

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 17, 2014**

The Skagit County Board of Commissioners met in regular session on Monday, November 17, 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 11:03 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *9:00 a.m. - 10:00 a.m. Briefing - County Commissioners/County Administrator

b) 11:00 a.m. - 12:00 p.m. Planning and Development Services - Dale Pernula, Director:

Dale Pernula, Director, was present to introduce the agenda item and answer questions. He said that the Comprehensive Plan Update was a requirement under the Growth Management Act (GMA).

1. Public Hearing to Consider Testimony on the Proposed Scope of the 2016 Comprehensive Plan Update

Kirk, Johnson, Senior Planner, said that like other jurisdictions around Washington State that are subject to the Growth Management Act (GMA), Skagit County was required to conduct a periodic review and update of its Comprehensive Plan and Development Regulations to ensure consistency with updated State laws, population and employment projections. He noted that Skagit County must complete this periodic update by June 30, 2016. He said that the proposed scope was described in a memorandum titled "Establishing the Scope of Skagit County's 2016 Comprehensive Plan Update" that was posted on the Planning and Development's website located at <http://www.skagitcounty.net/2016update>. Mr. Johnson pointed out that the term "scope" referred to the extent of issues that would be reviewed and considered through the 2016 Update and to the process that the County would follow in conducting the review.

Mr. Johnson said that following the public comment period which included the public hearing before the Board of County Commissioners, the Board would adopt by resolution the 2016 Update scope, including any changes identified by the Board as a result of the public comment process. The adopted scope would be used to guide the work of the Planning and Development Services Department and the Planning Commission on the 2016 Update, including development of any proposed amendments to the Skagit County Comprehensive Plan and Development Regulations.

Mr. Johnson confirmed that a Notice of Availability had been published in the Skagit Valley Herald on October 16, 2014.

Chair Wesen opened the public hearing at 11:08 a.m.

Roger Mitchell of Bow commented on the Comprehensive Plan Update process. Mr. Mitchell said that growth planning should reflect the public's interest and suggested that in order to make citizens feel welcome in the planning process that staff and citizens should work together. He said that throughout the seven year update process, every public notice, document, agenda item, presentation, and meeting where citizens were present that staff should refrain from using acronyms and governmental jargon. He went on to say that the Board of County Commissioners should waive fees associated with submitting a Comprehensive Plan Amendment.

Nancy Fox of Guemes Island spoke on behalf of the Guemes Island Planning Advisory Committee and said that she was glad to see existing subarea plans reflected in the scope. Ms. Fox requested that the implementation steps to carry out the subarea plan be incorporated in the 2016 Scope. Ms. Fox urged the Board to make the Guemes Island Subarea Plan implementation a priority in the 2015 Work Plan.

Lori Scott of Burlington addressed concerns about a marijuana production business in her neighborhood and the negative impact of marijuana operation in a rural residential neighborhood. Ms. Scott requested that the description and limitations of Rural and Rural Intermediate be reviewed and clarified as part of the scope for the Comprehensive Plan Update.

Gilda Gorr of Burlington said that she operated a small business that had no negative impact to the neighborhood or the environment. She stated that before she could open her business, she was required to apply for a Special Use Permit and to provide prior notice to all of her neighbors which she said was not required of marijuana operations. Ms. Gorr requested that marijuana activities be included in the Comprehensive Plan Update and that current zoning be amended to address marijuana operations in rural residential areas.

Scott Mangold of Bow-Edison commented on a gun shop that was being located in his neighborhood. He said that the current Skagit County Code did not require businesses like the gun shop to provide the public with notice prior to commencing operations. He proposed that the Code should be reevaluated as it related to the goals of maintaining rural character and that all proposed land use changes should be required to provide public notice and to go through the public comment process.

Ellen Bynum spoke on behalf of the Friends of Skagit County and stated that they opposed the suggested scope of the Comprehensive Plan as written because it did not reflect sufficient information for the public to adequately judge the accuracy of the proposals. Ms. Bynum requested that the County reinstitute work sessions in order to provide the public with an opportunity to have a dialogue with the County. She said that they supported keeping the update focused on GMA requirements; opposed using the Planning Commission as the 2016 Advisory Committee and requested that the Board of County Commissioners appoint a new Citizen Advisory Committee or a Technical Advisory Committee to work on the 2016 Comprehensive Plan Update. She said that the process of any amendments should be provided to the public for review and comment. Ms. Bynum requested that the Commissioners extend the public comment period until after the work plan had been completed.

