

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JUNE 23, 2015**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 23, 2015, with Chair Kenneth A. Dahlstedt, Commissioner Lisa Janicki, and Commissioner Ron Wesen 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.

III. AGENDA:

a) 8:30 a.m. - 9:30 a.m. Public Works - Dan Berentson, Director:

Dan Berentson, Director; and Kara Symonds, Watershed Planner; were present to introduce the agenda items and answer questions.

1. Presentation of the Findings of a Study Entitled "Creating a Resilient Transportation Network in Skagit County" by Todd Carlson, Planning and Engineering Services Manager for Washington State Department of Transportation (WSDOT) Northwest Region

Todd Carlson, Planning and Engineering Services Manager for Washington State Department of Transportation (WSDOT) provided a PowerPoint regarding the findings of a study entitled "Creating a Resilient Transportation Network in Skagit County" and a report developed by WSDOT in accordance with a grant from the Federal Highway Administration (FHWA).

PowerPoint Presentation and WSDOT Study "Creating a Resilient Transportation Network in Skagit County: Using Flood Studies to Inform Transportation Asset Management."  
<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/06222015/>

Other Attendees:

Marv Pulst, City of Burlington Public Works Director  
Esco Bell, City of Mount Vernon Public Works Director  
Brian Dempsey, Engineer  
Darryl Hamburg, Dike District No. 17  
Kevin Murphy, Skagit County of Governments Executive Director (SCOG)

The Commissioners thanked WSDOT, Skagit County Public Works; U.S. Army Corps of Engineers Seattle District; and FHWA for partnering in the development of the adaptation pilot project.

The Commissioners agreed that a considerable amount of money and time had been spent on the General Investigation Study and that the time had come to start building to improve flood protection in Skagit County.

2. Update by Emergency Management Director Mark Anderson

Mark Anderson, Emergency Management Director, explained that the functions of the Department of Emergency Management (DEM) were to coordinate the emergency management program for Skagit County and working with the incorporated cities and towns. He noted that he had placed a major emphasis on building and strengthening relationships with the cities and towns that the county partnered with in providing services and that since he became the Director in April of 2015 he has had meetings with the mayors and department heads to establish a solid foundation and generate support for Emergency Management functions.

Mr. Anderson reported that DEM had received a passing score and high marks from the Washington State Office of Financial Management for the management of grants received from the State.

The Commissioners thanked Mr. Anderson for the update.

Chair Dahlstedt recessed the proceedings at 9:38 a.m.

3. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

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

b) 9:30 a.m. - 10:00 a.m. Presentation by Skagit Council of Governments (SCOG) Executive Director Kevin Murphy Regarding Skagit-Island Regional Transportation Planning Organization (Possible Action)

Kevin Murphy, Skagit Council of Governments (SCOG) Executive Director, presented a PowerPoint presentation regarding the Skagit-Island Regional Transportation Planning Organization (SIRTPO) and provided information detailing the background and history of the SIRTPO. He explained that SCOG was the Lead Planning Agency and that Island County was the Lead Planning Agency for the Island Regional Transportation Policy Organization (Island RTPO) and discussed the challenges of the SIRTPO process.

Mr. Murphy explained that over the last two months, members of SIRTPO were considering whether to continue or dissolve the SIRTPO. He said that that five cities and towns had voted to withdraw from the organization and had submitted withdrawal notices as of early June 2015. Pursuant to the Revised Code of Washington (RCW) 47.80.020, the effect of the five cities and towns withdrawal notices was the dissolution of the SIRTPO. Mr. Murphy said that the next step in the process would be to gather withdrawal documents and submit them to the Washington State Department of Transportation (WSDOT). He noted that there would be a meeting of the SIRTPO on Tuesday, June 30, 2015, at the Port of Anacortes where there would be discussions about the effects and possible next steps to officially dissolve the SIRTPO.

There was a discussion regarding an alternative structure to regional transportation planning that could mimic the

Farmhouse Gang structure and the various transportation funding sources.

