioner Sharon D. Dillon present.

I. CALL TO ORDER:

Chair Wesen called the proceedings to order at 8:30 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Wesen led the gallery in the salute to the flag.

III. AGENDA:

a) 8:30 a.m. - 9:00 a.m. Presentation from Skagit County Historical Museum

Chair Wesen introduced Jo Wolfe, Fundraising and Publicity Coordinator of the Skagit County Historical Museum to share what was happening at the museum.

Ms. Wolfe informed the Board that two exhibits would be closing September 28, 2014: "It's a Franklin! - Made in Mount Vernon" (the first motorcycle built), and "Steppin' Out: 100 Years of shoes" (a display of vintage shoes on loan from the collections of Seattle Goodwill). Ms. Wolfe shared that attendance at the museum had increased by 50% over the last two years, and that visitors coming from farther away had increased as well. She also said that the approval process for a grant to help acquire the Skagit City School had been started.

Upcoming Exhibits included: 125 Years of Washington Quilts, Treasures of Walker Valley, Carvings of Mary Stapp, Pleasant Ridge Cemetery Tour and Smithsonian Magazine Museum Day. Other upcoming events included the Annual Meeting of the Skagit County Historical Society, The Hilltop Holiday Craft Sale, Christmas for Kids, and, Ms. Wolfe said that the museum would be re-decorated for Christmas the day after Thanksgiving and that the East wing could be rented out for holiday parties.

Ms. Wolfe ended by sharing that the museum appreciated volunteers (docents, people to distribute their promotional information, and scanning photos into their digital archives). For information about volunteering at the museum, she said to call (360) 466-3365, or, visit their website: www.skagitcounty.net/museum. The Commissioners thanked Ms. Wolfe for the update. The museum is located at 501 South 4th Street, La Conner, at the top of the hill and is open from 11:00 a.m. – 5:00 p.m. Tuesday through Sunday. Chair Wesen recessed the proceedings at 8:44 a.m.

b) 9:00 a.m. - 10:00 a.m. Public Hearing/Possible Action: To Consider Testimony Regarding the Dissolution of the Skagit County Emergency Medical Services Commission

Chair Wesen reconvened the proceedings at 9:00 a.m. and introduced Mark Raaka, EMS Director.

Mr. Raaka briefed the Commissioners on the proposal to dissolve the current EMS Commission which was formed in 2003 when hospitals stopped providing ambulance service. Ordinance No. O20030003 formed the EMS Commission. It was updated in 2009 by Ordinance No. O20090003 when Central Valley Ambulance Authority was created and the EMS Commission was redefined from 32 to 13 seats. Mr. Raaka explained the purpose of the EMS Commission and their responsibilities. He said that in 2011 Emergency Services Consulting International (ESCI) assisted Skagit County with their levy analysis, recommending an increase, and, also recommending that various other issues in the system be resolved. In 2013, another review was performed of Skagit County's EMS system and multiple recommendations were made in order to improve the system.

Mr. Raaka discussed the actions taken to date were based on ESCI recommendations which included: creating a County department which included transitioning staff, standardized financial reporting, completing a capital replacement plan, forming a Technical Advisory Group, implementing a customer service monitoring system, and coming soon would be a standardized equipment ordering system. Chair Wesen opened the public hearing at 9:16 a.m. Shane Sanderson of Mount Vernon was present to discuss his support for a unified, county-wide system. Rusty Feay of Fire District No. 8 in Sedro-Woolley was present to express his appreciation for the funding and system studies performed by ESCI. He asked that the system remain flexible to respond to growth and evolve with other changes it would see with Obamacare, etc. Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 9:20 a.m. which was seconded by Commissioner Dahlstedt. The motion passed unanimously. The Commissioners expressed their appreciation to those that had served on the EMS Commission in the past. They agreed to dissolve the EMS Commission.

A motion was made by Commissioner Dahlstedt to approve dissolving the Skagit County Emergency Medical Services Commission, effective September 22, 2014, and executing the document dissolving it on consent agenda. Commissioner Dillon seconded the motion. The vote passed unanimously.

Chair Wesen recessed the proceedings at 9:29 a.m.

A motion was made by Commissioner Dahlstedt to approve dissolving the Skagit County Emergency Medical Services Commission, effective September 22, 2014, and executing the document dissolving it on consent agenda Commissioner Dillon seconded the motion.

The vote passed unanimously.

Chair Wesen recessed the proceedings at 9:29 a.m.

c) 10:00 a.m. - 11:00 a.m. Board of County Commissioners:

Chair Wesen reconvened the proceedings at 10:01 a.m.

1. Closed Record Appeal No. PL14-0283 Submitted by Tom Butler and Linda Lewis to Review and Consider the July 10, 2014 Written Order Issued by the Hearing Examiner Pro Tem in Regard to the Following Items: 1) Hearing Examiner Denial of Appeal PL14-0117 Regarding Approval of Reasonable Use Exemption PL14-0026; 2) Hearing Examiner Denial of Appeal PL13-0354 Regarding Approval of Administrative Reduction in Setbacks PL13-0146

Chair Wesen made introductory remarks and invited staff from Planning and Development to provide their presentation.

