

Skagit County Planning Commission
Annual Business Meeting
February 2, 2010

Planning Commissioners: Jason Easton, Chair
Carol Ehlers
Annie Lohman
Mary McGoffin
Dave Hughes
Jerry Jewett
Elinor Nakis
Kristen Ohlson-Kiehn
Matt Mahaffie

County Commissioners: Sharon Dillon
Ron Wesen
Ken Dahlstedt

Staff: Gary Christensen, Planning Director
Carly Ruacho, Senior Planner
Tim DeVries, Building Official
Betsy Stevenson, Senior Planner/Team Leader
Bill Dowe, Planning Deputy Director
Ryan Walters, Deputy Civil Attorney
Kirk Johnson, Senior Planner/Team Leader
Brandon Black, Senior Planner/Team Leader
Patti Chambers, Planning Administrator

Chairman Jason Easton: (gavel) All right, I call this Skagit County Planning Commission joint Commissioners meeting together tonight – I call it to order, our meeting together tonight with the Board of Commissioners with the Planning Commission. And so, with that, Carol has asked me to allow her three sentences on the newspaper that she so graciously distributed. And so she did tell me that one of the sentences might have the option of being a compound sentence. So, with that, I turn the mic over to Carol.

Carol Ehlers: The *Anacortes American* this week is one of the more interesting. There're three components to it that I am suggesting to you. The classifieds are, as always, the source of more ads for foreclosure than ought to be in any newspaper. If you haven't read the foreclosure ads, I suggest you do so, enough to realize how incompetent some of the writers are.

Chairman Easton: Carol.

Ms. Ehlers: You're right. That's two sentences. The City Briefing is on parks, and you remember when we did the Parks Plan that I talked about pie, lemon pie? Well, between the City Briefing, which describes how Anacortes put the parks together in the early days, and the text and the rest of it you can learn about the order of the lemon.

Chairman Easton: Okay.

Ms. Ehlers: And the main is "What If." A whole string of projects that were proposed that failed to be approved, or, if approved, to come to existence, which would have completely changed Skagit County.

Chairman Easton: Thank you, Carol. At this time I'm going to turn things over to Carly. Carly has an explanation for us for this new user-friendly version of the Skagit County Comp Plan.

Carly Ruacho: Yes, good morning, Commissioners, both Planning Commissioners and County Commissioners. Good – oh, it's morning apparently to me! I've been giving my fellow staff members who have the coffee, I've been calling them late night meeting __ with their coffees. They're just _____.

But yes, good evening, and I am very happy to present to you tonight – you all have in front of you a newly, hot off the presses printed copy of our beautified, as Guy McNally, who was the project manager on this, called it. We did some consulting with a firm in the state to help us add photos and pull quotes and put it in a two-column format, and just a lot of fun tables and references to hopefully make it something that people want to look at – more user-friendly, as Chairman Easton referenced it. And I just think, you know, just a lot more engaging. And so we're very happy to present that to you today, and we didn't want to leave the Board of County Commissioners out. So I think we'll come to their meeting and make an official presentation, but we wanted them to have them so they weren't envious of everyone having their new Comp Plans! But we do have that online as well. People can download it. And then if folks want additional hard copies, we can work with the printer to get those as well for individuals. But we hope you enjoy it and we're very proud of it.

Chairman Easton: Thank you, Carly.

Ms. Ruacho: You're welcome.

Chairman Easton: So at this time the Department has requested a chance to make some remarks concerning their accomplishments, permit trends and the work program. Following that, we'll hear from the Board of County Commissioners. We've asked legal counsel to come today – I thank Ryan for making it – to share some thoughts with us about remote attendance and any

other questions that we might have for him, or the Board might. And then we'll have a chance for remarks. There'll be a bit of a legal round table – I guess that's where those remarks or questions would come – right before we adjourn.

So, with that, I want to thank the Director for his comments earlier today by e-mail to all of us. If you didn't see it, he's asked for a certain amount of time tonight to try to go over these. And one of the things we need to remember is we *do* review the attachments prior to the evening and the public needs to know that, but for your sake at home and those watching us by podcast later, we're going to go into a bit more – he's going to go into a bit more detail to make sure that you have contacts. So – but, with that, we're going to strike a happy medium on how much time we take. And at this point I'll turn it over to the Director.

Gary Christensen: Thank you, Chairman Easton. Gary Christensen, Director of Skagit County Planning and Development Services. And as you just alluded to, the Department does have three items which we wish to discuss with you, go over this evening, those being the 2009 accomplishments, 2009 development trends, and then concluding with a discussion of our 2010 work program. But before I begin, I want to make or do some introductions. You may see some new faces. Some of my staff are in attendance this evening, primarily the Department's management team, and so I'll introduce them to you. Some of them are familiar faces; others may not be.

But, with that, to my immediate right is Kirk Johnson, who is a Senior Planner/Team Leader; to his right is Bill Dowe, the Deputy Director; and at the far right is Tim DeVries, who is the Building Official. Also joining us is Brandon Black, a Senior Planner/Team Leader. Brandon, raise your hand.

Commissioner Sharon Dillon: He did!

Mr. Christensen: Betsy Stevenson, who is a Senior Planner/Team Leader; Patti Chambers, who is the Department's County – or not County, but Department – Administrator; and Carly Ruacho, who is a Senior Planner. So they are here tonight to listen and engage and have discussions with you as well.

Commissioner Dillon: Good.

Mr. Christensen: Okay, so I'm going to go to the podium and spend a little bit of time on some things that we accomplished during this last year. So are we ready, Brian?

Okay, so as you know, it's always important to spend a little bit of time talking about things that we've achieved and accomplished. And what I want to do is spend a little bit of time talking about a number of things that we worked on this past year. Now they're not listed in any order of importance, except for the first one. And there's many people that were involved and participated in our work

program this last year. Certainly the County Commissioners; the Planning Commission; Planning and Development Services; a number of County department staff; various committees and boards; agencies with jurisdiction; interested parties; and the public.

The first project that I want to spend a little bit of time on is the Growth Management Act – the GMA – compliance effort. We are for the first time GMA-compliant, and this – we addressed our last remaining GMA compliance issue at Bayview Ridge, a subarea plan and an urban growth area. It's a non-metropolitan urban growth area at Bay View Ridge. So it certainly is a major accomplishment and achievement.

The second item is Alternative Futures, and this is a project where we're developing and evaluating alternative development scenarios fifty years out through the year 2060. We've been meeting with steering committees and technical committees during the last year developing these scenarios, benchmarks, metrics and so forth.

The third item is the 2008 Comprehensive Plan Amendments. We did three individual property owner requests for map amendments. Two were approved; one was denied.

The fourth accomplishment last year was the Comprehensive Plan Amendments (CPA) Docket in 2009. We denied two citizen-submitted amendment petitions. We approved for processing the Guemes Island Subarea Plan, as well as the RV Park/Master Planned Resort standards. So those have been carried over into this year's work program as well.

Sanfi Acres was a Comprehensive Plan map amendment remand. It was part of a Growth Management Act appeal. Through a stipulated agreement between the County and the parties that came back before you as the Planning Commission, you held a public hearing, made a recommendation to the Board of County Commissioners, and you ultimately ended up retaining about 1200 acres of Industrial Forest lands in the southeast part of the county.

The second (sic) item was Urban Growth Area Open Space Concept Plan. As you recall, we identified and prioritized open space corridors and greenbelts within and between UGAs that included lands useful for recreation, wildlife habitat, trails, and connection of critical areas.

One of the things we accomplished last year was 119 Miscellaneous Code Amendments. You may recall them as being Phase I and Phase II. They were updates to the Skagit County Code Title 14.

The eighth item worth noting was the appointment of four new Planning Commission members. So those four new members joined the five existing members that are seated on the Commission.

Planning Commission Bylaws Update: So the Planning Commission was established in 1961. We amended those bylaws most recently in 2001 and then last year again looked at those, revisited those, and amended them again.

What has been referred to as the NPDES Interim Regulations, the National Pollution (sic) Discharge Elimination System. Skagit County Public Works is the lead agency. Management of municipal surface water runoff and enhancement/protection of regional water quality; municipal stormwater as a point source of pollution must be regulated. So these are some of the things that we're doing under our NPDES regulations.

The Planning Commission website has been updated, so meeting agendas, schedule, documents are now posted. These are available 24/7 and those can be viewed at skagitcounty.net from home, from the office or while traveling.

As well, the Skagit County Code is now available on the Code Publishing website. Codification of the general ordinances can now be found on our website. And, again, these are also available 24/7 at skagitcounty.net.

The thirteenth accomplishment was a standard format for administrative actions: decisions, variances, preliminary plat approval, legal notices, shoreline exemptions, administrative special uses and others. And really our intent here was to try to create clear, concise documents that were based on standard operating procedures and formats. So in the past they hadn't always been consistent. Our goal was to try to streamline that and make them consistent and more legible and clear.

Code Compliance Reorganization: One of our mottos in the Department is to have fair, firm and consistent application of the Skagit County Code. Although we've had fewer resources, we've sought to optimize our procedures and to gain greater efficiencies in how we seek code compliance and enforcement.

The fifteenth accomplishment was Department relocation to the Continental building. As you know, we were temporarily located at the College Way facility while this building was being remodeled and an addition was made. So we made that move over a long week-end. We certainly had logistical challenges and we accomplished that.

The sixteenth accomplishment was Administrative Official Interpretations – or AOs, as we sometimes refer to them – regarding the siting of residential structures as an accessory use in the Ag-NRL zone – Natural Resource Land. This was issued to clarify and implement Skagit County Code Title 14, chapter

14.16.400, which is the Agricultural-Natural Resource zoning district. And the intent here was to provide greater clarity and to reduce potential conflicts between non-agricultural structures and agricultural operations.

The seventeenth accomplishment was the Sierra Pacific binding site plan. So up at Bayview Ridge the Department reviewed, processed and ultimately was approved by the Hearing Examiner and County Commissioners a type of land division which allows industrial lots to be created there based on urban infrastructure. So we know that from a planning point of view, once you have goals and policies in place and development regulations we want to be prepared to be able to assist development and be able to get it online and operational and jobs created with economic development in mind.

We also assisted a number of fire districts in their facility, permitting and processing, so we assisted them in making sure that where they needed to do expansions at some fire stations or simply have some new locations for emergency services, we assisted them in that land use review and permitting process.

The nineteenth accomplishment is the Farm Power Rexville Permitting, or I think the "Maas Brothers" sometimes we refer to them. This was state of the art facility and a construction of an anaerobic digester facility to process cow manure, extract methane gas and then burn it to create electricity. This, in turn, was going to be fed back into the local power grid as electricity. And so this is part of trying to utilize some of our natural resources and create additional businesses.