PowerPoint Presentation and Notices of Withdrawal:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/06222015/>

Other Attendees:

City of Mount Vernon Mayor Jill Boudreau

A motion was made by Commissioner Wesen to approve that Skagit County stay within the SIRTPO structure Chair Dahlstedt seconded the motion.

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

Chair Dahlstedt recessed the proceedings at 10:04 a.m.

c) 10:00 a.m. - 11:00 a.m. Assessor - Dave Thomas, Director:

1. Public Hearing to Consider Testimony Regarding Terminating the Open Space Timber Land Classification and Consolidating the Timber Land Classification with the Designated Forest Land Classification

Chair Dahlstedt reconvened the proceedings at 10:06 a.m.

Dave Thomas, Assessor; Kiffin Saben, Current Use Specialist; and Annette DeVoe, Chief Deputy Assessor were present to provide information about combining the Current Use Timber with the Designated Forest Land Programs. Mr. Thomas explained that combining the Current Use Timber with the Designated Forest Land Program would allow the Assessor's office to manage one program instead of two and would streamline the application process.

Ms. DeVoe presented a PowerPoint presentation and noted that the purpose of the public hearing was to request approval from the Board of County Commissioners for the Assessor's office to implement Senate Bill 6180 which provides counties with the ability to combine Current Use/Timber Programs with the Designated Forest Land Program.

PowerPoint Presentation:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/06222015/>

Chair Dahlstedt opened the public hearing at 10:21 a.m.

Doug Dore of Mount Vernon said he was in the Current Use Timber and asked questions about his property value.

Mr. Dore was instructed to meet with the Assessor's Office to discuss the questions that related specifically to his property.

Seeing no further public comment forthcoming, Commissioner Wesen made a motion to close the public hearing at 10:29 a.m., Commissioner Janicki seconded the motion which passed unanimously.

A motion was made by Commissioner Wesen to approve rendering a decision regarding terminating the Open Space Timber Land Classification and Consolidating the Timber Land Classification with the Designated Forest Land Classification on Tuesday, July 7, 2015 at 10:30 a.m., in the Commissioners' Hearing Room. The written comment period shall remain open until Friday, June 26, 2015. Comments should be submitted to the Assessor's Office. Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 10:32 a.m.

d) 11:00 a.m. - 11:30 a.m. Public Health and Community Services - Bob Hicks, Operations Manager:

Chair Dahlstedt reconvened the proceedings at 11:01 a.m.

Bob Hicks, Operations Manager, said that Department of Commerce had offered a Community Development Block Grant (CDBG) to help rural communities with projects that would benefit low- and moderate-income persons. He said that the grant was an Economic Opportunity (EO) grant program which was designed for small farms to upgrade and improve their infrastructure.

Paul Schissler, Independent Contractor, explained that Community Action of Skagit County had offered its Community Food Access program as the project's Lead Agency. He said that farmers that accepted grant funding would pay back the cost of the infrastructure over ten years or less, and may opt for payments of produce in lieu of cash payments. He said that the proposal would be to help at least 30 farms in the first two years over the course of a two-year project period. Mr. Schissler discussed the criteria that farmers would need in order to qualify for the grant and said that the EO was intended for existing farms that wanted to increase their wholesale production.

Memo from Paul Schissler and Department of Commerce Community Block Grant Program Handout:  
<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/06222015/>

1. Public Hearing to Consider Testimony Regarding Authorizing the Proposed Community Block Grant (CDBG) Economic Opportunity Application

Chair Dahlstedt opened the public hearing at 11:20 a.m.

Bill Henkel, Executive Director of Community Action of Skagit County, spoke in support of the on-farm infrastructure project and the Community Development Block Grant (CDBG) Economic Opportunity Grant.

Seeing no further public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 11:28 a.m. Commissioner Janicki seconded the motion which passed unanimously.