Dr. Cambria Hurlimann of Bow addressed safety concerns related to a marijuana operation and the amount of traffic associated with the business. Dr. Hurlimann requested that the zoning for the Rural Intermediate be reevaluated to address recreational marijuana production.

Hal Rooks of Guemes Island and a member of Guemes Island Policy and Planning Committee said the implementation of the Guemes Island Subarea

Plan was long overdue. He urged the County to incorporate the Guemes Island Subarea Plan into the 2016 Comprehensive Plan Update.

Connie Munsey of Anacortes commented on major events that had taken place since the last Comprehensive Plan Update; dissatisfaction with the limited scope Comprehensive Plan Update; the need to increase public participation, and opposition to the inclusion of non-motorized transportation. She requested that proposals that were not absolutely necessary should be tabled until the economy improved; that the meaning of Rural Intermediate should be reevaluated; and said that a specific code should be written to address marijuana operations.

Carol Ehlers of West Fidalgo Island provided a history of the Growth Management Act and indicated that the process for providing notice of public hearings was inadequate. She commented on the lack of information regarding the population data, groundwater that caused landslides; and the need for a geologic analysis of the saltwater shorelines. Ms. Ehlers stated that the housing unit profile and the rural unit profile needed to be revised. She went on to comment on the lack of notice provided to the public on marijuana operations and the right to manage natural resource lands. Ms. Ehlers requested that the Commissioners extend the public comment period.

Randy Good of Sedro-Woolley said that the Planning Commission did not have the time to act as Advisory Committee for the 2016 Comprehensive Plan Update and said that it was important to appoint a separate Citizen's Advisory Committee.

Marianne Kooiman of Guemes Island and a member of the Guemes Island Planning Advisory Committee commented on the implementation of the Seawater Intrusion Policy and the Guemes Island Subarea Plan.

Iris Collinge of Bow-Edison commented on transparency in the public process.

Stuart Charles of Guemes Island commented on the Guemes Island Subarea Plan and changing the language from "should" to "shall" in the 2016 Comprehensive Plan Update.

Kate Bowers of Bow-Edison addressed concerns about the gun store in Bow-Edison being located next to a pre-kindergarten and liquor store.

Michael Brown of Guemes Island commented on the Guemes Island Subarea Plan, maintaining the rural character of Guemes Island, protecting water resources and future development on the Island. Mr. Brown urged the Commissioners to incorporate the Guemes Island Subarea Plan into the 2016 Comprehensive Plan.

Greta Morgan of Bow-Edison addressed concerns about the gun shop being located next to a post office and also addressed concerns about a marijuana operation.

Ed Stauffer of rural Skagit County spoke in opposition of the content of the 2016 Comprehensive Plan Update and indicated that the Plan was written by staff and did not include the will of the people or the Commissioners. Mr. Stauffer addressed concerns that the proposed Plan did not incorporate concerns of the rural residents in Skagit County.

Seeing no further public testimony forthcoming, Commissioner Wesen closed the public hearing at 12:17 p.m.

2. Miscellaneous

There were no miscellaneous items for Planning and Development Services to

discuss.

Chair Wesen recessed the proceedings at 12:18 p.m.

c) 1:30 p.m. - 1:35 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

d) 1:35 p.m. - 1:45 p.m. Planning and Development Services - Dale Pernula, Director:

1. Discussion/Possible Action: Ordinance Adopting the 2013 Comprehensive Plan Amendments, Including Amendments to the Bayview Ridge Subarea Plan and Development Regulations, Skagit County Code Chapters 14.16 and 14.18

Dale Pernula, Director, and Ryan Walters, Civil Deputy Prosecuting Attorney, presented the Ordinance Adopting the 2013 Comprehensive Plan Amendments, including Amendments to the Bayview Ridge Subarea Plan and Development Regulations, Skagit County Code Chapters 14.16 and 14.18. Mr. Pernula noted the Ordinance deferred the application by the City of Sedro-Woolley to the following year; would approve the property applied for by Kim Yong Ho; and approve various parts of the Bayview Ridge proposal.

A motion was made by Commissioner Dillon to approve Ordinance **No. O20140005** Adopting the 2013 Comprehensive Plan Amendments, Including Amendments to the Bayview Ridge Subarea Plan and Development Regulations, Skagit County Code Chapters 14.16 and 14.18 Chair Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Dahlstedt dissenting.

Commissioner Dahlstedt said that he supported the changes for industrial land; the petition from Kim Yong Ho, the change from the City of Sedro-Woolley but did not support the revisions to the basic subarea plan and the Airport Environs Overlay.