The twentieth noted success here is kennel operations were processed under the new Skagit County Code regulations. Certainly the Planning Commission recalls when this matter was before you. There were eight – I guess I could call them – "grandfathered" kennel operations that were already in business and in the passage of those new regulations we allowed them to come forward and to be processed, heard by the Hearing Examiner. There were eight of them. I think six were approved and two of them are still pending, based on some additional environmental review and mitigation efforts. In the end, this really is to assure that kennel operations are going to be satisfying humane treatment of animal standards, operational requirements, and the monitoring and enforcement provisions.

The twenty-first achievement was our Skagit County critical areas regulations training sessions, updated forms and public information that was provided. So, as you know, we spent the better part of a year looking at Skagit County Code critical area ordinance regulations. Once adopted, though, it meant we needed to implement it and with that it required a great deal of public education and information and forms and updating, so the job didn't stop then. It simply carries on and continues to this date where we're trying to help our clients, our

customers, those that are representing them to understand how the critical area regulations are implemented as well as applied.

The twenty-second accomplishment is the FEMA, or Federal Emergency Management Agency, community audit or community rating system, CRS. This is done – it's not annually, is it, Tim?

Tim DeVries: Five years.

Mr. Christensen: Every five years. And Department of Ecology holds a Community Assistance Visit. They come in, they review our project files with regard to floodplain management and permits, and they do an assessment. They rate us. They rank us. And we're happy to be able to say that with a Class 4 rating, the National Flood Insurance Program Community Rating System is a rating that places Skagit County among the six highest rankings in the nation. So there aren't many that are as good or better than Skagit County. Now what does this do? This means that we offer good floodplain management and land use review processes, but it also enables our constituents and those participating in the program to receive better insurance rates as they insure their properties and structures.

The twenty-third achievement or accomplishment is the Skagit Instream Flow Rule Accounting of Permit and Land Division Activities. So this was a rule that was adopted for the Skagit River and its tribs. It requires that there be some annual monitoring and reporting of reservation water usage, all of which is done to try to maintain adequate flow levels in streams for fish, navigation, recreation, and aesthetic values.

Twenty-four: The Edison Subarea Large Septic System Administrative Management and Program Oversight. What the Department does is it works with the community of Edison in managing and overseeing its community large on-site sewage system completed a couple of years ago. It's self-serving. It's a centralized system for the Edison community and has gone a long way to try to address some of the water quality issues with the Samish and the Samish Bay, and trying to protect some of our commercial shellfish industries.

We also received announcement last year that the Department of Ecology was awarding the County a grant in the amount of \$650,000 to do its Shorelines Master Program update. We are currently working on a scope of work and a contract with DOE that we hope to have completed by July 1st and then start receiving those funds. The Shorelines Master Program is required – was required – I think to be done in 2012, but I think we have an extension now. Is it 2013, Betsy? Yeah.

So we know that that's going to be a multi-year project and process. The last time – I think the *only* time – our Shorelines Master Program was done was 1976, so it's time for an update.

We also received an announcement from Department of Ecology that we were the recipients of a grant in an amount almost approaching \$34,000 for the Samish Watershed Fecal Coliform Bacteria TMDL Implementation. So we are working in partnerships with Ecology and Public Works and others in trying to provide outreach and communication about water quality in the Samish River basin. We're providing technical assistance and we will also be providing code compliance investigations. So that is work that not only started last year but has carried over into this year and beyond.

We're getting close. Item number twenty-seven: Department of Ecology and Environmental Protection Agency Loan. \$2,000,000 was made available to the County for approval for On-site Septic Repair and Replacement Revolving Fund Program. This provides low interest loans to homeowners whose septic systems have failed and need to be repaired or replaced. This has become a very popular program as homeowners find out that there's a need to upgrade or repair their septic systems. You can only imagine during these economic development – or difficult economic challenging times that some of these upgrades or repairs can be very costly. And so the County has provided assistance through this loan, or through this program. It's been very popular. It's been recognized by the State as one of the model programs here in the state itself. Carol?

Ms. Ehlers: Is there any money left?

Mr. Christensen: I believe that this was for application last year and we are seeking some additional funding this year. Do you know, Ken? Betsy?

Betsy Stevenson: We don't have that money yet.

Mr. Christensen: We don't have this money yet?

Ms. Stevenson: Right.

Mr. Christensen: Okay. So I don't know that the check is in the mail.

(laughter)

Chairman Easton: You might want to check their bank account first.

Mr. Christensen: Yeah. But we're hopeful that it will be coming.

So I think that's going to take me through the twenty-seven items. I was hoping to do that in about fifteen minutes and I think I achieved that. Simply said, you

could spend a lot of time talking about any one of these, but what I wanted to do was just give you a brief kind of synopsis, touch on these. Certainly the Planning Commission, the Board of County Commissioners is more familiar with these projects than the general public, but those who are interested in what we do and what we've done needed to hear a little bit about some of our successes and accomplishments. So that is it and –

Chairman Easton: Now we go to Permit Trends?

Mr. Christensen: We didn't get any clapping, Brian!

(clapping)

Commissioner Dillon: He'll add it.

Chairman Easton: Thank you, Gary.

Mr. Christensen: Yeah.

Bill Dowe: Good evening. I'm Bill Dowe, the Deputy Director for Planning and Development Services. The first thing, I want to thank you guys for serving on this board. The work you do results in policies that create places for development and regulate the nature of that development for the county. Our county could look industrial but it doesn't, except in a few places. It could be all farms, but it's not. It's forestry in a lot of places. So we have a home for the various needs in our county.

To talk about development trends is not really exciting right now. If you look at this, it's clearly downhill for the last few years. That doesn't mean there's no development because there certainly is. Last year the Building Department issued \$42,000,000 worth of projects.

When you're in the midst of it, here's a graph of projects by month. And you can see from month to month it's very difficult to tell exactly where development is headed. Last year last – well, one fall we thought it was just about dead, and then it went way high. Anyway, when you're in the midst of it, it's hard to tell exactly what's happening. When you see a longer trend, you begin to make sense of it.

And so for the same reasons, here's recorded plats, and this is all in the unincorporated county. You can see quite a peak in 2008 when – that was sort of the tail end of when development was quite busy, and then it slowed down again.

So "Total Building Permits": This graph goes back to 1980 because I had information that would take us there. And you can see back in the '80s

development was also quite slow. I was a partner in a lumber business back then and I remember exactly how slow it was. And just when we thought it would turn around it got worse. In 1986 you can see quite a dip there. And then it came back and we hit a peak in the early '90s and then it had slowed down again. Now this is for all building permits. I'm going to switch to just new residences because it's a little more volatile. And you can see quite a low and a peak. And, again, this chart runs from 1980 till 2009.

In 1980 we set – inflation was rampant and they kept raising the interest rate to slow it down and they finally succeeded when we hit a 16% interest rate. I'm glad I never had a new home loan at that rate. In 1990, GMA was an issue for this state, and you can see where that shows up on our graph. And then in 2000, this early century, we had 9/11 and then we also had the dot.com crash. And what will next year look like? I don't know.

That's the end of my presentation. I'll compensate for Gary's.

(laughter)

Chairman Easton: Bill, I think I have a really simple question for you.

Mr. Dowe: Sure.

Chairman Easton: When you did the slide that said "all building permits," as opposed to "new residences," that would be then including remodels –

Mr. Dowe: Remodels, commercial construction.

Chairman Easton: Commercial construction?

Mr. Dowe: Right.

Chairman Easton: And then any accessory – I mean, if they're doing ADUs, would that be considered a new residence? An accessory dwelling unit?

Mr. Dowe: An ADU would be a new residence, yes.

Chairman Easton: Okay, thanks. Any other questions for Bill? I should have done that with Gary, too.

Mr. Dowe: Carol?

Ms. Ehlers: Well, I don't know whether it's you or Tim, but do you have a chart for enforcement actions?

Mr. Dowe: Not with me. We have one and it pretty much mirrors development. When it's real busy we also have lots of enforcement cases. It is not quite as volatile because right now there's lots of people unemployed that have time to build things.

Chairman Easton: Hmm.

Mr. DeVries: I can add that the total number of enforcement cases for 2009 was less than it was in 2008, just like permits in general were less in 2009 than 2008.

Chairman Easton: Okay. Thank you, Bill. The Work Program.

Mr. Christensen: Work Program!

Chairman Easton: This is when we get into what we get to do next year, huh? Or this year.

Mr. Christensen: Well, we have a few ideas. Okay, before I talk about some of the work program items, what I want to do is try to provide a little bit of background information and set the stage. We do have some new Planning Commission members who have not been part of previous work program discussions, and some of you that have may recall or may not some of the discussions and some of the issues which were before us.

But periodically the Department meets with the Board of County Commissioners and we discuss and seek kind of confirmation or direction as to what the Department should be doing. Simply said, what do we do with the resources and the budgets that we've been authorized to have and how do we make the best use of those resources in meeting the many demands of the Department, the Planning Commission and various groups?

Those of you that were around in 2005 when we started the GMA Update process to update the Comprehensive Plan and the development regulations, and at the conclusion of that process in 2007, there was a long list of desires and needs. In fact, we had identified fifty-five, I think, work program items back then and there was what we called twenty-four "trailing issues." So these were things that we weren't able to address as part of the Update but they didn't go away. They were left to some day revisit or get to them when, in fact, we had resources.

More recently the Department has met with the Board of County Commissioners and the County administration to discuss the long term work program for this year and beyond, mindful of the 2010 County budget; certainly current development trends, which Bill just alluded to; and the revenues and the demands for services. And when you are looking at a work program and asking yourself Well, what is it that we're going to work on? In some cases we don't have choices; in other cases we do. Sometimes we have what we call

“mandatory” projects, so these are things that are either state law or county policies, resolutions and ordinances, litigation – things that we simply must attend to. They have to become part of our business and require action. There are other work program items which we call “discretionary,” and those are things that we would like to work on. Those are things that are of interest but perhaps don’t rise to the level of a priority because, simply said, the mandatory ones are requiring all if not much of our resources. Certainly these times are challenging. It requires that counties’ policies and priorities have to be balanced and considered based on what available resources the County has, and the Department with staff, professional service monies and the like.

What we have found that has served us well in the last couple of years is to focus on but a few projects. Simply said, to try to work on fifty-five work program items and twenty-four trailing issues means you do a little bit of work on each of them and at the end of the day or the end of the year you maybe didn’t get anything done. And to some extent you might create a little bit of false hope or expectation if you say you’re working on all these things but you’re making very little progress on all of them because you’re just spread too thin.

So the business model that the Department has embraced and the Commissioners have supported over the last couple of years again has been to focus on but a few projects, commit the necessary resources, get the job done, be able to put that down as a list of an accomplishment for the year.

So that’s what has led to the work program kind of matrix, which is on your monitor, and I know that you’ve been provided in advance. And let me just spend a little bit of time going through each of these projects. I think that there are about eleven of them here.

Ms. Ehlers: Gary?

Mr. Christensen: Yes?

