

Skagit County Planning Commission
Work Session/Project Updates
March 6, 2012

Commissioners: **Annie Lohman, Chair**
 Mary McGoffin, Vice Chair
 Jason Easton
 Elinor Nakis
 Dave Hughes
 Carol Ehlers
 Josh Axthelm
 Matt Mahaffie

Staff: **Gary Christensen, Planning Director**
 Ryan Walters, Civil Deputy Pros. Attorney
 Tim DeVries, Building Official/Floodplain Mgr.
 Betsy Stevenson, Senior Planner
 Kirk Johnson, Senior Planner

Chair Annie Lohman: (gavel) I call to order the March 6, 2012, meeting of the Planning Commission. This will be a work session and project updates. Everybody is here, and we still do not have a new member, Gary?

Gary Christensen: It is what it is, so we are in full attendance this evening.

Chair Lohman: Okay, if everybody could overlook their agenda and entertain any additions or deletions.

(silence)

Chair Lohman: Hearing none, I guess it's okay.

Jason Easton: Do you have a copy?

Elinor Nakis: Do you have any extra copies of the agenda, Gary?

Mr. Christensen: There are some on the back table.

Ms. Nakis: Oh, okay.

Mr. Christensen: Could you grab one, Bets?

Dave Hughes: Two.

Chair Lohman: Okay, the first item on the agenda is we're going to finish our Planning Commission questionnaire and Ryan is going to help us with that. And I recollect that we left off with item number 9, which is "Should there be limits on the number of terms Planning Commissioners can serve?" And "If so, what should the limit be?"

Carol Ehlers: I would like to observe the fact that I was cut off in number 8 and request time later to talk about it.

Chair Lohman: Okay.

Ms. Ehlers: Somebody called for adjournment.

Chair Lohman: Any discussion on limiting terms? Mary?

Mary McGoffin: This is something I've felt the Commission needed to address. I am suggesting that there be two terms – two consecutive terms – and then it'd be opened up for other residents to apply. A person could do another two terms at a later date, but the idea would be that it would encourage more participation from other constituents out there. I just feel like it would be drawing from more expertise and more diverse people. So that is why I support the idea of a term limit.

Josh Axthelm: How long is the term? I don't recall. It's four years – okay.

Chair Lohman: I guess I have a different point of view. I think that each term is up for review by the appointing Commissioner and there's an opportunity for them to renew your appointment or select somebody else, and I think that maybe we should continue leaving it up to the Commissioners. And then that being said, we still only have eight people. Is it because we don't have people applying or are we struggling to get people? And so if you have term limits, would you have a problem getting your seats filled? Jason?

Mr. Easton: Well, just as a point of help for your – part of your comment was, Annie, is that there have been five people who applied for the opening for position number – we'll call it nine because it's the ninth seat. But I know that at one point when it was originally advertised Commissioner Dahlstedt mentioned that at first there wasn't any applications. So it does – I mean, we've seen – over the years that I've been on the Commission – we've seen a lot of people apply at times – you know, higher than five considerably – ten or twelve, I think, for some of the seats, and we've seen at least once where we had no one apply. So it does vary when there is an opening.

And there – and this isn't – it isn't unprecedented that the seat I ended up filling five years ago when I came on the Commission was open for about eight months before I filled it. So it does – some of these kind of things happen from the timing point of view. It is true, too, that just – I mean, Annie's actually – you're actually in a seat where someone who wanted to stay on the Planning Commission was chosen – well, the Commissioner chose not to reappoint him and chose to appoint you. So I mean that

does – it does happen. I wonder if it wouldn't be healthy for this part of our discussion to consider the idea that if we're going to have much conversation about this that we maybe consider the idea that we exempt all of ourselves from it. Because there's a bit of a – it can be a bit personal for the two folks to my left – the immediate folks to my left – I think it's got to feel a little – term limits might feel a little personal to discuss, given that they're on their fifth and sixth – fifth terms. I think both of them are on their fifth terms.

Ms. Ehlers: No, he's longer.

Mr. Easton: Oh. Dave's on his sixth term and Carol's on her fifth term. And so I wondered if it might not make it a little bit less challenging to have this conversation if we did it sort of like, you know, from this point forward sort of conversation? Because I think that there is some wisdom in having institutional knowledge and, you know, people with past histories that sit on this Commission. I found it extremely helpful when I first came on five years ago to have a number of people who aren't here now who were helpful for me, and for Carol and Dave who were here when I came on five years ago. But I don't want this conversation to degenerate in feeling that it's about Carol and Dave, and so – because that's not how I feel about having the conversation.

So I suggest that we consider the idea of a discussion a little bit differently than the way the question was phrased to us and that we do it based on the term limits in relationship to other people who might join the Commission in the future. So we'd consider it that way. But that's a suggestion, just that – a suggestion.