Senior Planner Grace Roeder briefed the Commissioners on the staff report that was provided to the Commissioners which discussed the Hearing Examiner's denial of each of Mr. Butler's two appeals. Ms. Roeder said that Planning and Development Services was recommending that the Commissioners uphold the Hearing Examiner's decisions.

Merv Thompson, attorney for appellant, briefed the Commissioners on their arguments for the appeals and reason's why the Hearing Examiner's decisions were erroneous. He asked the Commissioners to reconsider the decisions.

Grace Roeder provided a rebuttal to Mr. Thompson's presentation and discounted the county code he referred to in order to evaluate the set-backs received by the applicant Ms. Ford. She shared that Planning and Development Services did not apply that section of code to the variances in question. She also discounted his use of plat information recorded in 1962 since it was no longer consistent with zoning ordinances, and, she shared that a Boundary Line Adjustment would be performed after the decisions on the appeals by Mr. Butler were concluded.

Merv Thompson provided a rebuttal to Ms. Roeder's remarks, setting forth reasons why the variance section of the code should be applied to administrative decisions on setbacks. He voiced concerns about development being too close to critical areas. Tom Butler, appellant, briefed the commissioners on similar cases and said that the exemptions provided to Ms. Ford were exceptional.

Chair Wesen concluded the hearing and provided closing remarks. He announced that the Commissioners were scheduled to render their decision on Tuesday, September 16, 2014, at 11:15 a.m. Chair Wesen recessed the proceedings at 10:41 a.m.

Documents from the proceedings can be viewed here:

<ftp://ftp.skagitcountycommissioners/documents/agendapackets/09082014>

d) 11:00 a.m. - 11:30 a.m. Board of County Commissioners:

Chair Wesen reconvened the proceedings at 11:06 a.m.

1. Discussion/Possible Action: Render Guidance to the Skagit County Assessor as to Whether Improvements on Reservation Trust Land Owned by Non-Indians Ought be to Removed from the Tax Rolls

Chair Wesen announced that the Commissioners were present to offer guidance to the Skagit County Assessor regarding whether or not to pull properties off of the tax rolls, which had been advised by the Washington State Department of Revenue.

Assessor Munks was present and said that the issues that needed to be addressed were complicated.

Commissioner Dillon preferred taxes continued to be paid since services were still being provided.

Commissioner Dahlstedt said that the Commissioners had to uphold the law and that the Department of Revenue had advised all counties to remove certain properties from the tax rolls. He also pointed out his aversion to providing tax refunds since he viewed it as a gift of public funds. He believed there should still

be a way to collect funds from taxpayers who were receiving the benefits from the school, road, library and fire districts.

Chair Wesen was concerned that the issue would create divisiveness in the La Conner Community and he understood the Swinomish Tribe was weighing their options to create a taxing method to continue to tax and provide for school, library, and fire services.

Assessor Munks said the issue was legal and moral and that it shifted the tax burden inequitably.

Skagit County Chief Civil Prosecuting Attorney Will Honea said that he had been involved in conversations with the La Conner School District and the Swinomish Tribe and he shared that they had begun to work towards a fair solution and that the Tribe was not interested in creating a tax-free zone.

Commissioner Dahlstedt said that the Assessor had two decisions to make: 1. Removing property from 2015 tax rolls, and 2. Issuing tax refunds from the last three years. He said that he believed the county had to follow the law (remove the property from the tax rolls). He said that refunds should not be issued since services has been received and he viewed it as a gift of public funds, which was against the law.

Chair Wesen said viewed tax refunds as taking money out of your neighbor's pocket, and that you should pay for services already received. He hoped the tribe would find a way to keep the taxing district whole.

Assessor Munks said that the decisions were complicated and that a lot had to be taken into consideration.

Chair Wesen recessed the proceedings at 11:27 a.m.

e) 11:30 a.m. - 11:45 a.m. Board of County Commissioners:

Chair Wesen reconvened the proceedings at 11:32 a.m.

1. County and Individual Success Stories
2. Public Comment Period

Stacy Sutliff of Pleasant Ridge was present to ask that more information be provided about the effect of the Assessor's decision on the remaining taxpayers in La Conner. She asked that decisions be made carefully and all considerations be accounted for, including the possibility of closing the La Conner School, if that option made the most sense. Herman Woltz of La Conner, Shelter Bay, shared that many residents in Shelter Bay wanted to contribute taxes and their fair share to the school, library, and fire districts. He shared that this issue was a surprise to them and that they did not want this matter to divide the community. George Fry of La Conner, Shelter Bay, shared that he planned to pay his taxes under protest and would be filing a claim for a tax refund. Carol Ehlers of Fidalgo Island was present to discuss the Natural Hazard Mitigation Plan and a drainage map that needed to be updated.

3. Miscellaneous Announcements

The Commissioners moved to approve vouchers and warrants from the Auditor's Office, transmittal numbers C-118-14, P-34-14, and P-35-14.

IV. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 11:48 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board