Ms. Ehlers: When you describe the topic, it would be helpful for us and the audience if you said who it was was the contact person.

Mr. Christensen: Okay. And in some cases it may be more than one, but I’ll try to – I’ll do my best to identify those contacts.

So the first project – and these are not ranked in any order of preference. But the first project that I want to just spend a few minutes on is the Bayview Ridge Urban Growth Area Implementation. As you know, we’ve spent a good many years working on the Bayview Ridge Subarea Plan and so now with plans and programs and policies it’s time to implement. And one of the first priorities there is to develop a planned unit development, or a PUD – not to be confused with the

Public Utility District – but a planned unit development regulations and low impact development techniques.

So as you may recall, when the Subarea Plan was adopted it created a de facto moratorium on any new residential development at Bayview Ridge until a planned unit development ordinance was proposed, adopted and codified in County Code.

So the County is in the process of looking. We've hired a consultant to look at PUDs and LID examples to provide some options and choices for developing what we believe will be a walkable, livable community under the Subarea Plan goals and policies. The consultant is now doing this literature review. We'll probably have a County workshop next month and a public workshop the following month. The draft ordinance, based on the scope of work and schedule, appears to – well, will be done in July of this year. That means then that that's a matter that will probably be coming before you late summer, early fall, and hopefully then have action before the end of the year – be in place.

I am the project manager on this, or what they call the PM. Public Works is doing all of the accounting and invoicing and processing. It's really a multi-department program in that it involves a number of disciplines, County departments – Public Works, Health, Planning and Parks.

Annie Lohman: Excuse me.

Mr. Christensen: Yes?

Ms. Lohman: I have a question. Is there a date attached to this one from some other entity or is this one on our own timetable?

Mr. Christensen: We're on our own timetable, other than our work program. Our contract and task assignment with the consultant is to have a draft PUD product available in July of this year. We then would go through a more legislative adoption process to make that part of County Code. So, again, you'd probably have public hearings on that before you, the Planning Commission, later this year and I would hope to think that we would have something adopted before the end of the year.

But we're not under any appeals or statutory requirements or deadlines. It's kind of self-imposed or –directed.

The second item is the Guemes Island Subarea Plan. This is a carry-over from a previous Comp Plan amendment docket. You may or may not know, but the Guemes Island Planning Advisory Committee, which is elected by islanders (and) also recognized by the Board of County Commissioners under resolution as the planning advisory board for the island. It's unique in that regard. They have

spent several years drafting a subarea plan which has now been submitted to the Department. We are conducting an internal County review of that drafted plan. We're meeting with legal counsel and other departments, both Parks and Health and Public Works. We hope to in short time develop some comments, meet with GIPAC, go over those, and then release that subarea plan for public hearings before you, the Planning Commission. And that is probably a mid-year timeline as well. That project manager is Carly Ruacho.

Third, Master –

Chairman Easton: A question before you move on –

Mr. Christensen: Yes?

Chairman Easton: – to Guemes. I just want to let the Commissioners know due to their special travel situations and some of those considerations, when it comes time to do the public hearing I've mentioned to both the Commissioners and to the Director – just for your guys' notice – that we're considering the idea of doing the public hearing – not the deliberations, but the actual hearing – on the island, just out of respect for them. And so it's something that's being considered inside the Department. We'll talk about it more as we get closer.

Mr. Christensen: We can – let me share some additional thoughts with you, too, to think – again, no decision's been made. We have in years past held hearings here in Mount Vernon in County facilities certainly because we have now the ability to broadcast and disseminate information, and to take this on a road show there has some logistical problems and issues. That's not to say that we don't want to have a meeting on Guemes Island. We've thought about having some open houses there where we might be able to have some community meetings but not necessarily conduct public hearings. So that's some things we've talked about. Again, no decision has been made, and we can spend some more time thinking about that as well and see how we move forward.

Chairman Easton: Thanks.

(inaudible voices in the background)

Mr. Christensen: Oh, yes, yes. Yeah, what we would also do, as we have in years past – because islanders who have wanted to attend have been constrained by the ferry hour operations – if we do decide to hold the public hearings here, we will run special ferry runs so that islanders who want to attend, be part of that community planning process, provide public testimony and written correspondence would be able to get back home.

Chairman Easton: Okay.

Mr. Christensen: Yeah.

Chairman Easton: Carol, you have a question on Guemes?

Ms. Ehlers: I have a comment. I found the Planning Commission visit to Hamilton enormously helpful in our understanding of Hamilton's unique situation and problems. And seeing for yourself what it is people talk about in a hearing and what you read makes a vast difference in how you actually understand what they may not be articulating in a way that you ever experienced.

Mr. Christensen: Yes. Yes, that's a very good point. I agree. That was our field trip to Hamilton was very informative and helpful.

Let me now turn to the third item, Master Plan Resort/RV Park Standards. Again, this is a carry-over from a former Comp Plan amendment docket cycle item. We will be looking at developing some master plan resort and recreational vehicle parks standards and guidelines to further implement and clarify those types of developments. There has been some interest in master plan resorts but it's been problematic as to how and where they might locate and what those standards might be. And in some cases we have this kind of area in between which they're either too small or not big enough; they're somewhere in between. And how do we want to address and handle those?

So we will be looking at developing some standards and guidelines. Again, the Planning Commission will hold public hearings on that, with a recommendation of the County Commissioners, and that'll probably be mid-year with probably recommendations and County action before the end of the year on that.

Alternative Futures – yes?

Ms. Ehlers: That will be?

Chairman Easton: Contact?

Mr. Christensen: Contact is Carly Ruacho.

4, Alternative Futures: I briefly mentioned this as one of our accomplishments last year. It's an ongoing program and project over a couple of years. Again we will be looking at this year, hopefully with the recipient of some additional EPA grant funds, to evaluate alternative development scenarios for the valley over the next fifty years, and that a citizens committee appointed by the Board of County Commissioners and the steering committee, I think, as we've agreed to most recently, would be looking at a number of alternatives and trying to cobble together a preferred alternative which would maintain ecosystem, conservation

land, and natural resource industries while also assuring that we have sustainable communities.

Project manager contact person: Kirk Johnson.

This will not be a matter that likely comes before you this year, but what we do want to do is provide you with periodic briefings as to the status.

Shorelines Master Program Update: This must be updated to be consistent with the Department of Ecology new guidelines. Local master programs regulate new development and use of the shorelines along rivers and larger streams, lakes over 20 acres, and marine waters within their jurisdictions. As I mentioned earlier, the County's first Shoreline Master Program was 1976, so certainly times have changed. And we will be updating that Shorelines Master Program and probably partnering with some of the cities, too, here in the county. Does that sound right, Betsy?

The sixth work program is kind of an ongoing –

Ms. Ehlers: Betsy?

Mr. Christensen: Yes, I'm sorry. Betsy is the program or project manager on that.

Skagit County Capital Facilities Plan (CFP) Update: It's important to always make sure that our six-year CFP inventories and projects are up-to-date and complete. You may have read recently in local newspapers that school districts have been looking at changes to their school impact fees, and I think three cases are looking at adjusting those downward, so they wouldn't be charging as much for single-family residences or duplexes. And, if so, we want to make sure that our development review and building permit fees are adjusted in accordance with their CFPs as well.

So we'll be working with school districts on that. That'll be a matter that needs to come before you for a public hearing and with recommendations to the Board. We will also this year be working on trying to assure that our six-year CFP is updated concurrent with the County's 2011 budget, which is in December. So that will be our goal there. Project manager: Carly Ruacho.

Chairman Easton: Two quick questions –

Mr. Christensen: Yes?

Chairman Easton: Number 6: Anticipated time that that would come before us?

Mr. Christensen: Probably, I think – yeah, the school impact fees probably in July. I mean, soon. I think two districts –

Chairman Easton: Is it just me, or are you making July looking pretty busy?

(laughter)

Mr. Christensen: Well, there's a lot of work between now and then, yes.

Chairman Easton: Okay, I'm just checking.

Mr. Christensen: And, you know, it's a bit difficult to be very prescriptive about – you're seeing that I'm saying, you know, a month and sometimes it's really a quarter because the opportunity or ability for us to get something done oftentimes is dependent on others. So if they're slow in getting something done, it means that we can't act.

Chairman Easton: Sure. I'm just trying to get a gauge, you know, of what's realistic for us to accomplish each quarter, and I'm sort of concerned that we're kind of stacking towards the middle and the early fall. You didn't make a comment about the SMP, about when you anticipated that to be on the schedule.

Mr. Christensen: Yeah, that will not be before you this year.

Chairman Easton: Okay. All right, well, then I'll let you get to number 7.

Mr. Christensen: Yeah.

Ms. Ehlers: Gary?

Mr. Christensen: We're still going to try to have the month of August off. Yes?

Ms. Ehlers: I do not believe we have ever had a hearing on the school impact fees. I believe that hearing has always been at the County Commissioner level, at least the one that – the very first one – that was held about the school district of Conway. I happened to be at the County Commissioners at the point they heard it and that's why I remember it. And we've never done fees.

Mr. Christensen: No.

Ms. Ehlers: We do what happens to the fees and we have the discussion and do the dirty work for the Capital Facilities Plan, so I think you ought to re-look at that.

Mr. Christensen: We will. We'll take a look at that.

Ms. Ehlers: And I give you a reference: 14.30.110 in Title 14, where it says the fee schedule "...reviewed by the Board in conjunction with..." So it doesn't say reviewed by the Planning Commission.

Mr. Christensen: Okay, we'll take a look at that. We want to do the right thing.

Chairman Easton: Sounds good. Number 7.

Mr. Christensen: Number 7, Annual Skagit County Code Amendments. We hope this year not to have 119 –

Chairman Easton: Carly's sitting there –

(laughter)

Mr. Christensen: – a Phase I and Phase II. What we want to do is be doing these annual amendments on an annual basis so that they don't get batched and all of a sudden every three years we have a hundred or more to have to do. So we are trying to work this into our program and provide resources to do this. It'd be great if we had six or ten to have to do rather than 119. So that's our goal there.

Ms. Ehlers: And is that Carly *again*?

Mr. Christensen: That is Carly, yes. We're going to need to clone her.

Ms. Ehlers: Do you have a bed here?

Chairman Easton: It's not in the budget.

Mr. Christensen: Brian, are you able to read those online? Or it's marginal? Okay, so it's probably good for me to just add a bit to it. Okay.

The eighth project, Comprehensive Plan Amendment (CPA) 2010 Docket: So by the last business day of July parties who want to amend the Comprehensive Plan must submit petitions to the County. Thereafter the Department makes recommendations to the Board of County Commissioners and they'll then establish the docket. That's in the fall. And project manager – anybody want to guess?

Unidentified voice: Carly.

Mr. Christensen: Carly – with some help.

