

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JANUARY 6, 2015**

The Skagit County Board of Commissioners met in regular session on Tuesday, January 6, 2015, with Chair Kenneth A. Dahlstedt, Commissioner Ron Wesen, and Commissioner Lisa Janicki present.

I. CALL TO ORDER:

Chair Dahlstedt called the proceedings to order at 8:32 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 8:30 a.m. - 9:30 a.m. Planning and Development Services - Dale Pernula, Director:

Chair Dahlstedt thanked the audience for attending the public hearing, announced that each person would have three minutes to speak, and asked the group to raise their hands if they agreed with the speaker instead of clapping so that the meeting could continue to move along and everyone would have a chance to speak. Chair Dahlstedt also announced that if, at the end of the session, there were more people on the list that had not had an opportunity to provide their comments, the public hearing would be continued in order to allow everyone the opportunity to share their thoughts on the proposed moratorium.

1. Public Hearing: To Consider Testimony Regarding Adopting a Moratorium on Marijuana Facilities in Certain Zones

Chair Dahlstedt introduced Planning and Development Director Dale Pernula. Mr. Pernula briefed the Commissioners on the changes contained in the revised interim regulations regarding marijuana facilities in specified zones which were contained in Ordinance No. O20140009.

Mr. Pernula said that the revised rules included continuing a moratorium on new recreational marijuana production or processing facilities in the following zones: Rural Intermediate, Rural Reserve, Rural Business, Rural Center, Rural Resource-NRL, Rural Village Commercial, Bayview Ridge Residential, and Hamilton Residential; and also adopted new setbacks.

Mr. Walters clarified that the interim Ordinance was set for one-year, did not affect any legally established businesses, and provided Skagit County time to establish permanent rules. Chair Dahlstedt opened the public hearing at 8:42 a.m. Michael Martindale of Dukes Hill Canna in Sedro-Woolley was present to share that he did not support the moratorium, and he explained that he had several thousand dollars invested in his business and had already completed requirements to establish his business according to Washington State and Skagit County rules.

Sharyn Sowell of Mount Vernon was present to share her support of the moratorium. She said that marijuana processing facilities did not belong in neighborhood settings. She also shared that the U.S. Department of Agriculture did not recognize marijuana as an agricultural crop, and that the value of properties near marijuana facilities were dropping. Barb Hendrickson of Mount Vernon shared her concerns about safety now that a marijuana processing facility had located in their neighborhood. She complained of the light pollution emitted by the facility, the odor, the surveillance cameras on the property, and the accountability of the facility. Lori Scott of Burlington was present to

support the moratorium and asked for greater setbacks or additional landscape coverage solutions. She also complained about the odor, lighting, and noise that the marijuana facility produced in their neighborhood. James Davenport of Sedro-Woolley was present to point out that Americans had rights and that marijuana facilities were not illegal. He pointed out that many producers and processors had invested a lot of money to start their businesses and that Skagit County should not be halting their operations. Mr. Davenport said that the people voted, the law passed, it is no longer illegal, and shutting down current facilities was not a good idea. Debbie Hansen of 3419 Spruce Avenue was present to share that there was a legitimate medical need for marijuana. She said she benefits from using it and that she is now cancer free and did not have to use narcotics. She shared that marijuana dispensaries should be treated more like pharmacies and that they were not illegal. Larry Hurlimann of Burlington thanked the Commissioners for the moratorium. He said that a marijuana facility near his home negatively affected his family. He complained about the light pollution emitted by grow lights, the noise of the heating system, and his worries about their safety as it came closer to harvesting the plants. He also shared concerns about Washington States rules, citing a portion of code that was only two sentences long regarding alarm systems. Dennis Ruschmann of Mount Vernon was present to inform the Commissioners that marijuana facilities provided jobs, that the guidelines for medical operations were different than for recreational operations, that his operation employed 30 individuals with a medical benefits package, that his business was for pharmaceutical purposes, that they submitted two products to the military for PTSD, that they manufactured a healing ointment, and that United States President Obama signed a spending bill which legalized marijuana in America. He asked the Commissioners to make the rules work. He shared his thoughts about the operation on Dunbar Road and said that marijuana facilities wanted to be good neighbors.

