

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 25, 2015**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 25, 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 to the flag.

III. AGENDA:

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

1. Discussion/Possible Action: Annual Comprehensive Plan Amendments 2015 Docket

Dale Pernula, Director; and Ryan Walters, Deputy Prosecuting Attorney, reviewed the preliminary list of proposals to the Annual Comprehensive Plan Amendments for the 2015 Update Docket. There was a discussion about modifying the Burlington Urban Growth Area to encompass the area owned by the Skagit County Housing Authority known as Raspberry Ridge, and applying City of Burlington zoning.

After discussion about providing the City of Burlington Council the opportunity to fully vet the County-initiated Comprehensive Plan Amendment to modify the Burlington urban Growth Area to encompass the Raspberry Ridge area, the Commissioners agreed to add it as a placeholder to the list.

Commissioners Janicki and Chair Dahlstedt directed the Department add the 60 acre property owned by the Knutzen family into the Bayview Ridge Residential Urban Growth Area to the list.

Annual Comprehensive Plan Amendments Memo:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/08242015/>

2. Discussion: Stormwater Code 2015 Update

Mr. Pernula provided background information about the proposed update to the stormwater code and noted that it was motivated by the requirement in the National Pollutant Discharge Elimination System (NPDES) Permit to amend the development code to require and facilitate Low-Impact Development (LID) principles and Best Management Practices in the NPDES Permit Area.

There was a discussion about the requirement to permit the County to gain access by easements to inspect stormwater facilities; the need for easements; which facilities needed inspection; providing advance notice of inspections, and setting limits on the frequency of inspections.

Mr. Walters indicated that the Department would make the necessary changes based on the discussion and bring forth the final Ordinance for the Commissioners consideration and possible adoption.

Stormwater Code 2015 Update:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/08242015/>

Chair Dahlstedt recessed the proceedings at 8:57 a.m.

b) 9:30 a.m. - 10:30 a.m. Public Works - Dan Berentson, Director:

1. Discussion/Possible Action: Resolution Establishing Policies and Procedures for the Creation of a Railroad Quiet Zone

Chair Dahlstedt reconvened the proceedings at 9:31 a.m.

Dan Berentson, Director; and Paul Randall-Grutter, County Engineer, were present to introduce the agenda item and answer questions.

Forrest Jones, Lead Engineering Technician - Transportation Programs, noted that the discussion was a follow up to the July 21, 2015, work session. Mr. Jones reviewed the Quiet Zone Policies and Procedures; discussed the Resolution to Establish Policies and Procedures for the Creation of a Railroad Quiet Zone and provided a PowerPoint presentation.

There was a discussion about whether eliminating the horns sounding limited safety; the funding agreement to establish policies and procedures as presented on the July 21, 2015, presentation; notification radius to property owners within the proposed Quiet Zone; petitioning property owners; cost estimate of the project; potential liability to the property owners and the County; and the appeal process.

After a discussion with a member in the audience about providing the public with the opportunity to comment on the matter, the Commissioners instructed to the Clerk to provide a date and time to hold a public hearing.

A motion was made by Commissioner Wesen to approve scheduling a public hearing on Tuesday, September 15, 2015, at 9:30 a.m. to consider testimony regarding establishing policies and procedures for the Creation of a Railroad Quiet Zone Commissioner Janicki seconded the motion.

The vote passed unanimously.

PowerPoint Presentation and Resolution to Establish Policies and Procedures for the Creation of a Railroad Quiet Zone:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/08242015/>

Chair Dahlstedt recessed the proceedings at 10:15 a.m.

- c) 10:30 a.m. - 11:15 a.m. Presentation by Dr. Lindsey J. du Toit, Washington State University (WSU) Mount Vernon Northwest Research Center, Department of Pathology, Regarding Crops Infected with Fungal Disease

Chair Dahlstedt reconvened the proceedings at 10:31 a.m.

Don McMoran, Director, introduced the agenda item and said that he would be attending the memorial service in Pullman today in honor the late Washington State University (WSU) President Elson Floyd and that he would pass along the condolence letter from the Commissioners to WSU's Dean.