Number 9, FEMA Flood Insurance Rate Map and Regulation: FEMA issuance of updated FIRM and associated regulations under Skagit County Code 14.34, the

flood damage prevention. You have probably read in the newspaper where the FIRM maps came out and were sent back, and they're going to be reissued or released. And I think I heard maybe next month in March?

Mr. DeVries: During the third – or the first quarter is what they said. That could be anywhere from now to the end of next month.

Mr. Christensen: Yeah.

Chairman Easton: And you might recall – I don't think either one of you were there, but the Commissioners were – that Mr. Ike from FEMA also realizes that he's made about fifteen promises about when these will come out. So when you're talking about a great example of when we have to wait on somebody else, this one would fall into that category.

Mr. Christensen: Yeah. Yeah, and, you know, we've got – there're some release dates, there're some comment periods, there're some appeal dates, there are some federal requirements in terms of what needs to be adopted. We're trying to monitor this and stay abreast of all the latest developments. I don't know if we will actually have before you amendments to the flood damage prevention ordinance by the end of the year or not. PM – project manager – on this: Tim DeVries.

Number 10, FEMA and NMFS Biological Opinion, or what we sometimes refer to as the "BiOp." So the National Marine Fisheries Service program requires that necessary actions be taken to protect Puget Sound species of salmon and Orca. This BiOp came out a year, if not maybe two years ago – well, last year, perhaps – and it was with regard to litigation. It is requiring Tier 1 jurisdictions – that's Skagit County and the cities and towns within – to adopt a regulatory scheme by September 9th of this year, pursuant to the BiOp and FEMA guidelines.

So there are some options which we can take, and I won't get into that tonight but it's on our radar and work program. So you will probably be addressing that sometime mid-year.

Chairman Easton: Mary has a question.

Mary McGoffin: So I don't see a public hearing on that one.

Mr. Christensen: Yes, it – there should be. So you would have – well, there's a number of things we could do. We might need to adopt an interim regulation, which the Board would first do – hold a hearing, then may remand to the Planning Commission for a report and recommendations and studies, which would buy some time but, in essence, assure that the County's in compliance with this deadline.

If we get the information in a timely way and we're able to develop a permanent code, then we would take that before you, the Planning Commission. You'd have a public hearing and make a recommendation to the Board of County Commissioners. So, yeah, that one didn't get – that was a test and you caught it, Mary.

Ms. Ehlers: What's the relationship of number 9 to number 10?

Mr. Christensen: One has to do with protecting property and life. So the FEMA flood insurance rate maps deal with elevations primarily: protecting communities, protecting property and protecting life. The Biological Opinion actually charges the – who is – not NMFS, but who's the other agency? It's not Ecology. The Corps? No, not the Corps.

Mr. DeVries: I'm not sure what you're referring to.

Mr. Christensen: Anyway, it required – there are now additional responsibilities for the agency beyond just protecting property, communities and structures. They're actually in the business now of protecting salmon species and Orca.

Ms. McGoffin: It's part of a consultation.

Mr. Christensen: It's part of a consultation process. Who's consulting with NMFS?

Unidentified male: The Corps.

Several voices: FEMA.

Mr. Christensen: Okay, yes, FEMA.

Mr. DeVries: If I could add one remark to that: The relationship between number 9 and number 10, aside from the fact that one has to do with maps and one has to do with protection of salmon and habitat, is that the flood damage prevention ordinance, 14.34, will have to be revised or amended for each of those individually, and at some point you will hear before you and in a public hearing revisions to that ordinance. We had hoped we could fold them into one, having the maps released at the beginning of the year, but that's now changed. So you will – that ordinance will come before you twice. Once will certainly be this year. The number 9 that has to do with the maps may be next year. It's hard to say.

Ms. Ehlers: I went to that last flood zone control meeting. Mr. Wesen stayed the whole time. I think those of you in Planning – one or two of you – have to start attending that because it's an eye opener. There was a good deal of antagonism on the part of various people responsible for actually dealing with flood to what FEMA may or may not consider fact. And they keep saying, We do not accept

new facts, and it's not clear when you listen to them at meeting after meeting as I have whether new facts are anything since the Stewart Report in 1921, as looked at in 1948, or any modern data, including rainfall records, which are almost entirely new. The FEMA representative was clear that whoever the consultant is now would not be the consultant in September, and it sounded to me, as an observer, as though some of the arguments from various dike districts might last well past September. And it – I think one of you, or two of you, ought to be there to hear for yourself the kinds of issues that are brought up, because I think it would help you plan your time.

Chairman Easton: Okay. So move on to 11?

Mr. Christensen: Yeah, let me close on number 9 and 10.

Chairman Easton: Okay. Sorry.

Mr. Christensen: Tim is the PM, or project manager, on those, but this is just not a Departmental issue. This is involving a number of departments in the County. Public Works is heavily involved in this matter as well, as well as the Commissioners' office. And so it is a multi-disciplinary approach.

Let me then conclude with item number 11, which is the NPDES Phase II Permit. So, as you know, we have interim regulations in place. There are some requirements that the County must do by August of this year. You have a public hearing scheduled, I believe, in March – next month – on this, on the permanent regulations. March –

Ms. Ruacho: 2nd.

Mr. Christensen: 2nd, at 6 p.m. You'll then consider public testimony, written correspondence; formulate some recommendations; adopt findings of fact; and forward those then to the County Commissioners for their consideration and their action.

So that is my run-through of the draft work program. I'll be discussing this again with the Commissioners next Tuesday in our department agenda. Certainly I'm willing to discuss any of these in more detail, if you like. Or maybe there are some work program projects that you wish to make known to us and be considered in addition. I do want to say that if there are any members of the public who are interested in more information, you can certainly go to skagitcounty.net. Go to "Departments," then go to "P," Planning Commission. You can call up tonight's agenda and the documents which have been provided to the Planning Commission are available online. So folks can read that at their leisure and at a time convenient for them as well.

Chairman Easton: Okay, at this time we're going to take questions from the Planning Commission and then we'll transition over to the next part of the agenda. Before we do, I just want to point out that my understanding of the last eleven we went over basically nine of them – with possibly ten, depending on what chunk of the FEMA ones we can get done – are going to be – we're going to try to accomplish this year with an August recess, in relationship to the way we've – at least the historically.

So is that a fair understanding of what you laid out for us? I know that they're not in the necessarily the order in which they're going to come in, and we do – for those of us who have been here for a little while – understand that there's some stacking and rearranging of the scheduling and things of that nature. So as long as – I'm a little concerned that we look weighted towards summer and fall and that if we, especially with Guemes or some of these other ones that are close – I mean, I'm glad that we're going to work on the one in March, but the sooner we can spend some of these up the first half of the year would sure seem to help balance the schedule. And I don't mean to overstep our bounds as Commissioners, but I think a balancing of us not doing four of these or five of these in the September/October range is going to be difficult. The one thing I want to make sure that we get away from doing is when we've run into this the last couple of years is that these individual Comp Plan amendments end up getting pushed – you know, have gotten pushed sometimes for a whole year. And so I want to make sure that we're – that we're balancing our activities like that.

I think Mary has a question for you.

Ms. McGoffin: Do you want to wait till –

Chairman Easton: If you have a question about – I'm going to just rearrange things just slightly – if you have a question about the work plan, let's take that while we're on the work plan, if that's okay. Everybody agreeable to that?

Ms. McGoffin: The only think I'd like to add to your work plan is I notice in the Comp Plan there's a whole chapter on Housing Element. And maybe while it's a down time for building applications this would be a good brainstorming time to think about affordable housing. And I know in other counties they actually have coalitions for affordable housing. So just – it's not a big, time-consuming thing, but maybe to work with your non-profits in the county?

Mr. Christensen: Yes. We too feel there's a need to address housing in Skagit County – farm worker housing, affordable housing and the like. We realize, though, that that is a cross-jurisdictional issue, that it's just not unincorporated Skagit County, but the communities within – the cities and towns. And so we have talked about, through our Council of Governments, looking at trying to take a regional approach so that the burden isn't on any one jurisdiction but rather all

of us, and that we can in some kind of cooperative way or through a partnership, perhaps, with non-profits, look at addressing these issues. The last Skagit County Housing Needs Assessment, I think, was in the mid-'90s, so it's some time ago, shamefully so. So it is something that, you know, it's becoming more and more difficult for families to find housing that's affordable. And we have approached our counter-peers in the cities and towns, and I think they too agree that, if we're able to find the resources, we'd like to dedicate some time to working on that issue.

Chairman Easton: Annie?

Ms. Lohman: Does the Shoreline Master Program have a date-certain date behind it somewhere? You said it probably wouldn't come up before us this year, but I know that it's a complex thing, but I know that somewhere there's got to be a date of implementation.

Mr. Christensen: I think 2013 is the due date, so we will – what we'll be able to do is based on a work program, scope of work and a contract to be approved by Department of Ecology before they'll release those funds, we'll be able to bring back before you and share with you at some future meeting what that schedule and timeline is.

Chairman Easton: Carol.

Ms. Ehlers: I'd like to go back to Mary's topic. You've all heard me say that we need discussion on housing. You can do a lot of the discussion on the affordable housing and other aspects of housing – I hate to say "unaffordable" because the term "affordable" means whatever the ear of the beholder – of the listener – reads into it. But you're going to do a PUD for Bayview Ridge. That was supposedly, among other things, for affordable housing. Why don't you do a good part of the discussion under that rubric?

What I listened to in the housing discussion for the Comp Plan was – were proposals to put twenty houses per acre, which means that the people who were talking wanted to stuff as many people in, and essentially it was not going to be the kind of place that you'd want to rent for very long or buy and invest in because there's nothing you could – you can't improve a place that's that crowded.

So it was entirely an unrealistic discussion. But there's a lot of room for a good discussion at Bayview. You have to deal with it at Bayview so you might as well start with it.

Chairman Easton: That's a good idea.

Ms. Ehlers: Now the second thing is there's a couple of sentences on *affordable* housing. The rest of the housing in the county, like where I am, is dismissed with the statement that since houses require a lot of services, we won't have any policies. But the County doesn't provide any services to the housing. Those are all from junior taxing districts. And when Sharon challenged me a couple months ago to start thinking of some policies on housing, I immediately started thinking of the dike district people in south Mount Vernon who were ignored. That's a housing issue as much as it is a dike district issue. The fire district people in one place or another where they ignore the fire – used to ignore – the fire district until now the Fire Marshal's office goes out and makes sure that there is actually a driveway that goes to the house and that the house isn't 200 feet higher than the garage, the way one of them on Fidalgo is. More attention should be paid to these small water systems. And I realize that isn't really a housing; that's a much broader issue.

