

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, APRIL 9, 2019**

The Skagit County Board of Commissioners met in regular session on Tuesday, April 9, 2019, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Janicki called the proceedings to order at 8:31 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

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

Dan Berentson introduced Engineering Technician Given Kutz.

1. Public Hearing/Possible Action: To Consider Testimony Regarding Renaming a Portion of East Sauk Prairie Road (#08400) to Mel Garton Place (#08550)

Mr. Kutz provided information regarding the periodic review of the primitive road information log (gravel-surfaced County Roads). Public Works noticed that the location where East Sauk Prairie Road and Mel Garton Place met was at an uncommon point ¼ mile from a known intersection and he believed that the intersection may have moved over the years due to the movement of the Sauk River.

Public Works was recommending that a portion of East Sauk Prairie Road be named to Mel Garton Place at a natural T-intersection of travelled roadway in order to limit confusion for motorists and emergency service personnel.

Chair Janicki opened the public hearing at 8:36 a.m. Seeing no one present to provide public testimony, Commissioner Dahlstedt made a motion to close the public hearing which was seconded by Commissioner Wesen. The vote passed unanimously.

A motion was made by Commissioner Wesen to approve the Resolution renaming a portion of East Sauk Prairie Road (#08400) to Mel Garton Place (#08550). (**Resolution No. R20190072**) Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

2. Update on the Clean Water Program

Natural Resources Division Manager Michael See informed the Board that the Clean Water Tax Assessment helped to fund all or a portion of the following programs: water quality monitoring, pollution identification and correction (PIC), and the on-site sewage program.

Mr. See introduced Water Quality Analyst Rick Haley who provided an overview of the water quality monitoring program in Skagit County. The program included performing ambient water sampling at 40 sites that measured oxygen,

temperature, fecal coliform bacteria, pH, turbidity, and nutrients; and additional water sampling during storms. Monitoring was helpful to track trends and find trouble spots and address them.

Discussion was held about the extensive water monitoring program which was unique to Skagit County, the amount of water in the valley, and that the most variable and inconsistent measurement was for fecal coliform bacteria.

PIC Coordinator Karen DuBose provided an overview of the pollution identification and correction program (PIC). The goal was safe surface water for everyone and she reviewed methods used to locate and fix water quality problems that were discovered. She also discussed public outreach campaigns and program successes since 2014.

On-site Sewage Program Lead Corinna Marote provided an overview of the on-site sewage program. Skagit County followed Washington State laws for permitting and inspections and she discussed the types and numbers of permits issued for septic systems, inspections and maintenance of systems, financial assistance available to repair or replace septic systems, and education classes offered to homeowners to be able to perform their own inspections.

Division Manager Michael See provided an overview of the recommendation from Public Works to increase and reauthorize property tax assessments to support the Clean Water Program and noted that a public hearing would be scheduled in May regarding the reauthorization.

The Commissioners thanked Public Works for the information and understood the need to increase rates after 5 years.

The PowerPoint provided regarding the Clean Water Programs can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/04082019/>

Chair Janicki recessed the proceedings at 9:26 a.m.

- b) 9:30 a.m. - 10:00 a.m. Proclamation Recognizing April 10, 2019 as Washington State Arbor Day

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

Public Information and Education Coordinator Kristi Carpenter from Skagit Conservation District talked about the benefits of trees and the history of Arbor Day.

Executive Director Bill Blake spoke about the annual native plant sale and he shared additional benefits of trees.

Discussion was held about managing forestlands.

Commissioner Dahlstedt read the Proclamation regarding Washington State Arbor Day and for Skagit County residents to celebrate Arbor Day by planting trees to gladden the heart and promote the well-being of this and future generations.

Chair Janicki recessed the proceedings at 9:46 a.m.

- c) 10:00 a.m. - 10:30 a.m. Proclamation Recognizing National Day of Prayer: May 2, 2019

Chair Janicki reconvened the proceedings at 10:00 a.m.

George Eldridge said that he was part of the Prayer Taskforce of Skagit County and he thanked the Commissioners for reading the annual proclamation recognizing May 2, 2019 as the National Day of Prayer and for supporting them each year when they met

on the Skagit County courthouse steps to pray at noon.

Mr. Eldridge talked about the history of the National Day of Prayer and the topics that were prayed about.

Sharon Eldridge invited the Commissioners to a luncheon at Il Granaio that would take place after praying on the courthouse steps. She asked the Commissioners if the top three issues to pray about might be homelessness, foster parenting, and drug addiction.

The Commissioners believed those were three important issues in Skagit County and Chair Janicki shared that part of the underlying cause to those three issues might be untreated mental health issues.