Ms. McGoffin: I guess I'm comparing it to non-profits, chamber of commerce, board of directors – other entities where volunteers serve in some capacity. So I'm not even looking at who is here. I'm just looking at it as a volunteer body. And I find benefit in turnover in – I feel like volunteers can get burned out and, I mean, I think I would if I did five terms. So I'm – I just throw it out there. I think it can add some, you know, new blood and perhaps perspectives that don't get aired otherwise. And if nobody applies then that – I don't know. I would leave it at the discretion of the Commissioner if he wants to overrule that and appoint that person again. There could be some flexibility there. But I'm just looking at it across other, you know, other volunteer positions similarly constructed.

Chair Lohman: Any comments?

Mr. Axthelm: I like the idea of term limits to some extent but I think this is a volunteer situation compared to, you know, an elected situation. I think that if you had like let's say a two-term limit and then had the position go back to the Commissioners or open up to advertise it, possibly another person might be interested in that position. And if nobody comes up and says they're interested in that position, then that person could then serve an additional two terms.

Ms. Ehlers: That was done the last time I was to be reappointed.

Mr. Easton: It was advertised and then –

Ms. Ehlers: It was advertised and he wanted somebody who understood the two saltwater islands, which takes a lot of time to learn about, just as it takes a lot of time to learn about farming or some of the other skills that are rather specific to what we decide. He wanted somebody who could talk about water systems since, for the times I've been on – before you came, Annie – nobody had ever done anything. I had trouble finding a second sometimes because people didn't know the problems that a water system had, and when the county didn't want to protect it. And when I say "the County," I am not meaning the County government per se. I am meaning – talking about people who live in the county who find it inconvenient to protect drinking water, for example.

My experience on this board and the one on my water system is that if there's a time of crisis there's a lot of people who volunteer, but when it comes to slogging it out during boring meeting after boring meeting you need somebody who will make the quorum, who understands why there's a need for a quorum, and who will go out of their way to find the other side of the story. And so I'm in my second round with the water system. Boy, did I want to get out of that! But it got to the point where it had to be rescued again and they dragged me into it.

So I would say that if you were two terms at the public trough being paid that is one kind of term limits. But when it comes as a volunteer, if you find a volunteer who's willing to stick with it cherish them a bit. Because you will find, as with this Planning Commission, you're all new. We don't know – we don't have a combined knowledge base yet. We need one, but we don't yet have it. And this isn't just – this is something that is so important for various groups of people who live in the county who don't even know how the process goes on, have no idea who does what, who can't tell the difference between the Planning Commission and the Planning Department. If I thought there was nothing left for me to do, I'd say goodbye. But I was appointed to do the Shoreline Management Plan, which was going to start the next year. And we're still just starting.

Chair Lohman: Matt, did you have anything?

Matt Mahaffie: Just to say that I agreed with what you said earlier 100%. We're appointed. If somebody wants to stick it out, more power to them. If they get burned out, it's their responsibility to say goodbye.

Chair Lohman: Okay, let's move on to number 10. It's kind of related: "Should there be limits" to "the number of years a Planning Commissioner can serve as the chair or vice chair?" And, "If so, what should the limit be?" Matt?

Mr. Mahaffie: I don't think there should be a limit. Personally I have no interest in ever serving in either capacity, yet I want to know and ensure that the meetings are going to run quickly and efficiently and smoothly. So if somebody does it, more power to them. Let them sit there if they enjoy it.

Chair Lohman: Well, I think that the Chair and the Vice Chair should be up for annual election. And it's by the selection of the Planning Commission body and, there again, if the Planning Commission as a body is happy with the Chair and the Chair has the energy or the fortitude to continue service there, then it's up to the body to make that call. Because every planning commission has its own personality and sometimes things work and they can work for multiple years, and sometimes it's not maybe that they're not working but maybe it's good to change off. I mean, I've been on organizations where we've had a chairman for fourteen years and then I've been on organizations where the chairman went off after serving four because they were exhausted and they forced the organization to choose a new chair, even though they were happy with their chair. So I think it's kind of the call of the commission.

Ms. Ehlers: As long as we have the annual election. That seems to me to deal with the issue.

Chair Lohman: I think we should maybe get ourselves in the habit of having the annual election right after –

Mr. Easton: Well, we have. I mean, I think you're – you might not recall, but we have –

Chair Lohman: Yeah, we did.

Mr. Easton: – had an annual election every first business meeting for as long as – as long as Dave can remember. How long do you remember, Dave? I mean, we have had it every first business meeting. We did – there was a period of time when they were done at our business meetings where our first business meeting was at a joint party with the Commissioners – which I think is one of the questions on this list – where we had a dinner with the Commissioners as sort of their way to thank us. At one point we had joint meetings with them for a period of time when budgeting was more flexible. I guess. I don't know. Things weren't quite as tight, right, Gary? But, yeah, I think elections annually makes sense and I think we should __ bylaws should stay that way. I know from learning – from my conversations with both the last two chairs prior to myself – with Dave and with Bill Stiles – there is a different level of responsibility when you're the chair. And I think it's really healthy for us to consider that that's probably a good reason for the chairs to change from time to time. But I don't think it needs to be regulated. I think it can be self-regulated by – well, the simple handoff we just did from me to you to make it happen.