But we need some policies on housing – residential-zoned housing; the ones that Carly has heard me talk about for years, where you have quarter-acre, third of an acre, half-acre; where you don't put – traditionally they've not had any commercial. And there needs to be a discussion about why the commercial is in that zone as housing, not as farm worker housing. You need to have that. Not as affordable, but to protect those houses that have – that started, in almost every case, as cheap – not even affordable, just plain cheap – and have been improved and modified over the last – in the case of Dewey Beach, over 110 years, 120 years. That's a long time for a residential development, and it's ignored. So maybe this time we can talk about these issues before I die?

Chairman Easton: Are there any other – anybody want to follow that one?

(laughter)

Chairman Easton: I will. It's a pet peeve of mine that we have developed an issue with Rural Freeway Service where we make decisions by piece. Some decisions that we made for the – you know, on one end of the scale has been no, and we'll come back and we made a promise and I – none of these Commissioners were here, but we did make a commitment publicly that Rural Freeway Service would be something that we need to take a look at. And I'm concerned about it in relationship to environmental sensitivity. If we make people drive further and further to get their services we're not – we're ignoring the obvious that people do need groceries who live off of these freeway exits.

I would like to see this as a 2011, you know, part of the plan. And I really think that it's the kind of thing, particularly if the legislature does choose to help extend the Comp Plan requirements out three years further so we're not doing an update in 2012, we're doing one in 2015. But this is a real growth-sensitive issue that's got to be taken a look at more than one piece at a time.

You know, there really are three or four exits off the freeway. It doesn't sound to me like as much work as we might turn it into. I'm not trying to turn this into a huge plan and program, but I do think that this commission in its responsibilities that we're charged with about overseeing growth, you know, that corridor – those corridors have to be considered and the lines drawn about, you know, where farm land, you know, intersects with this big freeway. You know, these things are going to have to be discussed and then handed up, I think, to y'all because I don't – to the Commissioners – because I don't believe that we're on the right path right now of making these one at a time. If we get put in the position that we have to keep making them one at a time, I'm afraid even with our best judgment we're going to make decisions that we regret later because it'll be spotty. And so I would really – I would be irresponsible to ask you to put it on the 2010 schedule, based on what I was just briefed on, but – I know we've talked about this before and I know that you have limited resources – but I really think it's something that we really need to consider.

Ms. Ehlers: May I back that, especially when it comes – sooner or later you're actually going to get the La Venture-Anderson/I-5 road connected. It's been planned at least since 1959. We don't hurry in Skagit County. But that intersection is going to be the sort of thing that –

Dave Hughes: City limits.

Ms. Ehlers: Is it in the city limits already?

Jerry Jewett: Yes.

Ms. Ehlers: Well, that we've known to be a problem, but there's –

Mr. Jewett: Well, and there's already a service station and stuff at that interchange.

Chairman Easton: I'm thinking of the two to the south – the last two in the south end of the county – and as you go north, some issues with Cook Road and then some issues in Alger. You know, I mean those are – I mean, to me, when I say "four" those are the four I'm talking about. Anderson-La Venture was not one of the ones I was considering.

Ms. Ehlers: And I'll back you on the Alger too, because remember the astonishing data that there's more than five thousand cars going from that intersection, Alger to Cain Lake?

Chairman Easton: Mm-hmm.

Ms. Ehlers: On a substandard road?

Chairman Easton: All right, well, we want to turn this over to our guests – well, our joint compadres here tonight. And they were so nice to us to give us their chairs.

Commissioner Sharon Dillon: Well, it *is* your meeting.

Chairman Easton: It *is* our meeting, yes. You reminded me of that on the way in, Commissioner.

Commissioner Dillon: I did.

Chairman Easton: So we'll turn this over to the Commissioners. Commissioner Dillon?

Commissioner Dillon: Well, you know, I was going to make my comments short, and yet I've taken all these notes to comment on! Because some of the things you've said have been very intriguing for me and I'd love to sit and talk with you about it.

But first off I want to thank you from all the Commissioners. Thank you very much for all the time that you put in and the effort that you put in. You know, we couldn't do anything without you guys's input. You're our eyes and our ears of the community to make sure that we hear what the community wants. So I really want to thank you. I hope – well, I also want to thank you for the opportunity or going with my idea of doing this on TV. I think it's – I'm one that wants to make sure that we are heard and seen all over Skagit County. And so thank you for letting us do this. I know that it was probably not all of your wishes to be on TV, but I think that it's an asset to us and we need to show off those assets and do that. So I want to thank you. Thank you very much.

I am committed – we are committed – to working with you to making sure that your goals and your plans get worked out. I, too, would love to see things speeded up. I've talked with staff. They're probably tired of listening to me wanting to speed things up! And I'm intrigued. One of you – and I don't know if it was you, Mary; someone – maybe it was Annie – had talked about maybe having subcommittees that could work on some of the things that are dear and to your heart, like Jason is the interchanges. And the interchange, I think of our towns when they were first developing from towns to cities. They all had neighborhood grocery stores. You could walk to get a loaf of bread. You could walk to get some milk. And I think sometimes we have to get back to some of that. Instead of driving all the way in – miles – you do need some services populated around the county.

So, you know, maybe that is an idea to have some subcommittees that can relieve poor Carly over there with all the things that she has to do, which she does very well. So I want to say that. And we are hugely, hugely committed to

making sure that the Bayview Subarea Plan gets – I mean their PUD ordinance – gets done *this year*. It's only been going on longer than Commissioner Dahlstedt has been on the Commission! So whatever we can do to help staff, to help you guys get to that point, we want to make sure we give you the tools that you need to put on the ground this PUD ordinance that is going to work for not only in Bayview Ridge but for the rest of the county alike.

I have many other things I'd love to talk to you about, but I will turn it over to another Commissioner.

Commissioner Ron Wesen: I'd also like to thank the Planning Commission for volunteering all their time. I know we have four new members and this is an intriguing process to get involved with – all the different meetings and all the different information that's put before you. But I want you to know that my phone is always available, my door is open. If you have any questions, you're more than welcome to call and come and talk to us. I'm sure every one of us here will talk to you individual, if you want, so, if there are any issues.

The other thing I'd like to thank is all our staff here at the Planning Department. I know this last year has been very trying with our County budget and some of the issues that we've had to go through and our closure days and so forth. And I know it's been tough for you people and I really do appreciate the time and the extra effort you do put into this to help make this work, because I think all of us want to make sure we have a good Skagit County fifty years out. And I think that's the goal that I have as a Commissioner and I think our staff has the same thing, too. They want to look at this county out in the future and have a vision. We all want to work to that vision.

And that's the other thing. The Planning Commission here, I think they have the same obligation – is to look at this. What do we want this to look like in the future? And I really do appreciate all the time it takes to put in to come to these meetings and be here on camera and everything. It's really important.

The Bayview Ridge Plan: It's been going on for quite a while. That is a very high priority for myself. I want to make sure that there are things that we can do as County Commissioners to help get it done. I want you to let me know what's holding it up so we can work. It's been going on for quite a while. We need to make sure that plan moves along.

The Guemes Island plan has also been there for a while. The citizens worked together and got that thing. We need to get that going.

You know, he went through all the different eleven programs there. Some of them are federally mandated that we have to do, and so those will have to be done. I know Carly's got an awful lot on her plate. I do appreciate all the work

she does and all the different times she spends on these issues, and I think the citizens of the county can look at it and say that we are trying to do a good job.

You know, we could just go down south, look at the Kent Valley and the ___ Valley. It has changed dramatically and that's one thing our FEMA flood insurance group said is when they looked here after twenty, thirty years they were surprised at how much open space we are still able to have here in the county. It's something that we've been able to do and I think the Planning Commission and the Planning staff and the Commissioners have been able to kind of have a vision there to work towards, and we need to make sure we are able to keep doing that.

And the housing issue? That's not going to go away. You know, what is affordable housing? Look at different parts of the country. I'm one to like to borrow good ideas from other counties, other states. Look at what they're doing: Is it working? Why can't we do some of those ideas in our Skagit County here? So if there are things that are available in other areas that is working, I'm more than happy to put them in the program and make them work.

Once again, just thanks for all the time and keep up the good work.

Chairman Easton: Thank you.

Commissioner Ken Dahlstedt: Yeah, again, I would also like to thank all of you for the time that you put in. You know, I think in Skagit County, having been here ten years, there's a huge disagreement between many people on what they want to see happen, and I think this Alternative Futures is one of the ways we can get input from all the citizens about what they hope to see. As Jason said, these Rural Freeway Services have been a long-term challenge, but there are many people that want to drive across the Snohomish County line into Skagit County and not see another commercial building, home, service station or any sort of services. And yet as the taxpayers continue to challenge us to be more and more efficient, if you don't put buildings and things that need services near multi-million-dollar interchanges that the taxpayers have already paid for, then you're going to have to build infrastructure for them to go somewhere else.

And so it's this balancing act, because what we want to see aesthetically – which I think many of us like the open space, and all of us have worked hard to protect our resource lands, our timber lands and our ag lands. But, you know, we can't have our cake and eat it too, and I think that's always the challenge for us, is how can you be efficient with resources and keep the aesthetics that people want to see. And I think as we look at our school districts, right now they're struggling to have enough money to build infrastructure and that, and can we afford seven school districts and all the administrative costs and all those things to continue, or do we want to find efficiencies?

So I think you guys have done a really good job working on a lot of these issues, and I think that the open process – always allowing people to come in and share their thoughts, and then you have to kind of sift through. Anymore there aren't two sides to an issue; there's about ten sides to almost every issue we deal with. And I think, number one, people need to be heard, they need to be informed about the decisions we're making. I think we're doing a good job with your work to do that. But it's just hard to get people to come together on what they'd like to see happen.

I think the legislature is also currently looking at some more land use planning decisions that they want to implement in Skagit County, and I think that's problematic. I think those are the decisions that the people here ought to be making and those of us that are elected to serve, it's our responsibility to take that input and make the decisions, and if we're doing a good job we'll still be here, and if we're not people have the opportunity to _____ every four years whether we're here or not.

So I think we've got some huge challenges going forward, but I think that this Planning Commission's done a good job. I like the diversity. I think that's the one thing is you have to make sure you've got good across-the-board representation so that people feel like they're heard. I look forward to us working together going forward. I think that I agree with Commissioner Dillon: Having things on TV and having things open to the public and having things on the website and having people's ability to make sure and see what's going on in their neighborhood.

And I think another thing that was really important was when I first came into office ten years ago we had a lot of complaints that the County was making land use decisions and nobody realized what had happened to their property until a few years down the road when they wanted to do something. And so we implemented a requirement that when major land use changes are occurring that you would be sent a notice in the mail. It wasn't just a little two-inch square public notice. And it doesn't mean we're doing it perfectly, but I think there's certainly been a much stronger effort for people to be aware of what's happening in their communities.

But, again, thank you for all your hard work. We really appreciate it. Try not to give us split decisions! Those five-to-four decisions are a little bit challenging for us! And yet I know –

Chairman Easton: Congress feels the same way about the Supreme Court.