Commissioner Wesen read the Proclamation regarding May 2, 2019 as National Day of Prayer and urged Skagit County residents to join in the special observance.

Chair Janicki recessed the proceedings at 10:20 a.m.

d) 10:30 a.m. - 11:00 a.m. Public Health – Jennifer Johnson, Director:

1. Public Hearing (1 of 2) To Consider Testimony Regarding the 2019 Annual Action Plan and Amendments to the 2018 Annual Action Plan for the HOME Program

Chair Janicki reconvened the proceedings at 10:30 a.m. and introduced Public Health Assistant Director Kayla Schott-Bresler.

Ms. Schott-Bresler provided an overview of the HOME Consortium that was made up of three counties and 16 municipalities. She provided an overview of the 2019 Annual Action Plan and said that it was a component of the five-year Consolidated Plan. The Annual Plan was updated each year to review and update goals and provide the public and stakeholders the opportunity to be involved.

Goals for 2019 included the construction of 115 apartments for homeless households and other low-income renters, provide rental assistance to 34 homeless households and households at risk of homelessness, build capacity of Community Housing Development Organizations (CHDOs), and update project details in 2017 and 2018 Annual Action Plans via amendments. She reviewed the 2019 tentative allocations that amounted to approximately \$833,624, and the proposed projects of 2019.

If there were questions about the 2019 Annual Action Plan, Ms. Schott-Bresler could be reached at (360) 416-1520 or [kaylasb@co.skagit.wa.us](mailto:kaylasb@co.skagit.wa.us) She said that there would be a second public hearing held on the action plan on April 23, 2019.

The Commissioners appreciated the work accomplished by Public Health and the positive partnerships that had been formed. Questions, answers and further discussion was held.

Chair Janicki opened the public hearing at 10:47 a.m.

Executive Director of Home Trust Skagit Jodi Monroe provided comments about their work and their support of the HOME Program.

Seeing no further testimony forthcoming, Commissioner Wesen made a motion to close the first public hearing at 10:51 a.m. The motion was seconded by Commissioner Dahlstedt and the vote passed unanimously.

Chair Janicki recessed the proceedings at 10:53 a.m.

The PowerPoint provided by Ms. Schott-Bresler can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/04082019/>

e) 11:00 a.m. - 11:15 a.m. Budget and Finance – Trisha Logue, Director:

Chair Janicki reconvened the proceedings at 11:00 a.m. and introduced Budget and Finance Director Logue.

1. Public Hearing/Possible Action: To Consider Testimony Regarding Amending the 2019 Skagit County Budget

Ms. Logue reviewed the first budget amendment of the year and provided a detailed description of each amendment/update from each of the following funds: Auditor, Coroner, Public Health County Fair, Elections Division of the Auditor's Office, Parks and Recreation Department, Substance Abuse Services Fund, Mental Health/Developmental Disability, Drug Enforcement Cumulative Reserve, Low-Income Housing and the County Jail.

Chair Janicki opened the public hearing at 11:08 a.m. Seeing no one present to provide testimony, Commissioner Dahlstedt made a motion to close the public hearing which was seconded by Commissioner Wesen. The vote passed unanimously.

A motion was made by Commissioner Dahlstedt to approve the Resolution to Amend the 2019 Skagit County Budget. **(Resolution No. R20190073)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

The Commissioners thanked Ms. Logue for her leadership and work to maintain a balanced budget and Chair Janicki recessed the proceedings at 11:10 a.m.

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

Chair Janicki reconvened the proceedings at 11:30 a.m.

1. County and Individual Success Stories

No county and individual success stories were shared.

2. Public Comment Period

Andrea Wiser of Marblemount, Deborah Dewolfe of Diobsud Creek Road, Kira Hannum of Martin Ranch Road, Jose Vila of Willow Lane, Becky and Gregg Snyder of Willow Lane, and Richard Lewis of Martin Road spoke in opposition to the Kiewit Quarry proposal.

Larita Humble of Lake Cavanaugh shared information with the Commissioners about her trip to the Woodinville recycling plant and asked that recycling services be provided for Lake Cavanaugh.

Tiffany Holien of Skagit County asked that restrooms be provided for the homeless community.

Comments and information provided by Ms. Humble, and a photo provided by Mr. and Mrs. Snyder can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/04082019/>

3. Miscellaneous Announcements

Commissioner Dahlstedt read the proclamation regarding April as National County Government Month.

Commissioner Wesen made miscellaneous announcements about the Tulip Festival, work in Olympia to help with the elk herd, and an upcoming permit meeting being held by the Department of Ecology for the Edison community.