Chair Lohman: Mm-hmm.

Mr. Easton: And it happened when Dave switched to Bill and Bill switched to me. So, you know, it's – I think it works.

Chair Lohman: Any other comments on that?

Mr. Axthelm: I agree with you, Annie, on that one. I think that's – it switches every year. Or not switches every – excuse me – re-election every year on it.

Chair Lohman: Okay, moving on. “Are you interested in being able to provide input into the Planning Department’s annual work program?” And “How should that input be channeled?”

Ms. Ehlers: We have provided input year after year after year after year. And the input sometimes turns into output, but it has a tradition of languishing. So I would very much like to be able to continue to provide input. I just wish there was more opportunity for the Department to argue with the budget director and provide output.

Chair Lohman: Jason?

Mr. Easton: There was this phrase around the Department – not used quite as often anymore – a few years ago called “trailing issues.”

Ms. Ehlers: Yes.

Mr. Easton: And – and –

Mr. Hughes: It's why they're called “*trailing* issues.”

Mr. Easton: We used to – yeah, the joke has always been the reason they were called “trailing issues” is because they always seemed to trail behind us. I really believe that it is important for us to give some input, and I think it kind of comes organically as we go through processes. There's just times when we're working on Project A and it becomes clear that we needed some more information about something else. And so I think we've had a history of where we do that with the Department. We've talked about, you know – and sometimes it's as simple as a memo being sent around or something being re-sent. Sometimes it's a work session.

When it actually gets to the work, the actual work plan, I'm a little concerned that – I'm not really sure it's our role to have much to say in the work plan. And I don't want to set our expectations too high. This might seem a little strange, but I'm afraid that if we give ourselves the idea that we're going to impact the work plan and then we contribute – expecting that we impacted the work plan – and we don't actually end up impacting the work plan, we're going to become frustrated as a group. And so the biggest driver of the work plan is that the three elected County Commissioners take – in my experience – take the combination of their current budget, their current staff and their current deadlines and then come up with a plan with the Director to plan the future of the next year. And I'm not sure we really impact much of any of those three, to be blunt. We don't set deadlines like the state. Most of those deadlines we've got to deal with are either state and in some cases – with Tim last year we were doing some stuff that was federally mandated. So, you know, we're not going to play a role there. We clearly don't have budgeting authority and/or abilities to impact the budget. And the three

Commissioners do set – have the responsibilities the elected executives/legislators to set the priorities of the County. So I don't want to – I'm a little concerned about this topic being we oversell how much we could actually impact there.

Ms. Ehlers: I agree with you; however, if we have no impact at all then some of these decisions we've made are going to have to be remanded back for a month until something's done. We did a Master Planned Resort. A lot of work was put into that – intelligent work. But the word “adjacent” appeared in the strangest places with at least three different meanings. Now if – I was promised – we were promised – that the word “adjacent” would be dealt with so that when something came up a person reading this ordinance would know what it meant. And I'll give you an example. A master planned resort's a very large, expansive process. One of these was planned on Allan Island. The City of Anacortes decided that Allan Island, which is several miles away, was adjacent to the city and voted to annex it. Now I don't think that the Planning Department had any idea that something a couple of miles away was considered adjacent. But the worst – and _____ immediately adjacent. So it may turn out to be important someday because Allan Island is still up for grabs and the County, I'm sure, would rather regulate it than have the City do it.

And that's an illustration of something – it's a very minor word. It seems like a small thing in a large document, but it can have enormous financial and environmental consequences. And it hasn't been done. Carly started doing it. She corrected one of them. Now these are not big, large, mind-boggling, expensive things, but it's sort of tedious work that Planning ends up doing.

Chair Lohman: Well, I guess I read the question a little differently than the two of you. Because I do agree with Jason. I'm not sure how we would develop a work plan or where we'd insert certain things, but I thought it would be useful to at least sit in on the discussion with the County Commissioners and hear what the work plan was and hear the discussion so that we could have an idea of what's in the pipeline and what the year's priorities are going to be or not be, or maybe next year's priorities so we have an idea of where we're going.

Ms. Ehlers: That's a good idea.

Chair Lohman: So that's kind of how I interpreted the question.

Mr. Easton: I think, Madame Chair, I think that we have been – Gary, maybe you can answer this – I thought we'd been invited before to attend the public – it's different than a work session, where we would be a part of the work session. But like we've been invited before where you meet with the Commissioners in session to talk about your work plan. So that's something you, I think, over the years have notified us about when that comes up. I don't recall there being one yet this year – and I may have missed it.

Mr. Christensen: No, you're correct. You have been notified in part years when the work program has been on the Board's agenda, so you could either attend or watch or

read about it. And, yes, there has not been any time scheduled with the Board this year for the work program, although perhaps very shortly. And when I do know that, I will again inform you.

Chair Lohman: Any other discussion?