Mike Coslor of Sedro-Woolley was present to share that this moratorium negatively impacted his business which also provided jobs. He shared some of the health benefits provided by marijuana and reminded the Commissioners that only organized crime benefited by the criminalization of marijuana. He asked the Commissioners to support diversified agriculture, keep the newly created jobs, and drop the old drug-war attitudes. Dan Smith of Burlington said that the moratorium would be setting back businesses that were bringing additional revenue into Skagit County. Stephanie Sedano of Mount Vernon was present to share that she had been employed with a medical marijuana dispensary for one year and that she had seen the benefits provided to patients using cannabis. Connie Munsey of Anacortes was in favor of the spirit of the moratorium but requested clearer rules. She did not believe marijuana facilities were appropriate in residential areas and she said that it was up to Skagit County to decide how to implement laws in their community. She was concerned about the loss of property valuation and the negligence by Skagit County to develop more comprehensive rules before now.

Tim Miller of Mount Vernon was present to share that he lived near farmland, and that for 80 years there had been public misinformation about marijuana. He shared statistics from 2012 regarding the number of deaths in America from drug overdose, car accidents, etc., and pointed out that there were no drug induced deaths caused by marijuana. Cambria Hurlimann of Burlington thanked Skagit County for the moratorium and was frustrated that these issues had not been thought about a year or two ago. She said she was afraid to live next to a marijuana facility, was worried about increased crime, was concerned about the impact to the environment and wildlife, and was afraid that neighborhood disputes would escalate. She requested greater setback requirements. JoAnn Nurmi of Mount Vernon was present to share her support for the moratorium and agreed that marijuana facilities were legal. She agreed that this issue frustrated all involved: marijuana facilities as well as their neighbors. She asked that Skagit County look at the big picture when planning the Ordinance.

Don Wirtshafter of Mount Vernon was present to share that he owned the infamous facility on Dunbar Lane. He asked what the emergency was and why Skagit County took steps to set a moratorium on marijuana facilities. Mr. Wirtshafter said that huge investments had been made in Skagit County, in the correct zones, by many facilities and that the process to date had taken two years. He said that now was not the time to rewrite the law, which had already been carefully considered by marijuana facilities before spending time and money to open their businesses.

Kurt Boehl of Mount Vernon was present to share that he represented Tom and Patty Perkins, life-long Skagit County residents who own two establishments and have been working with the Washington State Liquor Control Board and law enforcement to legally operate their businesses. Mr. Boehl shared information about the very long process that Tom and Patty had followed to operate legally and he said that Tom and Patty might be forced to file a lawsuit against Skagit County if they were not allowed to move forward. Mr. Boehl also pointed out that Tom and Patty Perkins worked closely with their neighbors during the process and he shared that the security involved in marijuana facilities was very impressive and he asked the people who were worried about security and safety if they had actually ever been to a marijuana facility to see the many measures facilities were required to take in order to legally operate.

Susan Abramovitz of Mount Vernon was present to share that she was a medical marijuana patient who had benefited greatly by cannabis and she did not support the moratorium. Jim Moores of Mount Vernon was present to share that he lived 500 feet from a growing operation on Dunbar Lane and he wanted to inform the Commissioners that the smell emitted from the site was unbearable, that many barbeques had been cancelled during the summer due to the odor, and that they could not even open their windows due to the strong smell. It made him wonder if the currently proposed setback was large enough. He also shared his concerns about his properties' value diminishing. Gilda Gorr of Burlington was present to ask that growing operations not occur in neighborhood settings. Randy Brown of Mount Vernon was present to share that they liked living in a neighborhood near an agricultural area, and that they had specifically not located near a dairy farm or chicken farm due to the odor. Mr. Brown shared that they now were dealing with a skunky odor that was coming from the marijuana facility nearby. He shared that he was not against medical marijuana. He said that facilities needed to be located appropriately in an industry or business park area.