Dr. Lindsey du Toit presented a PowerPoint presentation titled "Ignorance is Bliss? History Repeated for Brassica Black Leg in the Pacific Northwest". Dr. du Toit noted that Black Leg was a fungal disease that affected small-seeded vegetable seed crops in the Pacific Northwest. She noted that because of the foresight that the seed growers and producers, Skagit County had not experienced an outbreak of Blackleg since the 1970's but in 2014 the Willamette Valley in Oregon had an epidemic in Crucifer crops.

PowerPoint Presentation:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/08242015/>

More information can be obtained at the following:

Pacific Northwest Black Leg Interest Group by e-mail: dutoit@wsu.edu or by telephone: (360) 848-6140; Washington State Department of Agriculture Seed Program Victor Shaul: vshaul@agr.wa.gov or (509) 249-6950.

Chair Dahlstedt recessed the proceedings at 11:15 a.m.

- d) 11:15 a.m. - 11:30 a.m. Planning and Development Services - Brandon Black, Senior Planner:

1. Discussion/Possible Action: Conservation Easement for the Short Plat No. PL15-0191, Submitted by Philip E. Hagman, Personal Representative of the Estate of Lois I. Hagman, to Create One Residential Lot of .78 Acres, Parcel No. P127413

Brandon Black, Senior Planner, presented a Conservation Grant Deed of Conservation Easement submitted by Philip E. Hagman, Personal Representative of the Estate of Lois I. Hagman, to create one residential lot of .78 acres, Parcel No. P127413.

A motion was made by Commissioner Wesen to approve the Conservation Easement for Short Plat #PL15-0191 submitted by Philip E. Hagman. **(Contract No. C20150365)** Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 11:24 a.m.

- e) 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

Gary Knutzen, Athletic Director of Skagit Valley College, said that he would be retiring after 54 years. Mr. Knutzen reflected on all the partnerships that the College has had with the County during his tenure and thanked the County for partnering with the College.

County Administrator Tim Holloran thanked Mr. Knutzen for his leadership and wished him well in his retirement.

The Commissioners thanked Mr. Knutzen for all his hard work and wished him well in his retirement.

2. Public Comment Period

Dave Buchan of 15376 Channel Drive in La Conner, spoke about the value that Skagit Valley College contributed to the community; and his disappointment about the decision to shift property taxes from tribal land to non-tribal land.

Linda Ryan of 14794 Channel Drive in La Conner, spoke about her disappointment that 40% of the residents that owned non-tribal land in La Conner were paying for all of the services.

Carol Ehlers of West Fidalgo Island spoke about and presented the cover pages of several documents prepared by the State and Skagit County regarding the Hazardous Waste Annual Report Summary and the Comprehensive Solid Waste Management Plan Update and Draft Environmental Impact Statement. Ms. Ehlers suggested that the Commissioners review the documents and spoke in support of Skagit Valley College's contribution to the community.

3. Miscellaneous Announcements

There were no miscellaneous announcements made.

f) *1:30 p.m. - 2:30 p.m. Executive Session (Litigation - RCW - 42.30.110(1)(i))

Chair Kenneth A. Dahlstedt, Commissioner Lisa Janicki, and Commissioner Ron Wesen attended an executive session on Tuesday, August 25, 2015, from 1:30 p.m. to 2:12 p.m. The purpose of the executive session was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and provided legal advice to the Board of County Commissioners: Chief Civil Deputy Prosecuting Attorney Melinda Miller; and Deputy Prosecuting Attorney Steve Fallquist. Other attendees: County Administrator Tim Holloran; Public Works Director Dan Berentson; County Engineer Paul Randall-Grutter; Parks, Recreation, and Fair Director Brian Adams; Human Resources/Risk Management Director Jessica Neill-Hoyson; Planning and Development Services Director Dale Pernula; and Building Official Jack Moore.

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

IV. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 12:00 p.m.

SKAGIT COUNTY, WASHINGTON

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board