Ms. Ehlers: This still leaves the trailing issue: things which for one reason or another, because of public input and our own individual knowledge, we thought these were things that ought to be done. And –

Chair Lohman: Ryan?

Ms. Ehlers: – either – either – if we – if the trailing issues are no longer going to trail and they're going to be forgotten, then we ought to make decisions on the assumption that there will be no trailing issues and so we decide not.

Chair Lohman: Excuse me, Carol. Maybe Ryan has an answer for you.

Ryan Walters: So I think that probably makes sense. I think that the question is getting at the – do you want to – I think I hear you *do* want to be able to provide input, especially if it's going to be used. And in some cases, especially now, there may just not be any resources to do things that aren't mandated externally by the state or the federal government or whoever. But when you – at some point in the future maybe there will be resources again, and when that occurs, or even now, how do you want to provide input? Do you want to do that through a meeting you have at the beginning of the year where you develop a memo to send to the Board? Do you want to meet with the Board at a joint session? You've met with the Board at joint sessions before. Maybe one of the purposes of the joint session can be to develop the work plan. Now the Board will do that because that's the Boards' purview, but you could be there at the meeting and provide input. Maybe those are the types of things that you want to consider.

Chair Lohman: Go ahead, Josh.

Mr. Axthelm: It's my understanding that we are there to assist the Planning Department. Is that correct? So the Planning Department's the one that determines our agenda or determines what items that we're going to address.

Mr. Walters: For individual meetings?

Mr. Axthelm: Yes.

Mr. Walters: Or for the year?

Mr. Axthelm: For the year and for –

Mr. Walters: For the year, it's really the Board of Commissioners.

Mr. Axthelm: Okay. So having us go to a meeting to talk about those issues, what good would it do if they're the ones that really determine what we're going to address?

Mr. Walters: I think the key would be you could inform their decision-making.

Mr. Axthelm: Okay.

Mr. Walters: I mean Carol could talk about the word "adjacent" and how it is important for these reasons, which we may or may not be aware of.

Mr. Axthelm: Okay. I think what I'm getting to is sometimes we address things in meetings that really we have no effect over, that we really don't need to talk about and that we – even though they're important issues, it might not be the meeting that we need to talk about those things in. So I think that what helps us is that we've got an agenda, we've been given certain tasks to address. If we address those issues –

Mr. Walters: And I think that's some of what the question is getting to. I think that the Board thinks it's valuable to get your input.

Mr. Axthelm: Yeah.

Mr. Walters: But they want it channeled. They don't want to be hearing about it all the time. They're not setting the work plan all the time. They pretty much only set the work plan at the beginning of the year and they want to hear from the group, not necessarily individuals, because they value the *Planning Commission's* opinion so they want to make sure that you're having a discussion about it if you are providing input about it.

Mr. Axthelm: Okay.

Mr. Walters: So I tend to think we're all sort of on the same page: that you want to have input; the Board wants you to have input; we're just not sure how to channel it.

Ms. Nakis: Well, we've had presentations from the Planning Department before, right?

Mr. Walters: On the work plan?

Ms. Nakis: Pardon?

Mr. Walters: On the work plan you mean?

Ms. Nakis: Yes.

Mr. Walters: Mm-hmm.

Ms. Ehlers: After it – but it's set.

Ms. Nakis: After it's set. So, yeah. I would like – myself – I would like it before it's set in stone to have them come before us and tell us what the preliminary plan is for the year. And if we have our own input, you know, then be able to voice it at that time and maybe change the direction or priorities.

Chair Lohman: Okay, moving on. "Would you enjoy an informal evening gathering at the start of each" calendar "year with the Board of County Commissioners, staff, and (the) public?" I inserted "calendar." Sorry! So would you guys like a meeting, an informal meeting, at the start of the year?

Ms. Nakis: Yeah, I think that would – that's nice.

Mr. Axthelm: Is this for the sake of the Planning Commission or is it within, like, the Planning Department, or –

Chair Lohman: I think it would be all parties. It would be the County Commissioners, Planning Department staff, ourselves kind of in a less formal situation than now.

Mr. Axthelm: Okay. Is there something done like that now?

Mr. Christensen: We have in years past had an annual dinner which has been social as well as at times educational and informational. One of the things that staff and counsel have talked about would be perhaps a more informal setting which would be out in our lobby or foyer where we could have more kind of casual conversation outside of the more formal settings that this room offers, and that perhaps just being able to have some more candid, informal conversations would be helpful. The Commissioners could get to know you a little bit better, you could get to know them a little bit better, as well as staff.

Mr. Axthelm: I wouldn't have an issue with it as long as it's little or no cost to the taxpayer. I mean, I'd rather not have a big formal dinner or anything like that just together.

Mr. Walters: I think that's what we're talking about – you know, some Costco sandwiches or something. I sort of anticipate that if we appoint a new Director we would have some kind of mixer like that anyway. Introduce everybody to the new Director. But I think the question is not whether you would have a problem with it so much as would you find it valuable, you know, to interact less formally with staff and with the Commissioners – and with the public. And maybe the public would like to come and tell you about, you know, they have concerns about this type of issue. And they can come and interact with Planning staff and say, you know, We have this concern about this type of issue and what can you do about it for us?