Commissioner Dahlstedt: Yeah, that's a challenge. But we do really appreciate your help. And ultimately it's our responsibility to make the decisions. But we don't – that doesn't happen very often, but I have to kid you a little bit on it!

(laughter)

Chairman Easton: He likes diversity but he doesn't want any five-fours! Perfect!

(several people talking at the same time)

Commissioner Dahlstedt: Seven-to-two, or something like that; we know that the minority positions have been heard but there's a clear direction for us.

Chairman Easton: Okay.

Ms. Ehlers: Every time we *have* split that way it's because something in the presentation has had major flaws to it.

Chairman Easton: Well, at this point we're going to move on. Ryan, we're going to move to your section of the show. In a Commission meeting that we had two months ago the issue of remote attendance came up as a – to be considered during our bylaws discussion. There was some confusion about where that would fit, whether it would – well, not confusion; there was some discussion about whether that would fit in the bylaws or whether that would fit in the code. We also wanted to share – you know, have a chance for those on the Commission who are interested in it to have a conversation with you all about it because of Ryan's recommendation.

So I think I just laid some somewhat confusing background down about this issue. But, basically, people who can't be here want to know if they can attend remotely, although this Commission hasn't made a decision about whether we'd want to incorporate that for sure. We just had brought it up as a conversation. We asked Ryan to do some research on that and to bring some of that back to us. So, Ryan, I'm going to turn this over to you and you can correct anything I just got wrong.

Ryan Walters: So this came up in the context of your bylaw discussion.

Chairman Easton: Right.

Mr. Walters: It was a little while ago. I had suggested that instead of attempting to give yourself that authority in the bylaws that we get that authority from a code amendment that the Board of County Commissioners would pass itself.

I was hoping to get direction from you as to whether you wanted to pursue that or not, and because of the nature of the vote or non-vote that you may or may not have taken, when we discussed that it wasn't clear to me that you did want to pursue that and I relayed to the Board that you didn't.

Chairman Easton: Okay.

Mr. Walters: However, since then it has come to my attention that maybe you *did* want to pursue that. But we have the Board here right now, so maybe we could simply ask them if they – maybe you could describe your proposal.

Chairman Easton: Sure. I want to – let's forget – this is my idea, if everybody's agreeable. Let's just forget everything we did on this before.

Ms. Lohman: Start over.

Chairman Easton: Let's just start over.

Mr. Walters: That'd be good.

Chairman Easton: And any member of the Planning Commission who would like to make a case to the Commissioners about the – because we're just going to take you at your word that we need authority before we can do this, so we're not going to have it in our bylaws. Then that's fine.

So any Commissioners want to speak to the idea of why they want to do this and what it would look like? Let's have that conversation – the Planning Commission to the Commissioners – and then they could respond to us. Is that agreeable to everyone? So we're starting over. All right. With that, we have officially started over on this topic.

Commissioner Wesen: Just for a little bit of background, Commissioner Dahlstedt did have hip surgery earlier this year and it was discussed that maybe we should have this for our County Commissioners, and we did decide that no, you had to be present to vote at that time. So just –

Chairman Easton: Okay. And I know that there are some other entities in the county that do. I know that at least the Anacortes Port does allow people to – allow their Commissioners to attend remotely. So I know there's a diversity of opinion in that. But thanks for that clarification. Annie?

Ms. Lohman: I guess I'm the troublemaker that brought it up. I think that there could possibly be extenuating circumstances. I think if it's a health issue I can understand why there would be concern. You know, are you physically able to hear clearly? Are you medicated? And, you know, all those issues. But there are situations where because of our being on TV, because of technology now, you have everything available. We're sent everything electronically that can be sent electronically. It's here, present. It's for the viewers at home. They can participate pretty much right in lock step with us.

There was several times when I reviewed past history of the Planning Commission where there was a danger of not having a quorum. And it would be

really nice to have that tool in your tool box. And I'm thinking that, with the budget cuts and the potential of having schedules flipping all over the place and not maybe having a concrete calendar, that we need a little bit more flexibility. And coincidentally there's a lot more noticing and activity that is being directed online rather than in person and on paper. So I think there's an awful lot of precedence and cases where it's being done elsewhere and that we could do it. I think you could secure it, you could have passwords, you could have a policy in place that would make it secure that you knew that you were talking to me if you couldn't see me.

Mr. Walters: We could also probably make it so you *could* see you.

Chairman Easton: That's a possibility too – where you could be seen, you know.

Ms. Lohman: I also don't think that it should be something that a person could abuse because they just don't want to drive to Mount Vernon or they don't want to come to town. I think it should – you'd have to have a prior arrangement. You can't just call up the Chair and say, Oh, by the way, I'm going to be participating remotely. I think you should, you know, extend courtesy to staff and the fellow Commissioners and have a prior arrangement. Because there are situations where if you want a Planning Commission that has people on it that serve the community and are participating in the community, they're involved in a lot of different things. They can't just leave their calendars wide open to be available at any old time.

Chairman Easton: Before Mary says something, I want to be clear so the public understands. Most of the times that I've been here where we've been short-quoted, or close to short to quorum, is because of people being honest enough to recuse themselves. That tends to be more the issue than is actual attendance. And so then that one non-attender can make a difference in whether we're, you know, five or four, you know, and six. And here's one of the problems we run into, and this goes back to something Commissioner Dahlstedt (said) earlier. When we are below – no matter what we send to you, if it's going to be affirmative we have to have five votes, even if there's only six of us here. So Sanfi was a good example. Sanfi went three-three because there was only six Commissioners that were seated that could hear Sanfi. And so that's part of where – I just want to add it's not about just being able to attend. It's about the necessary times where, by having a diverse group, a number of us do at times need to recuse ourselves.

So, Mary, you wanted to add something?

Ms. McGoffin: Well, you wouldn't have your split votes – you know, you would have full nine people be able to vote, unless they were recusing themselves. So I am proposing that we *do* do it. I think it would create more efficiency for all of

us and I think it can be done safely without any jeopardizing, you know, what we need to be, you know, for good public service.

Mr. Hughes: Would the County be willing to supply us with all the equipment? Cell phones or whatever it takes?

Commissioner Dillon: You're asking somebody that has a zero budget!

Mr. Hughes: I mean, I'm going to be on the opposite side here just because maybe I'm old school, but –

Commissioner Dillon: Well, I have to admit when Ryan brought this and asked me the question, my – this is crazy – my envisioning was all the – nobody's sitting there. You just had your little remote screen! I mean, that's awful of me to think that, but that was what flashed through my mind as he brought this forward! And I guess sometimes I have a little – the one thing that I *don't* have a problem with and I would never have a problem with is beings that we are on TV now you are able to listen to the Commission as to what they're doing. I believe that you should be able to watch, say, February's meeting – watch the whole thing and be able to vote in March. Because you're able to see what – you're able to see the evidence, you'll be able to listen to your fellow Commissioners talk, their tone of voice, their attitude. I mean just, you know, I think that that would be a huge advantage. Because I know that when Elinor was first seated I'm sure, knowing her, she was fully aware of exactly how you guys deliberated on the meeting before that. I just know that. I would have been completely confident with her voting because I know she would have done her due diligence. I don't think there's one of you up there that would not do that due diligence.

Chairman Easton: Right.

Commissioner Dillon: You would make sure that the next meeting you're going to if you knew that there was a vote coming up you would make sure that you could vote on that issue.

Chairman Easton: So Elinor's situation was unique in that we have in (the) past, a number of us have reviewed either the transcript or the video and then voted on an issue. But in Elinor's case we kind of got into a spot where – we were talking to Ryan and Gary – she wasn't seated as a Commissioner during the day that we had had the actual hearing, so it kind of created this uniqueness and she was very gracious to let us move on without her.

But, no, I do think we should continue – we *should* continue the tradition of making sure that people can participate in a deliberation if they can't be at the public hearing. That's my opinion. And if we deviated from that at all, I want us to go back to that unless somebody disagrees. But Elinor wanted to – Elinor, then – and then Annie.

Elinor Nakis: I just wanted to make a comment that video conferencing is so inexpensive now. I mean, I've heard it brought up several times Well, if the County would pay for the – you know – for the equipment to make this possible. I think that the County has all the equipment they need to make it possible, but also even my last laptop computer that I purchased for my home has a, you know, a camera right on it and I can do video conferencing on that laptop. And I am – when I went on vacation just recently I said almost all the laptops that I saw had the video conference little camera on there and I'm thinking, you know, it would be very simple to set that up in here, even for the Guemes Island people, you know, when you have meetings on the Guemes Island and there's people that are not going to take the ferry over here to sit for three hours but they want to participate. And they could very well do that at their community center and set up just a video conferencing where they would just take turns sitting in front of that camera and speaking their mind and whatnot – asking questions. And maybe you – maybe it wouldn't – people wouldn't be comfortable with having votes taken at that time through video conferencing, but could you delay the vote? And at least the people that were involved in the issue would be able to speak their mind on the issue even though they weren't able to attend the meeting. And I guess that would be my suggestion.

Chairman Easton: Annie?

Ms. Lohman: I was going to say I think that we made the right decision saying no last time because it was a spontaneous thing. I got stuck on the other side of the pass during that snowfall in November. And so I support that decision. I don't want to say that I don't.

But there are extenuating circumstance where you could have a Commissioner that has participated in everything and, because the meeting got shifted to a different day than it was originally scheduled, they cannot be here; they are just prevented. But they can participate remotely. And maybe in that case you did vote but you didn't finalize your vote in writing because you did review their deliberations and then sign your final draft.

So I think that we ought to consider it. I would urge people to look to the future and if we – but then again have strict policy of *how* you're going to use it, because I would not want it to be abused. I think seeing people in person and having a dialogue in person is infinitely valuable.

Chairman Easton: Carol?

Ms. Ehlers: If we could do something, as Elinor suggests, with the video conferencing – I've seen that, I've done it, it works. You have physical presence. I'm on a board. Our president works in another state and at a board meeting he had to have his say on something so we used a cell phone. It worked for the

board, but the audience was extremely unhappy. Because while they recognized – the ones who could hear clearly – recognized his voice, they still weren't happy because it is not a standard American procedure in public discussion. So consider how you would do it in terms of the mechanics before you consider doing anything in code or law, so that you can review how you do it, where you do it, which one of us – Elinor can do it because she knows what she's doing. I wouldn't be able to do any of that until I had far more training than I have now.

Mr. Jewett: You haven't missed three meetings in the eight years I've been here.

Ms. Ehlers: Well, you see, that's one thing about it. I really do make a huge effort to come.

Mr. Jewett: I know it.

Ms. Ehlers: Because when I took on the responsibility I realized the importance to myself and to my neighbors and to the other people in the county and I did a lot of work so that I would understand what was being talked about and tell who was telling the truth and who wasn't, and what is or isn't scientific. And the only way you can really do that is if you can participate.

Chairman Easton: You've got to be here.