A motion was made by Commissioner Janicki to approve a Resolution Authorizing the submission of the proposed Community Block Grant (CDBG) Economic Opportunity Application. **(Resolution No. R20150210)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 11:32 a.m.

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

Chair Dahlstedt reconvened the proceedings 11:39 a.m.

1. County and Individual Success Stories

No one present to provide County and Individual Success Stories.

2. Public Comment Period

No one present to provide public comment.

3. Miscellaneous Announcement

Commissioner Wesen thanked the Anacortes City Council for authorizing Mayor Gere to negotiate an agreement with the Drainage and Irrigation Districts on Fir Island and La Conner for 20 cubic feet per second of water from their water rights for the 2015 irrigation season.

Chair Dahlstedt recessed the proceedings at 11:41 a.m.

f) 1:30 p.m. - 3:00 p.m. Board of County Commissioners:

Chair Dahlstedt reconvened the proceedings at 1:30 p.m.

1. Closed Record Appeals #PL15-0264, Submitted by David Zagelow; and #PL15-0283, Submitted by Jill Rouw, of Hearing Decision of Special Use Permit #PL-0020 Regarding a Special Use Request to Allow for Weekly Individual Private Music Lessons as a Home Based Business 3

Chair Dahlstedt welcomed everyone to the closed-record hearing and stated that the time for the hearing was 1.5 hours and that presentations would be heard in the following order: from each Appellant, up to 15 minutes; from the Planning Department staff, up to 15 minutes; from Respondent or any parties of record, being any person who testified at a prior hearing on this issue or who had submitted a written statement, or had formally requested to receive information on this issue; up to 15 minutes; and then, the Commissioners would hear any rebuttal - first from staff, and then the appellants up to 5 minutes each. He announced that pursuant to Skagit County Code, no new evidence or testimony that was not presented to the Hearing Examiner could be heard.

Appellant David Zagelow presented an opening statement and requested conditions #5, #6, #7, and #8, be removed from the approved permit.

Jennifer Russell presented an opening statement on behalf of Appellant Jill Rouw and discussed the lack of parking and traffic generated by the home based business. Ms. Russell requested that the permit be denied outright, or that the original decision of the Hearing Examiner be upheld with two additional amendments referenced in the June 9, 2015, appeal.

Marge Swint, Senior Planner, provided an opening statement on behalf of the Planning and Development Services Department. She noted that the hearing was a closed record appeal of the Hearing Examiner's decision of Special Use Permit #PL15-0020. The special use request was to allow for weekly, individual private music lessons as a Home Based Business 3. The proposed project was located at 7656 South Skyridge Drive in Mount Vernon. Ms. Swint provided information about evidence submitted in the open record appeal to the Hearing Examiner.

The following parties of record spoke in opposition to home based business:  
James Hobbs Senior; Judy Monlucks; Richard Keyes; Michael McDaniel; and Rick Ray.

The following parties of record spoke in support of the permit: Sara Berry.

Ms. Swint provided a rebuttal from the Planning Department in support of the initial hours of operation that were originally submitted with the application.

Paul Taylor, Attorney, presented rebuttal arguments on behalf of Appellant David Zagelow and requested the removal of conditions #5, #6, #7, and #8.

Jennifer Russell presented rebuttal arguments on behalf of Appellant Jill Rouw.

Chair Dahlstedt thanked everyone for their presentations and stated that this was a quasi-judicial proceeding, which meant in this instance the Board of County Commissioners were sitting as judges, not lawmakers. He requested that the parties not attempt to contact members of the Board about this matter before they rendered their decision. The decision will be rendered in public session on Tuesday, July 7, 2015, at 10:00 a.m., in the Commissioners' Hearing Room. He asked that questions be directed to Senior Civil Deputy Prosecuting Attorney Will Honea, who was representing the Board in this matter, or Clerk of the Board Linda Hammons.

Closed Record Appeal Documents:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/06222015/>

g) \*3:30 p.m. - 4:00 p.m. Emergency Medical Services Meeting

IV. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 2:43 p.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