Ms. Ehlers: I'd like to meet the person behind the name sometimes.

Ms. Nakis: Mm-hmm. Yeah, absolutely.

Mr. Walters: The staff member?

Ms. Ehlers: The staff member, yeah, especially now that the jobs have been rearranged.

Ms. Nakis: Or the community member, also, that writes the letters, that has that historical data that they, you know, they maintain.

Mr. Axthelm: Sounds good.

Chair Lohman: Okay, moving on. "Are there aspects of the current meeting scheduling process that you find troublesome, or especially helpful?"

Ms. Ehlers: I deeply appreciate getting things in print and I'm more than willing to give up the gas money, even at the price gas is now, to be able to read and compare and see what I'm actually looking at.

Chair Lohman: Jason?

Mr. Easton: I just want to echo your concerns that you brought up at the last meeting, Annie, about this topic. I mean, it was touched on a couple of questions earlier. I think a consistent schedule is extremely helpful. I'd prefer that the agenda's out – you know, at a minimum I would prefer ten days prior; two weeks prior, if at all possible – because there is some reading that you want to do before you come for a lot of these things, and the preparation. And staff historically has done a great job of getting us materials – in my – the five years I've been here – a good job of getting us materials ahead of time so we can be prepared. Sometimes, I mean, our work load varies so much – different styles and things – that you do need quite a bit of time. So I think that consistency in having – knowing that our agenda is coming ahead of time. I get a little challenged – it's been a bit of a challenge at times to feel like we had enough for an agenda, so I would prefer that we not – if we don't have more than an hour's – hour-and-a-half worth of work, I'd rather us, if it's not time-sensitive, to push it to another meeting. I just don't think it's of value for all of us to be here if there's not that. So that's one caveat. I do think it's important that we have an agenda – I mean, a meeting that's worth having a meeting for, which is the responsibility, in my opinion, of the Chair with the Department to determine, you know, where that line is between we should have one or we shouldn't. This particular meeting that we have particularly scheduled tonight is kind of right on that edge. You know, if this part of this conversation wasn't in here, if we weren't doing this thirty minutes on our questionnaire, I'd be a little concerned that we didn't have enough for a meeting. But I want to make sure that if we're all together it's a valuable time. But I think planning ahead is huge about how we handle our schedule.

Chair Lohman: Well, I know I've been frustrated with it because we haven't had a regular day. So it might be the third Tuesday or the second Tuesday or the first Tuesday. I think we should try to strive to always have the regular day, if at all possible.

Mr. Easton: Agreed.

Chair Lohman: If there isn't any business that's pressing or takes longer than an hour, I can understand not having a meeting. But then let's not have it two weeks later on an odd day.

Ms. Ehlers: Mm-hmm.

Chair Lohman: That's the part that frustrates me, because we're all volunteers and it's hard for us to set your calendar then because anything's wide open. And I think, too, if staff had a regular day to shoot for it would help them for their planning. And I think –

Mr. Easton: It's not a fifty-two-Tuesday commitment. You didn't sign up for fifty Tuesdays, right?

Chair Lohman: No. And I think it also is courteous to the public if they know that we're going to meet on whichever Tuesday.

Ms. Ehlers: Mm-hmm, mm-hmm.

Chair Lohman: And then they come to the County offices here and nobody's here. Any other comments on that one? I'm going to speed us up because we're running over.

Ms. McGoffin: Chair, maybe we could do the rest of those at our next meeting so we could stay on our agenda?

Chair Lohman: Does anybody else want to do that?

Mr. Walters: Some of them you've already covered –

Chair Lohman: Right.

Mr. Walters: – to some extent. Remember we did a couple after the term limits one last meeting? I think you did 14 and 17 and –

Ms. Ehlers: And you did 15.

Mr. Easton: Yeah, I think ____.

Mr. Walters: And 15.

Chair Lohman: I would really prefer that we just get it done and get it over.

Mr. Axthelm: Second.

Mr. Easton: I concur.

Ms. Ehlers: I would, too. Let's get it finished.

Chair Lohman: So let's move on. "Some jurisdictions compensate their Planning Commissioners with a small stipend of \$50 per meeting. Would you be interested in receiving such a stipend? What if it replaced the mileage reimbursement and associated paperwork?" This one we sort of touched on last time.

Ms. Ehlers: We did and I thought Gary's suggestion was very practical. When I was taking mileage the County's Auditor never agreed with the number of miles that I turned in, so I asked Patti to ask her computer – the official computer – what the mileage was and they sent me on a route to get here that in all these decades I have never used to come to Mount Vernon. But that's all right. If that's what the computer thought and it was more miles, what was I going to argue with? The Auditor was happy. So if it saves the Department time and effort....

Chair Lohman: Anybody?