Commissioner Dillon: So I guess I'm not anywhere near half of these people sitting up here's computer literacy. I mean, you know that, Ryan! So is there – I guess – is there a way that – I mean, I have one of the little cameras and I get to see my grandkids and all that good stuff, but we're sitting in front of two computers. Is there a way that you could have that – let's say it was Annie and she was in the mountains somewhere in the snow – is there a way that we could – *they* – could see her face? Or would they just – I don't –

Mr. Walters: There's always a way.

Commissioner Dillon: Pardon me?

Mr. Walters: I mean, we'll find a way to make it complicated and expensive, but there's always a way.

(laughter)

Mr. Walters: We could put a – just put a monitor at her seat facing out.

Chairman Easton: I mean, if she Skyped into the meeting right now. She used the Skype, which is what a lot of people different – different people use, and say that Skype had her face on the screen, the face that she'd see in the lower

corner would be all of ours, whatever's showing on TV – I'm getting the thumbs-up from our TV guy – and the rest of the screen would be Annie –

Commissioner Dillon: Oh, okay, okay.

Chairman Easton: – appearing in front of us so that – and then she would see whatever camera angle they're currently shooting with the connection that she would have to IT.

Here's a suggestion, because you guys – I don't want to put you guys on the spot and I don't think any of us do, that you make a decision about this right now. I'd like you to think about whether this is – we've made – and if there's anybody else who wants to say anything we'll take the time to do it. Can you think about it? If you want us – if you want us to go forward with the idea, this would be a perfect example of a subcommittee to me, as the Chair, that could put – you know, work with Ryan, work with IT and TV – and put something together of what it would look like. But if you don't want to do this – and you already made this decision once for yourselves, so I don't want to forget that you said that earlier – but if you don't want us to do this, tell us now so we don't write the – you know, help write the code. I mean not tell us now; tell us later.

Commissioner Dillon: Okay, tell us later. Okay.

Chairman Easton: Tell us later and we can – we could go from there. But I don't want to put words in the mouth of this Commission. So if the Commission wants to vote on whether to ask them officially to consider this – this is our meeting so we could do that – is that what you would prefer or would you prefer that we just have the conversations? Jerry?

Mr. Jewett: I would like it. I think myself that it's a great idea. I probably would never participate in it, though. Not because I'm computer-illiterate – I've got a camera on my computer – but I just about always make it here.

Chairman Easton: Right.

Mr. Jewett: But I'd like to see how many think that in the next year they might use it once or twice.

Chairman Easton: Well, I think it's limited. I mean, there's – Ken, did you just vote "yes"?

Commissioner Dahlstedt: I – no, no! – I'd like to say something. You know, one of the things that we shouldn't lose sight of is all of the processes – when the Commissioners meet, we don't meet for our benefit. We meet for the *public's* benefit.

Chairman Easton: Right.

Commissioner Dahlstedt: We're here for the public. This Commission – and I respect all of you for the commitment of your time, but you're not the most important component of this process. There're people that come here to testify. Now are we going to allow anyone there who is busy and has complications in the meeting you've set up, are you going to allow everyone of them and provide the same opportunity to them?

Ms. McGoffin: The difference, Ken, is that the public's waiting for a vote. They came, they're waiting to hear from us. And if we can't vote then they all have to come back, we have to do it again.

Commissioner Dillon: Remember we're up to speeding things up now.

Ms. McGoffin: No, that's my point.

Commissioner Dahlstedt: But I'm just saying that from the public's point of view why wouldn't they be the same accommodation to them? Because they're the ones bringing a process to you asking for you to participate, but you're the ones setting the schedule.

Chairman Easton: So we create multiple ways for people to publicly participate. We – right now.

Mr. Jewett: Yeah.

Chairman Easton: There's – they can comment in writing. They can comment in writing; usually we extend our written period beyond our hearing so they could comment *after* they've heard other people comment. And then they can comment in person at a public hearing. If we use these, I would probably be in favor of them for the deliberations only. I don't see any reason why someone would need to Skype in for the hearing because they could just go back and watch the hearing later. It's the deliberations where it would be important. And to me the public service – what Mary just said – on the public service of getting a deliberation completed in a timely manner and with as many diverse Commissioners as possible that could be seated, I think it's in the public's interest – you know, I appreciate your comment – but I think it's in the public's best interest that we go and rapid helps get those accomplished. Ryan?

Mr. Walters: I would encourage you to think about how often you would want to use this because you were in a situation where you were available temporally but not physically. You're on a trip for some reason so you can't be here physically, but you're not doing anything wherever it is you are, versus you have another meeting in Mount Vernon, you have another meeting in Burlington, you have a birthday party in Sedro-Woolley. I assume you're not skipping Planning

Commission meetings for a birthday party. And that you're going to be someplace where you have a fast enough Internet connection to take advantage of this, because it's probably *not* in a hotel unless it's a really nice hotel. I mean, unless all those things come together this may not work, even if you do want to be able to do it.

Commissioner Wesen: The other thing, the concern I have, like Sharon mentioned, was I wouldn't want to have nine TV screens up there. So one or two, maybe –

(laughter)

Chairman Easton: I love that visual!

Commissioner Wesen: I have a limit on how many could not be present. I don't know what it'd be.

Chairman Easton: And those are the kinds of things that I think a subcommittee, before you guys would approve a policy, would have to consider. I think you're right. I think there would have to be a limit and there'd have to be a limit how many times you did it. I mean, I don't think you could do six a year or something like – you know. There'd have to be a reasonable limit on how often someone could do it.

Commissioners?

Ms. Ehlers: I don't think we're ready.

Commissioner Wesen: I think this idea of a subcommittee to look at it, I would be favorable to come up to see what you had – the options – and I'm always going to have to look at the cost to the County, how we're going to do it.

Chairman Easton: Sure.

Ms. Ehlers: That I'd be ready for.

Commissioner Wesen: So that's my personal opinion.

Chairman Easton: All right, is there anyone who would dis –

Ms. Ehlers: As long as Elinor is on it, because she seems to know what she's doing.

Chairman Easton: Sure, we'll take volunteers in just a second. Is there anyone who disagrees with the idea of having a subcommittee on this for right now to consider the – and we'll – Ryan?

Mr. Walters: I'd encourage you to have a motion and a vote.

Chairman Easton: I will. I just wanted to get some – anyone want to make a motion to the effect – thank you, Ryan – of – that we would seat a subcommittee on electronic participation?

Mr. Jewett: I'll so move.

Chairman Easton: So moved. Is there a second?

Ms. Lohman: I'll second it.

Chairman Easton: It's been seconded by Annie, moved by Jerry. All those – any discussion? Any further discussion? All right, all those in favor?

Mr. Jewett, Chairman Easton, Mr. Hughes; Ms. Nakis, Ms. McGoffin, Kristen Ohlson-Kiehn, Matt Mahaffie and Ms. Lohman: Aye.

Chairman Easton: Any opposed?

Commissioner Dahlstedt: ___ to vote.

Commissioner Dillon: No. No, ____ to vote. But can I –

Chairman Easton: Oh, I'm sorry. Did we rush you?

Commissioner Dillon: No. Well, yeah, but no! I guess one of the things that has been a question of mine is that I think to clarify some of the things that you guys do, I think that every motion – he made the motion – I think you should restate that motion –

Chairman Easton: Oh, I should restate it. You're right.

Commissioner Dillon: – so you all know exactly what you're voting on, and not the just "I so move."

Chairman Easton: Okay. Good idea. I will thank you. It's a wonderful idea and I will get better at running a meeting eventually.

So I'm going to restate the motion that Jerry made.

Mr. Jewett: Okay. Good.

Chairman Easton: The motion being that we form a subcommittee to study the possibility of electronic participation in our deliberations, and those are the boundaries.

Mr. Jewett: Correct.

Chairman Easton: Okay. And all those in favor – it was unanimous, correct?

Ms. Ehlers: I think there were one or –

Chairman Easton: Okay, is there any – is there an abstention? She's – okay, Carol's abstaining. Anything else that needs to be on the record about the vote? All right, so it passes eight-zero with one abstention.

Ms. Ehlers: May I compliment this Commission for actually discussing a topic before the motion.

(laughter)

Mr. Walters: And I'm sure that Brian and I would be willing to meet with the subcommittee.

Chairman Easton: Yeah, I'm going to ask for Commission members and then I'm going to appoint some staff members.

(laughter)

Mr. Mahaffie: Like Carly?

Chairman Easton: I'm kind of serious. Yeah, like Carly! And we're going to get this done in July! That's right! All right, any Commission – we're not doing anything else in July, right? – any Commission members who would like to volunteer to be on the subcommittee, would you please raise your hand? One, two, three. All right. Three. Okay, so it's Matt, Annie and Elinor, and I would love for a representative from the IT and television side of things to help us. Do we need a lawyer?

(laughter)

Chairman Easton: Did I just ask a lawyer if we needed a lawyer? I'm glad I don't pay you by the hour!

Mr. Walters: Yes, if we're writing code.

Chairman Easton: Well, probably not at first but eventually. So, yeah, so that's the makeup I'd like to see, if that's all right with the Commissioners.

Commissioner Dillon: Okay.

Chairman Easton: And the Director. Excellent. All right, back to the schedule here. Do the Planning Commission members – did you all finish your remarks? Is there anything else you wanted to add, Commissioners? Okay. Then we're going to move on to our remarks.

Commissioner Dillon: Okay.

Chairman Easton: All right, so general remarks. I know we did the work program stuff earlier, and thanks for bearing with me about changing that around a little bit. Is there anyone who has a general remark they'd like to make to the Commissioners or to staff? Or both?

Ms. McGoffin: I do.

Chairman Easton: Okay, Mary?

Ms. McGoffin: The developers I've been talking to are saying that we have a thirteen-month housing inventory, which tells me that you may not be getting building permits anytime soon. So I'm wondering if we're getting to sort of a new normal for the Planning Department and that it's going to be this way for a while. So instead of being in a crisis mode that maybe this is going to be where you are as a new normal. So I offer that just so that people can start thinking more long term. That maybe it's going to be downsized like this. So that's just a little feedback from what I'm hearing out there.

Commissioner Dillon: Thanks.

Chairman Easton: Anyone else? Carol?

Ms. Ehlers: I have two things for the future. Outside in the hallway is something about the "Carpenter-Fisher Sub-Basin Reservation Near Depletion." There're not going to be wells apparently allowed and therefore no building in the Carpenter-Fisher Creek area. That's that low-flow stream process implemented.

Some years ago one of the more efficient Army Corps projects was to take and analyze what a breach in the levee would have as an impact. So there was a proposed breach in the levee in the direction of Burlington and that was used by the Mayor and Dike District 12 to stop the hospital being located in the middle of the floodway. Because they said, Do you really plan to plan for an eight-foot wall of water coming at the first floor of your building?