The Board moved directly to the next agenda item.

g) 11:45 a.m. - 12:00 p.m. Consideration of the Hearing Examiner's Recommendation for Approval for the Following Open Space Applications:

Current Use Specialist Kiffin Saben presented the Open Space Applications to the Board.

1. Resolution Concerning a Transfer of 26.98 Acres from Current Use Farm and Agriculture to Current Use Open Space by Roseanne Middleton CUOS #17-2018

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Wesen to approve a Resolution concerning a transfer of 26.98 acres from Current Use Farm and Agriculture to Current Use Open Space by Roseanne Middleton CUOS #17-2018. **(Resolution No. R20190074)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

2. Resolution Concerning a Transfer of 38.42 Acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by Cora Palmer CUOS F&A #18-2018

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Dahlstedt to approve a Resolution concerning a transfer of 38.42 acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by Cora Palmer CUOS F&A #18-2018. **(Resolution No. R20190075)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Resolution Concerning a Transfer of 5.6 Acres from Current Use Farm and Agriculture to Current Use Open Space by Hensler Family Trust CUOS #19-2018

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Wesen to approve a Resolution concerning a transfer of 5.6 acres from Current Use Farm and Agriculture to Current Use Open Space by Hensler Family Trust CUOS #19-2018. **(Resolution No. R20190076)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

4. Resolution Concerning a Transfer of 11.51 Acres from Current Use Farm and Agriculture to Current Use Open Space by Tim McCalib CUOS #20-2018

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

Further discussion was held about the details of the application and the transfer of property. It was decided to remove the item from the Commissioners consideration until an update could be made to the record of the Hearing Examiner.

5. Resolution Concerning a Transfer of 9.0 Acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by James and Linda Kirschman CUOS F&A #1-2019

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Wesen to approve a Resolution concerning a transfer of 9.0 acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by James and Linda Kirschman CUOS F&A #1-2019. **(Resolution No. R20190077)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

6. Resolution Concerning the Inclusion of 40.13 Acres into Current Use Open Space by Brian Arbogast and Valerie Tarico CUOS #2-2019

Ms. Saben provided the location of the property.

A motion was made by Commissioner Dahlstedt to approve a Resolution concerning the inclusion of 40.13 acres into Current Use Open Space by Brian Arbogast and Valerie Tarico CUOS #2-2019. **(Resolution No. R20190078)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

Discussion was held regarding the Current Use Open Space Program. Ms. Saben said she was available to answer questions from the public about the program.

Chair Janicki recessed the proceedings at 12:09 p.m.

h) 2:00 p.m. - 3:00 p.m. Board of Health:

Chair Janicki convened the Board of Health at 2:01 p.m. and she introduced Public Health Analyst Julie de Losada.

1. Public Hearing/Possible Action: To Consider Testimony Regarding the Adoption of a Smoking and Vaping in Public Places Ordinance

Ms. de Losada thanked Danica Sessions, Margaret Shield, and Joanne Lynn for their work on the proposed Smoking and Vaping Ordinance and for researching best practices. She provided background information and conclusions for the Board to consider regarding the implementation of the proposed Smoking and Vaping in Public Places Ordinance.

Ms. de Losada reported that 54 comments had been received on the proposed ordinance to restrict smoking and vaping in public places. 69% were in support. 20% were opposed. 4% asked for more information. 7% commented on other topics.

Discussion was held regarding the State of Washington's actions on smoking and vaping laws.

Chair Janicki opened the public hearing at 2:31 p.m.

Rebecca Larson of Sedro-Woolley "RISE" spoke in support of the proposed ordinance.

Raymond Ellis, representing vapor stores, spoke in support of the proposed ordinance but said that it exceeded state law and he asked that it exclude vapor specific stores and continue the allowed use of personal devices inside stores.

Dr. Erin Charles spoke in support of the proposed ordinance.

Iris Carias of the Mount Vernon City Council spoke in support of the proposed ordinance.

Seeing no further public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 2:46 p.m. which was seconded by Commissioner Dahlstedt. The vote passed unanimously.

Contractor Margaret Shields provided additional information about the development of the ordinance the concerns from vaping retail stores.

Further discussion was held about vaping retail stores. It was decided to postpone any decision for approximately two weeks so that the information provided by Mr. Ellis could be considered as well as any impacts to local businesses.

The information provided by Mr. Ellis can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/04082019/>

IV. ADJOURNMENT:

Chair Janicki adjourned the proceedings at 3:02 p.m.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Lisa Janicki, Chair

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Ron Wesen, Commissioner

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Kenneth A. Dahlstedt, Commissioner

ATTEST:

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Clerk of the Board