Mr. Axthelm: I think there was a question that was given there, is whether it takes more time for the County to do the \$50 or it takes more time to do the mileage.

Ms. Ehlers: Well, the \$50, remember, is income.

Mr. Axthelm: What – okay. What I'm saying is that is it more for the County to process the mileage or is it more for them to process the \$50?

Mr. Walters: I think it's – I don't think all of you take the mileage. So if all of you took the mileage I think it'd be easier to process just the \$50. But since not all of you take it, it's probably less time to do the mileage. But if we do the revised mileage method, that might save quite a bit of time anyway.

Chair Lohman: Well, I think part of the issue, too, is maybe we're not filling out the reimbursement voucher consistently, because it doesn't make sense.

Mr. Christensen: Yeah, if I –

Chair Lohman: I mean, I'm sorry but it doesn't.

Mr. Walters: No, I ____.

Mr. Christensen: If your preference or if some of you selected to be reimbursed for travel expenses, it would be far more efficient if the Department filled them out for you

and then you just signed the forms. That way we could be straight with the Auditor, we could be using the right programs, and certainly the miles would be consistent from the reporting period to reporting period.

Now what would probably be better would be to do it like on a quarterly basis, not – you know, do it three or four times a year rather than every month.

Mr. Easton: I think we have – that’s what we have been doing is quarterlies.

Chair Lohman: Yeah.

Mr. Christensen: Yeah.

Mr. Easton: I have no objections to you guys filling – I mean, I don’t think I have any objections to you filling them out. I mean, that’s simple – if that makes it simpler.

Chair Lohman: Mm-hmm.

Mr. Easton: I’m a little concerned that if we go to 50 that’s significant change for just cost overall to the County. I mean, 50 – potentially 50 times – I recognize some of us don’t take it and some of us do, but 50 times nine becomes a significant expense, particularly when we get into the busier seasons of our lives on this commission over the years. That’s a lot of meetings in a year. I mean, it’s not unprecedented for this group to meet twenty times a year. But I think staying – I would say I would suggest we stay the course that we’re on now and just have those forms filled out by staff and we can – you know, in mileage. As long as it doesn’t require Carol to drive through Concrete on her way here it’s fine with me.

Ms. Ehlers: It didn’t! It just took me on I-5.

Chair Lohman: Okay, moving on. “State law allows Planning Commissions to have five, seven, or nine members. Should we make any change in the number of members of” the “Planning Commission?”

Mr. Easton: No.

Ms. Ehlers: No.

Mr. Axthelm: No.

Chair Lohman: No.

Mr. Walters: So one additional piece of input that we recently got on this is that most cities have seven-member planning commissions and most counties have nine-member planning commissions, and we think that the reason is that seven is actually a better number. It provides a better manageable group – you know, the group interacts better if

there's seven versus nine, just like four versus twenty, you know, makes a difference. But nine is much more frequently used by counties because they're almost all commissioner form of government. There are three of them; they get three votes or three appointments. Even though the statute says the chair appoints all of them, basically they work around that and each district commissioner appoints three from each district.

Ms. Ehlers: And considering that in this state if you're outside a city you have no other representation, it's pretty important.

Chair Lohman: I think you got – I think we all like it the way it is. Okay, "Can you describe an experience" in "your tenure as a planning commissioner that you found especially positive? Especially negative? What led" you "to those experiences?" Or "What led to those experiences?" So something positive, something negative. Are you wanting to go first?

Mr. Axthelm: You know, we kind of addressed – didn't we have a letter or a meeting with the Commissioners at one point where we addressed that pretty much? Because I think they had us come in one-by-one. Didn't they have us come in one-by-one –

Ms. Nakis: They did. Right.

Mr. Axthelm: – and talk to us about this? And that –

Mr. Walters: ___ to meet with Gary?

Mr. Axthelm: I believe that was addressed at that point.

Mr. Walters: Mm-hmm.

Mr. Axthelm: Not that it's a big deal.

Ms. Nakis: So just my general statement is that I guess my most positive times so far have been times when the public leave here feeling like they've had a voice in making the decisions.

Chair Lohman: Okay, moving on. "Do you have ideas for ways the County's Agricultural Advisory Board and" Forest "Advisory Board can best plug into the process?"

Ms. Ehlers: Do we know how they plug in now?

Mr. Walters: The way that it sort of works now is there's no formal process. There's nothing written down as to how the process works with them. Usually, although I think maybe not always, you can tell if there's a development regulation that is going to interest the ag or forestry community and then someone from the Department will take

some description of that – maybe it hasn't been fleshed out completely yet or maybe it has; maybe they've got the code written – and take it to the Ag Advisory Board or the Forestry Advisory Board, get their comments and then – but typically what they do is they send a letter saying yep or no. And that has been actually, in my judgment, a problem because it doesn't indicate what they don't like or why they don't like it. What is the problem, or what do you like about it? What wouldn't you like if something changed? My sense has been that we need more substance from the Ag Advisory Board and the Forestry Advisory Board. And also that they are not mini Planning Commissions. *This* is the Planning Commission. So we want them to be able to plug in but I don't think that we have a good sense either in the Department, my office or in the Commissioners' office how it's most effective, most efficient for them to plug into the land use regulation development process.