2. Discussion/Possible Action: Ordinance Adopting Revisions to the Airport Environs Overlay (AEO) Skagit County Code 14.16.210

A motion was made by Commissioner Dillon to approve Ordinance No. **O20140006** Adopting Revisions to the Airport Environs Overlay (AEO) Skagit County Code 14.16.210, Chair Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Dahlstedt dissenting.

Chair Wesen recessed the proceedings at 1:38 p.m.

e) 1:45 p.m. - 2:00 p.m. Parks, Recreation and Fair - Brian Adams, Director:

Chair Wesen reconvened the proceedings at 1:51 p.m.

1. Presentation - Friends of Howard Miller Steelhead Park

Brian Adams, Director; and Pauli Mickelson, Coordinator, were present to recognize the accomplishments of Commissioner Sharon Dillon to Howard Miller Steelhead Park. Mr. Adams said that Commissioner Dillon had supported and authorized several enhancement projects and as a result of Commissioner Dillon's hard work, Howard Miller Steelhead Park was a better place to recreate. Mr. Adams said that Commissioner Dillon's name would be placed on a kiosk at Howard Miller Steelhead Park. Commissioner Dillon was presented with plaque from the Skagit County Parks Advisory Board.

Mr. Adams presented the Commissioners with a plaque celebrating the 50 year anniversary of the establishment of the Skagit County Parks and Recreation Department.

Chair Wesen and Commissioner Dahlstedt thanked Commissioner Dillon for her hard work and dedication to Howard Miller Steelhead Park.

Commissioner Dillon said that she visited Howard Miller Steelhead Park several times a year and was honored to have her name placed on a kiosk at the Park.

f) *2:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

There were no executive sessions scheduled for the week of November 17, 2014.

IV. CONSENT AGENDA FOR MONDAY, NOVEMBER 17, 2014 (items 1 through 15):

Chair Wesen reconvened the proceedings at 1:32 p.m.

A motion was made by Commissioner Dillon to approve Consent Agenda items 1 through 15, Ratification Agenda items 16 through 21, vouchers and warrants for Monday, November 17, 2014. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, November 26, 2013. **(Approved)**
2. Record of the Proceedings for Tuesday, December 3, 2013. **(Approved)**
3. Record of the Proceedings for Wednesday, October 8, 2014. **(Approved)**
4. Record of the Proceedings for Wednesday, October 22, 2014. **(Approved)**
5. Record of the Proceedings for Monday, November 10, 2014. **(Approved)**
6. Resolution to reappoint Anna Ankrum to fill a vacant position on the Skagit County Northwest Senior Services Board. Ms. Ankrum's term shall commence on the date of execution and shall continue until June 30, 2017. **(Resolution No. R20140331)**
7. Resolution to amend Resolution No. R20140316 concerning an Application for Transfer of Current Use Timber to Current Use Open Space of Carol Whipple for the estate of Evarts W. Whipple CUOS #2-2014 to reflect the correct full name of "Carol A. Whipple". **(Resolution No. R20140332)**

b) BUDGET AND FINANCE:

8. Resolution calling for a public hearing to consider testimony regarding the 2015 Skagit County budget. The public hearing is scheduled for Monday, December 1, 2014, at 8:30 a.m. in the Commissioners' Hearing Room. **(Resolution No. R20140333)**

c) COMMUNITY SERVICES:

9. Resolution authorizing the allocation of mental health millage funding for 2015. **(Resolution No. R20140334)**
10. Resolution authorizing the allocation of developmental disabilities millage funding for 2015. **(Resolution No. R20140335)**

11. Vendor Services Agreement with CPI to repair and replace defective parts on the central and satellite kitchens for the Senior Nutrition Program. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$2,400. **(Contract No. R20140524)**

d) EMERGENCY MEDICAL SERVICES:

12. Personal Services Agreement with Matthew Russell to provide Emergency Medical Services (EMS) Medical Program Director (MPD) services. The Agreement shall commence on November 17, 2014, and shall continue until December 31, 2018. Compensation shall not exceed \$267,694.43. **(Contract No. C20140525)**

e) INFORMATION SERVICES:

13. Amendment No. 1 to Interlocal Technology Services Agreement No. C20140163 with the City of Burlington to provide Spillman public safety technology services to the City. The purpose of this Amendment is to allow the City to query the Island and San Juan Counties datasets. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2016, and the County invoicing the City on a quarterly basis on a service for compensation fee schedule. **(Amendment No. A20140158)**

f) PLANNING AND DEVELOPMENT SERVICES:

14. Memorandum of Agreement with Northwest Clean Air Agency (NWCAA) to provide funding to Skagit, Island, and Whatcom Counties to offset costs associated with operating an outdoor burning program. The amount allocated to each County shall be determined by the unincorporated population of each County as determined by the most recent Washington State population information. NWCAA will forward funds to the participating Counties on a quarterly basis after the beginning of each fiscal year. The Agreement shall commence on the date of execution and shall continue until terminated. Compensation to Skagit County for fiscal year 2015 shall not exceed \$10,878.76. **(Contract No. C20140526)**

g) SHERIFF:

15. Amendment No. 1 to Interagency Agreement, Grant No. RSO 14-15 Skagit, Skagit County Contract No. C20140334, with the Washington Association of Sheriffs and Police Chiefs (WASPC) to provide funding for the Registered Sex Offender Verification Program. The purpose of this Amendment is to reduce funding by \$791.21 because WASPC was assessed an "efficiency reduction" from the State. The a new compensation amount to Skagit County shall not exceed \$105,706.43. All other terms and conditions of the original Agreement shall remain in effect including the termination date of June 30, 2015. **(Amendment No. A20140159)**

V. RATIFICATION AGENDA (items 16 through 21):

h) DEPARTMENT OF EMERGENCY MANAGEMENT:

16. Resolution authorizing the ratification of Snohomish County Homeland Security Grant Program (HSGP) Agreement No. E15-082 between Skagit County, the Washington State Military Department, and the U.S. Department of Homeland Security to provide funding for the implementation of the National Preparedness System by supporting the building, sustainment and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation. The Agreement was not received from the Washington State Military Department prior to the commencement date of September 1, 2014.

(Resolution No. R20140336)

17. Snohomish County Homeland Security Grant Program (HSGP) Agreement No. E15-082 between Skagit County, the Washington State Military Department, and the U.S. Department of Homeland Security to provide funding for the implementation of the National Preparedness System by supporting the building, sustainment and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation. The Agreement commenced on September 1, 2014, and shall continue until June 30, 2016. Compensation to Skagit County shall not exceed \$61,230. **(Contract No. C20140527)**

i) EMERGENCY MEDICAL SERVICES:

18. Resolution authorizing the ratification of a Personal Services Agreement with Dr. Justin Curran to backup and work under the direction of the Skagit Emergency Medical Program Director to provide medical control and direction to all persons that are involved in patient care and transport in the pre-hospital emergency care system within Skagit County. A signed Agreement could not be executed before the commencement of services on September 22, 2014, due to the dissolution of the Emergency Medical Services Commission and it was important to maintain continuity of medical oversight services. **(Resolution No. R20140337)**

19. Personal Services Agreement with Dr. Justin Curran to backup and work under the direction of the Skagit Emergency Medical Program Director to provide medical control and direction to all persons that are involved in patient care and transport in the pre-hospital emergency care system within Skagit County. The Agreement commenced on September 22, 2014, and shall continue until December 31, 2018. Compensation shall not exceed \$108,000. **(Contract No. C20140528)**

j) FACILITIES MANAGEMENT:

20. Resolution authorizing the ratification of a Vendor Services Agreement with Lyndale Glass for the removal and replacement of a broken window at the Mount Vernon Senior Center located at 1401 Cleveland Street in Mount Vernon on September 25, 2014. A signed contract was not received prior to the commencement of the contract on September 25, 2014. **(Resolution No. R20140338)**

21. Vendor Services Agreement with Lyndale Glass for the removal and replacement of a broken window at the Mount Vernon Senior Center located at 1401 Cleveland Street in Mount Vernon on September 25, 2014. The Agreement commenced on September 25, 2014 and shall continue for 30 days from the date of execution. Compensation shall not exceed \$257.15. **(Contract No. C20140529)**

VI. VOUCHERS AND WARRANTS:

1. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing, which has been made available to the Board. As of this date, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:
 - a) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$210,266.79 (Transmittal No. C-147-14); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$218,056.05

(Transmittal No. C-148-14); and

- c) Warrants numbered 412346 through 412955 from Clearing Fund 696 in the total dollar amount of \$3,914,807.63 (Transmittal No. C-149-14); and
- d) Junior District Payroll warrants numbered 807468 through 807469 in the total dollar amount of -\$5,041.31 (Transmittal No. P-44-14).

VII. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 2:00 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board