

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

The Skagit County Board of Commissioners met in regular session on Tuesday, December 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 11:31 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

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

1. Miscellaneous Announcements

A motion was made by Commissioner Dillon to approve approve the following two vouchers and warrants from the Auditor's Office:

Warrants numbered 414089 through 414136 from Clearing Fund 696 in the total dollar amount of \$186,085.05 (Transmittal No. C-162-14); and

Junior District Payroll warrants numbered 807665 through 807843 in the total dollar amount of \$225,718.60 (Transmittal No. P-48-14). Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

2. Public Comment Period

Due to the amount of people present to provide public comments, Chair Wesen announced that each person would have approximately 3 minutes each to speak.

Carol Ehlers of Fidalgo Island discussed Washington State's unpreparedness regarding Initiative 501 and Skagit County's current zoning which benefited farming and agricultural uses and now included the production of marijuana. She said that current zoning for the production and processing of marijuana was inappropriate due to the close proximity to many residential neighborhoods.

Barb Hendrickson of Dunbar Lane in Mount Vernon shared that she had lived on Dunbar Lane for 43 years. She said that she filed a complaint with Planning and Development Services about the new marijuana business in their neighborhood July of 2014 due to the illegal 8 foot fence and cargo containers on site. She shared that the marijuana business had missed the deadline to comply with Skagit County Code. She said that she understands the business is planning to apply to Skagit County for a variance in order to allow the 8 foot fence and containers to remain as they are. Ms. Hendrickson said the neighborhood would fight the variance. She went on to report that the business owners were not friendly and that the business did not make them feel safe. Ms. Hendrickson also reported that such a business would decrease the value of homes in the neighborhood, along with the extra light pollution, smell, and feeling of invasion of privacy due to the multiple cameras installed at the business which pointed towards all parts of their neighborhood. She was unhappy with the lack of accountability and asked that these businesses not be approved for operation unless they fully complied with all laws.

Sharyn Sowell of Mount Vernon said that Initiative 502 was passed before proper laws were in place. She asked that marijuana operations and production be halted until supporting laws were in place. She reported that many marijuana businesses were located in neighborhoods, not in wide-open farm or forested areas. She shared concerns about loosing tenants in a home she had which faced a marijuana greenhouse because her tenants were concerned about the risk of living next to such a business. Ms. Sowell said that the owner of the marijuana business was also an attorney who knew his way around the law and spoke of the unfairness to normal citizens who did not. She requested that no variances be permitted and that other permitting decisions be stalled until proper legislation was in place.

Joan Schleh of Dunbar Road in Mount Vernon was present to share that she also lived near a marijuana business which was inappropriate in their residential setting. She said that the business had 11 security cameras pointed towards all parts of the neighborhood, including the bus stop where her children wait for the school bus. She shared that her children felt like they were being watched when they played outside in their yard and often run and hid. She reported that the grow lights are too bright, they can smell materials they burn, and hear delivery trucks throughout the night. She asked the Commissioners to take a stand against the illegal business and said that they were concerned for their safety.

John Boisen of Dunbar Lane was present to suggest that the Commissioners not allow any variances which would help solve the problem.

Ellen Bynum of Friends of Skagit County was present to request the Transfer of Development Rights Program be correctly renamed something to reflect the purpose of the program which was to increase the density in urban areas. Ms. Bynum also requested that public comment be allowed at consent agenda and she shared concerns about the Cascade Trail and other trails that were located in railroad corridors.

Cambria Hurlimann of Old Highway 99 North asked the Commissioners to carefully consider the concerns brought up about marijuana businesses and the need to update county code, policies, and enforcement.

Liz McNett Crowl, Coordinator for Skagit Healthy Communities was present to thank the Commissioners for the proper placement of the Cascade Trail paving project on the 6-year Transportation Improvement Program. She said that trails contributed to healthier communities.

Lori Scott of Old Highway 99 North was present to ask that definitions in the code be clear when it came to marijuana businesses. She was concerned that a hoop house and the measurement of light by "a candle" was not known by the Skagit County Code Enforcement Officer, or, marijuana businesses.

Scarlet Starkey on the corner of Avon Allen Road and Dunbar Road reported that the owners of the new marijuana business were very unfriendly and that the neighborhood received no notice of its intent to locate among them. She said that when her daughter rides her horse she can smell marijuana.

Carol Ehlers of Fidalgo Island spoke again and shared that the problem Skagit County had with limiting the locations of marijuana businesses, which were considered an agricultural use, was Skagit County Code, section 14.38 which said that all agricultural uses had precedence over any other use. She shared that the code had been written to protect farmers in agricultural zones from complaints about plowing or the smell of manure. She said the code was written for legitimate reasons but was not appropriate for marijuana businesses.

3. County and Individual Success Stories

Commissioner Dillon congratulated the Sedro-Woolley High School Cubs for their recent Washington State championship win.

Commissioner Dahlstedt thanked the audience for their comments and said that it was the first he had heard complaints about the marijuana operation on Dunbar Lane. He said that he was frustrated that the state was not sharing revenue with counties that needed to enforce laws regarding marijuana growing and processing businesses.

Chair Wesen explained that enforcements by Skagit County needed to follow Skagit County Code 14.44 and that he wanted to make sure all marijuana businesses were operating legally and that they had the proper permitting in place. He explained what a temporary hoop greenhouse was and defined that the term, candle, when measuring light was 1 meter.

IV. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 12:10 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board