Chair Lohman: I almost think that I'm not sure how you would do it outside of the hearing or the hearing process, because that's kind of a statute, isn't it? You have an open period for a hearing so there's only public input for a certain period of time, and so I don't know how you could give them extra time.

Mr. Walters: Right. Well, and typically currently they are – they're getting the presentation before you so they're getting this information maybe sometimes before you've heard about it.

Chair Lohman: So maybe we should ask for more details when they testify or when they submit letters.

Mr. Walters: Well, they don't always testify either.

Chair Lohman: When I was on there we did. So, you know, maybe it's the dynamic of who is there now. And I don't want to cast aspersions on anybody or anything like that but, you know, maybe they're just doing things differently. But I know that when I was on there, if there was something that was really pressingly important to the Ag Advisory we made sure that we were at the hearing.

Mr. Walters: Mm-hmm. Well, and that's another thing. We want to make sure that when they are providing input that they are providing it to the Planning Commission, because in some instances they'll provide it to the Board. Well, that means that it goes through the Planning Commission without getting the *Planning Commission* in that loop and having the *Planning Commission* suggest the changes that those boards may want.

Chair Lohman: But I think they're really valuable because they have an expertise on their NRL, so you've got the forestry uses and expertise, and ag counterpart. And I think they serve a very good function and I think they could be a real asset to us during the public testimony.

Mr. Christensen: One of the things that we tried to do better is to provide them earlier notice of code amendments by going to one of their monthly meetings. Sometimes the

sequence of events or the timing is such that we're a week or two off, which could mean we have to wait several weeks before their next meeting. So if we can unveil these early enough on so that the FAB and the AAB can discuss these then they have time in which to really thoroughly vet and debate that. And that's helpful to us when they can offer constructive comments. If it's – if there's not much time then we all feel pressed and perhaps we don't get the kind of substantive comments that we otherwise would like to receive. So that's certainly something that the Department has attempted to do, and that is to let both the AAB and the FAB know early on about projects or codes or proposals that may be of interest. But sometimes what we think is of interest they may not, and then something that we may not think is of interest they may feel it is. So we do our best to communicate with them.

Mr. Easton: Now, Chair?

Chair Lohman: Jason.

Mr. Easton: I have two suggestions. One, I would suggest to improve the process that the work plan be regularly – as it's updated – consistently communicated to every member of both advisory committees. So if the work plan – our current work load, once it's determined for a year, is shared with them and then if it updates it's shared with those members. Not just the chair but their members, so that if there's somebody on that commission who has a concern that the Ag group should get together to talk about – the CAO before it comes up or, you know, whatever the given item is – it could happen.

The other thing is I think, subject to the call of the Chair of the Planning Commission – not, in my opinion, not the staff or the County Commissioners – that subject to the call of the Planning Commission Chair and/or Vice Chair we should have the ability at any time to invite and continue the process that we have under Dave and I and Bill – we've done it before – invite them to join us for a work session. So I think that – I don't think we need a formal policy. It doesn't feel broken to me. I also at least did it once and I would recommend to the current Chair now that reaching – I worked hard to have a good relationship with Dave Chamberlain with the Forest Advisory group, and with Nels, you know, with the Ag group. I think just keeping an open conversation between the Chairs, if there's something that happens that needs to be improved.

But I don't see – I see that those two things – those two groups are functioning well in the county right now and advising the Commissioners on the issues. If you look at their actual reasons for why they exist I think they're accomplishing that and I don't want to – I would hate to ask a group of volunteers that are already tapped to be here more often than what we've already structured. They're already – I mean, Ag right now is openly advertising for people in the 1st and the 2nd. So if you're at home watching this on TV and you want to get involved, if you go to the County website on the front page of the website right now there's a link to showing interest if you live in District 1 or District 2. There's openings on the Ag Board, so there's a place for you to volunteer here at Skagit County if you want to participate in helping with the leadership of the county.

Chair Lohman: Okay, that's the end of the list. Does anybody want to revisit any of them? And, if they do, could you – will you just move quickly because we've already been over it.

Ms. Ehlers: I sure do.

Chairman Lohman: Okay, but as quickly as you can, Carol.

Ms. Ehlers: I got put off by the word "adjourn" last time. The kind of training that we used to have I think now that it's at least fifteen years ago.

Chair Lohman: Excuse me one moment. You're addressing number 8.

Mr. Easton: Number 8.

Ms. Ehlers: Number 8, yes.

Chair Lohman: It was a reference to training.