Hal Rooks of Anacortes was present to share that he was part of the Guemes Island Planning Advisory Committee and he shared concerns about allowing marijuana facilities on the island due to their unknown water use and potential for groundwater contamination.

Chair Dahlstedt announced that the Commissioners would need to continue to the public hearing to a future date due to the amount of people who had signed up and had not yet been given an opportunity to speak. Due to one Commissioners upcoming absence, and, a full calendar, he suggested the public hearing be continued to February 3, 2015.

A motion was made by Commissioner Wesen to approve continuing the public hearing to Tuesday, February 3, 2015, at 10:00 a.m. and allow for additional testimony regarding adopting a moratorium on marijuana facilities in certain zones, and, to allow written comments through February 5, 2015, at 4:30 p.m. Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 9:34 a.m.

## 2. Miscellaneous

### b) 9:30 a.m. - 10:00 a.m. Presentation by Slalom Consulting - Status Report on Skagit County Health Assessment

Chair Dahlstedt reconvened the proceedings at 9:39 a.m. and introduced Director of the Skagit County Health Department Jennifer Johnson to introduce the agenda item.

Ms. Johnson informed the Commissioners that healthcare was undergoing significant transitions in the country and that, state-wide, many counties were evaluating their role in healthcare. Ms. Johnson said that Skagit County had an assessment performed by Slalom

Consulting to highlight what kind of care was being offered in Skagit County and by Skagit County. Nate Joy and Allie Siegel presented their findings and recommendations to the Commissioners. The report can be found:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01052015>

The Commissioners thanked Mr. Joy and Ms. Siegel of Slalom Consulting for the valuable information. Chair Dahlstedt recessed the proceedings at 10:06 a.m.

c) 10:00 a.m. - 10:30 a.m. Emergency Medical Services - Mark Raaka, Director:

Chair Dahlstedt reconvened the proceedings at 10:11 a.m. introduced EMS Director Mark Raaka.

1. Public Hearing: To Consider Testimony Regarding a Proposed Skagit County Emergency Medical Services Ambulance Fee Schedule

Mr. Raaka provided a powerpoint to the Commissioners on the Skagit County EMS system, what it was, and how it was funded, and he asked the Commissioners to consider adding the non-resident fee schedule.

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01052015>

Chair Dahlstedt opened the public hearing at 10:31 a.m. Shane Sanderson of Mount Vernon was present to add that all EMS fees related to transportation and that no fees were charged when an individual was not transported.

Seeing no further public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 10:34 a.m. which was seconded by Commissioner Janicki. The vote passed unanimously. The Commissioners thanked Mr. Raaka for the presentation and agreed that Skagit County, like so many neighboring counties, should charge a resident fee as well as a non-resident fee.

A motion was made by Commissioner Wesen to approve the ambulance fee schedule as presented. **(Resolution No. R20150004)**. Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 10:36 a.m.

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

Chair Dahlstedt reconvened the proceedings at 11:31 a.m.

1. County and Individual Success Stories

None were shared.

2. Public Comment Period

Carol Ehlers of Fidalgo Island was present to share information about landslides with the Commissioners and point out that the recent Oso landslide was featured in a German magazine. She discussed the importance of good record keeping and the importance of geomorphology in relation to Skagit County's shoreline planning and other land use planning issues.

3. Miscellaneous Announcements

Commissioner Wesen reminded citizens to check their drains and to let Skagit County Public Works know if there were any culvert problems.

IV. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 11:49 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chair

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Lisa Janicki, Commissioner

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Ron Wesen, Commissioner

ATTEST:

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Clerk of the Board