In each of the various basins this breach was considered, and in the Carpenter-Fisher sub-basin you had more than the eight-foot wall of water. You had the

fact that there's no exit for the water. All the other basins you have the wall of water the way you see in television when there's a breach in the dam – or in the levee – and then it gradually lowers its depth and eventually it drains out, as long as the various drainage districts are allowed to drain it out. And that's an issue that's hot.

But in the Carpenter-Fisher sub-basin, there's no drainage out because of levees and I-5 and the rest of it. So to me it's an example of the kind of multi-department planning that you ought to start considering – with fewer houses and permits – as to what the risk is in a place like that. And if there is that kind of risk, then maybe that's a place that the levees should be strengthened *first* so that you have less and less opportunity for a breach. That is multi-department.

There's something else coming up. The other day we were told that in this drainage ordinance that's proposed, when I raised the question of clear cutting on a slope and who enforces, I was told the DNR. So I did what I should and I called the DNR and got a very nice gentleman who said there aren't any limits, in essence. So then I went and talked to John Cooper and said, Do you know of any limits? Because person after person has complained to me on Fidalgo that it was clear cut above them legally and now they have to put in thousands and thousands of feet of drain pipe just to keep the house safe for the land existing.

And John has done some work about a clearing ordinance that he's given me information on, that I haven't read because I just got it tonight. But what he told to me is there's a direct relationship even within this municipal area between the water that comes downhill and what happens in erosion and what happens to existing property below it. The Bayview Ridge residential area was not to be permitted until the PUD ordinance was done and the drainage was satisfied as far as the farmers on all three sides or any side of it. This municipal area is in that.

So if there is no – if there *are* no – regulations about clear cutting trees, where there is no permit involved – I mean there is no conversion intended as far as building a house – apparently it's unregulated. So you have a situation – well, this is what this gentleman said – you have a situation where the drainage utility is going to pay, I gather, about a hundred thousand dollars to clean up a mess at Lake Tyee created by a clear cut above it in Grandy Creek which washed out the fish – that is a trigger; there's a law triggering that problem – and then down on the homes and their grounds below.

Now that's not something that the Planning Department can solve by itself. That's certainly not something we can solve without a great deal more knowledge and specific information. But it's a multi-departmental issue that is crucial for many of us who live here whether it be forestry, ag or housing or commercial, and if you have a down time – which I think you do – this is the sort of thing to start thinking how you communicate.

Chairman Easton: Okay. I don't know if there's anybody else who wants to say anything. Is there anyone? Well, I'll conclude the PC remarks with this: There's a lot of places where I've worked and where I've been involved as a volunteer where you're not appreciated. And I can tell you that now going on three and a half years on the Commission I feel appreciated from the Commissioners, from the staff, and that's a real compliment to you and the team that you have around you. I think – I look forward to seeing eight or nine of those things come off this list this year – God bless FEMA.

(laughter)

Chairman Easton: Keep them far, far away from us! No, I'm just kidding. That would mean no floods! That'd be good! But with that, I just wanted to make that point. It is a real – and I think it's created an environment where we're getting work done. And it'd be nice to get more work done and if the legislature will help us out and give us a little more time on a few things that will be very helpful, and I think we're on the right path.

So I will follow up with you about a couple of things, Gary, that I wanted to remember, so I'm going to share them with you right now. Rural Freeway Service and housing: When following up on those, how do we work on those in a way that actually doesn't create more work for Carly? You know? I mean, if we're going to do – if subcommittees – the Commissioner mentioned that subcommittees might take work off of you – I want to try to talk about whether that's the case before we start forming them. So that's a conversation I want to make sure we have later, so put some thought into that.

Mr. Christensen: Yeah.

Chairman Easton: Do you want to say anything else? Yeah, go ahead.

Commissioner Dillon: I do because there is – the new Director of the Housing Authority is trying to put together a consortium of all the different entities that are looking for either low income housing or affordable housing or whatever you want to call it, so that everybody is not going for the same money – that you're going – that you're putting your efforts together and making it work for everybody. So maybe that is something that the subcommittee could maybe touch bases with this person and get some of their updates and get some of their input on how his dream of putting this consortium together is actually working out.

Ms. Ehlers: And this gentleman's name?

Commissioner Dillon: I knew you were going to ask that.

Commissioner Dahlstedt: Gus Ramos with the Skagit Housing Authority. He's also working with Bill Hinkle. And they did meet with the city and County planners because a lot of the low income housing issues are in the cities, and where are they going to be zoned or allowed to happen.

Chairman Easton: Right.

Commissioner Dahlstedt: What they're trying to do is it's actually going to be the three County Commissioners that would appoint a housing commission, and they've requested us to do that, and there's actually a list of names that they've brought forward to Skagit Council of Governments to be reviewed by the mayors and the partners to see if we could put that group together. And that would be a group hopefully to coordinate – you know, actually work together.

Chairman Easton: Yeah.

Commissioner Dahlstedt: So it's kind of a – yeah. Back to Carol's comment about the timber – and I saw Kristen kind of making an expression – you know, DNR handles much of the timber harvest and I believe, if I'm not incorrect, there's a lot of requirements on drainage plans. Sometimes those plans that are supposed to be there may or may not work quite well. I know that occasionally we've seen areas that have gotten flooded but most of the timber harvests there really is under the jurisdiction of the DNR, Carol, so –

Ms. Ehlers: I know.

Commissioner Dahlstedt: – it wouldn't be – I don't know that there would be necessarily codes that we would have, but certainly working with the DNR if there are problems to try to address them.

Ms. Ehlers: There's a whole bunch of problems on Fidalgo and I presume we're not unique. When you have areas that are legitimately resource lands that are logged legitimately and the person downhill – every time I see him for the last four years – has told me of 5,000 more feet of drain line he's had to put in. There was a clear cut in a forested wetland off Havekost. I called John. John called DNR after he saw it. Now there's a lawsuit in it because, as so frequently happens, the person who logged logged however much more than they were supposed to. Right above that now is a cliff that's logged that I know John didn't permit and that area happens to drain onto Marine Drive and is part of what's destroying South Del Mar Drive. So this is – these are County issues as well as people issues that are downhill from clear cuts that don't seem to be regulated, nor do they seem to be regulatable. At least this is what the gentleman at DNR said.

Ms. Ohlson-Kiehn: Can I just clarify a little bit? I think you're partially right. I think one of the – just in terms of framing the discussion, what DNR regulates is

when forest practices impact public safety or public resources. So if there's a clear cut that results in a mass wasting event, a slide that hits public resources like a stream, that would be something that would be within the DNR's regulating authority. If a clear cut happens and a mass wasting event hits somebody else's property, that's no longer within the DNR's framework. It's within the court. It's sort of like if one property owner does something to affect another property's owner, you'd sue the owner. Yeah, and it's a civil issue. Yeah, it's no longer within the _____.

Ms. Ehlers: Well, you see, this is part of the difficulty. The way it's set up, then you clear cut and sometimes the person isn't doing it legally, but as I have observed it over all these years, it's – Sharon keeps saying we don't want lawsuits. Why do we have a situation in which everyone smiles and says, Oh, that's a lawsuit? That isn't the way you should be dealing with things in principle.

Commissioner Wesen: The County doesn't have enough enforcers out there to make sure the chain saw is doing the right thing. That's basically –

Ms. Ehlers: But there's another difficulty. This ordinance that we're talking about next month, they blithely said that the Planning Department was going to enforce it. And I'd – I asked John Cooper if he knew and he didn't. There needs to be a greater clarity.

Chairman Easton: Ryan? The next thing on the agenda is called a "Legal Round Table." Did you want to clarify what that was?

Mr. Walters: I believe it says "PDS/PC/BCC/Legal Round Table."

Chairman Easton: Yeah, well, even the legal guys thought we'd kick it off with *you*. Does someone else know what the beginning of this legal round table's about?

Mr. Christensen: It's just a round table for anyone and all.

Chairman Easton: Okay, so if we have a legal issue right now –

Mr. Christensen: Let me just say it's an open mic for anybody that wants to talk.

Ms. Ruacho: Not necessarily about legal issues.

Chairman Easton: Oh. I think we may have accomplished that under our earlier remarks. Did we? I think we did. Commissioner Dahlstedt?

Commissioner Dahlstedt: Yes, just maybe one other thing. Mary brought up the fact that some developers are talking about this backlog of homes. One of the things I think just a little bit different in the county is if you look into the cities

there's large, huge developments of spec homes and a tremendous amount have been built. There's a lot more limited opportunities for people in the rural parts of Skagit County and typically people are buying property and building an individual home. So I think that, you know, we may see a gradual increase at our level that won't happen in the cities where all this master development is occurring. So, you know, we may have some other things going on.

The other thing is we're really working toward anything that we can do that helps on a light industry, commercial, ag business – anything that's going to stimulate our economy business-wise. Our goal – the three Commissioners – has been we're going to try to help get it going. And our request to the Planning Department is if we don't get more things going, we won't be in business, and so I mean I think that's really – you know we have an effort right now that if we don't help stimulate the economy nobody else is going to do it.

Commissioner Wesen: The other thing with the Growth Management Act, you know, 80% of the growth is supposed to take place in the urban growth area or the cities, so things have changed over the last, you know, twenty years and as some of those lots have been taken out of use in ag or rural areas there aren't as many of them available as there have been in the past.

Ms. McGoffin: So generally speaking, you want your housing in your urban growth area, so you may not see a lot of housing in the county.

Mr. Christensen: Yeah, the one trend that – or the one graph – that we showed over the last four or five years – and certainly GMA has been in place for a longer period of time – but clearly that showed as you moved from left to right the development activity was declining in the county. And to some extent, we're a victim of our own success because what we have tried to do as part of a growth management comprehensive plan is guide more development, more growth into those areas where it can best be accommodated, and that's the urban growth areas, that's the cities and town. So what we are seeing through those graphs and trends is, indeed, a shift of development activity from rural, unincorporated Skagit County to the urban, more metro areas.

Chairman Easton: Okay. Any other comments?

Ms. Ehlers: I have a question.

Chairman Easton: Okay.

Ms. Ehlers: I've always thought that the first County plan was approved in March of 1965. This newspaper says 1966. I raised it with Patti. She said someone came into the Department who worked for the County in 1966 and said that they typed the ordinance that adopted that plan *in* 1966. So when was the first County plan adopted and does anybody have a copy?

Mr. Christensen: Turn to page 1-4 in your Comprehensive Plan, the Introduction chapter.

Chairman Easton: Can I take your word for it?

Mr. Christensen: So Skagit County's first Comprehensive Plan was adopted in 1965. The first subdivision ordinance was 1965, the first development regulations 1966, and the Comp Plan was updated and revised in 1968.

Chairman Easton: Excellent.

Ms. Ehlers: Thank you.

Chairman Easton: All right. And with that, there's no more business to come before us? You move to adjourn? Thank you (gavel). We're adjourned.