Ms. Ehlers: In reference to training. I think we need some training in SEPA, in what it is and what it isn't; how SEPA relates to critical areas and where it doesn't; how these various laws that are involved in that do or do not cover certain aspects of not just environmental issues but very basic land use issues. I have had people tell me recently that they have never worked through an EIS – these are staff people in Public Works and Planning. It is – you're – an EIS is required to be kept for twenty-five years. The only person who saw it for a long time was the lady in the Prosecutor's office who kept them, but she doesn't have all of them. She doesn't begin to have the EISs that were done that provide a benchmark for the County. So I would like some training the way it was for the Short Course on SEPA available to us and any other planning commissioner in the county; any staffer in the County – Public Works; anyone who's a resident in the county who wants to understand how these things do or don't function together.

The last time we had one a Planning staffer who is no longer with us looked at the lady who taught it and said, You mean SEPA covers more than wetlands? And the lady controlled her contempt by saying, If you're going to enforce a law, you need to read it.

Chair Lohman: Okay, so moving on to –

Mr. Christensen: If I may, just before we move on.

Chair Lohman: Go ahead.

Mr. Christensen: Just to get confirmation, on number 14 it appears that you would prefer to have the travel reimbursement. So if I could just have a show of hands who wants to claim that, then we'll process the paperwork. So I just wanted to get a –

Mr. Walters: Well, they'll have to give you their addresses, too. Maybe we can get that after the meeting.

Mr. Christensen: Okay, but before you go, let's make sure that we –

Mr. Walters: Yeah.

Mr. Christensen: – know those of you which wish to make that claim.

Mr. Walters: I have a little wrap-up, too.

Chair Lohman: All right.

Mr. Easton: I have one request of the Department, hopefully with the blessing of the rest of the Commissioners. One of the things that I think we're going to get better at over this next year is Roberts Rules of Order, which is why I'm excited about Annie being Chair because she's better at it than I was. And in wanting to do that well, I think it would be better if we're all reading off the same song sheet, so I'm going to recommend that the staff or the Chair, whichever prefers to take on the responsibility, find one small – not large volume – one small volume that we all can carry if we choose to that we can reference from time to time so that – if it's necessary. Because it's not something we have as a tool that I've gotten, at least in the five years I've been here. And I think whether that's a small book or a small printout, as inexpensively as possible, but something that we can all consistently have I think would be – maybe that's a great example, Mary.

Ms. McGoffin: We can share.

Mr. Easton: You can share. But I think it would be good for us to have some sort of similar tool or reference that we can use from time to time. Because I don't intend to use Robert's Rules inappropriately, which means I probably need a little bit of a refresher course on it. Thank you.

Chair Lohman: Ryan?

Mr. Walters: So the in-brief book is \$10, and they usually recommend – people usually recommend that we provide that to the Commission. I think we could probably do that.

Mr. Easton: That'd be great.

Mr. Walters: But also we have looked into having a session with you, two to three hours, with a professional parliamentarian who I experienced at the Association of Washington Cities training for new elected officials. It was very good. She has dinosaurs that she works into the presentation. It's fun. It's a fun, interactive activity, and it wouldn't all be parliamentary procedure. There would be some how to structure a

discussion – more generic-type stuff – but she also is an expert parliamentarian. So we think that that makes a lot of sense and we have budget to cover that. It would be two to three hours. It would be a public meeting. It wouldn't be on TV, though. But that's something that I think if you think makes sense we can make happen.

Chair Lohman: I think it sounds very useful.

Mr. Easton: I concur.

Mr. Walters: And then I have a little –

Ms. Ehlers: To follow through, as long as it includes the process of discussion.

Mr. Walters: Yes. I think she has quite a bit of insight into how to use the rules for small boards. It doesn't have to be the full formal Robert's Rules, but, you know, it is the rules that are in the book, the rules for small boards. She also has handouts that summarize things really concisely and usefully.

Ms. Ehlers: And while we're on the subject, I thought we dealt with this some years ago but it seems like it comes up again. We held a discussion the other day in which most of us couldn't see anything of anybody else on the Planning Commission.

Mr. Walters: I talked to her about that, as well.

Ms. Ehlers: And it was the least effective discussion I think I've ever been a part of. We could talk – the person who was sitting where Gary and Tim are now could lead the discussion because he could see. Annie wasn't able always to see who wanted to speak and we have no process – and we need a process – to determine whether someone wants to follow through on something that was said, which is essential for a discussion, or whether somebody wants to change the topic.

Chair Lohman: Well, I wrote in my remarks to the Commissioners that I would like our work sessions to be more like when we were doing the Open Space Plan. We had easels with materials and maps and we had the Plan and we had the drawings and we had all this material, but you could walk around and we learned a lot. We got a lot asked. The last two work sessions that we have had have been very difficult to get people to participate and I think it's almost because of the structure of how we set the room up.

Ms. Ehlers: Oh, yes.

Chair Lohman: Even though it starts out as a square, we end up in a formal line or we end up us versus our guests that are bringing us the information and it's not friendly-seeming. Although we are trying to be friendly and we are friendly people, it isn't a friendly forum.

Mr. Walters: And I talked to this consultant about that and she strongly recommended that you sit around a table and *around* a table, not just one edge of it –

Ms. Ehlers: Oh, yes.

Mr. Walters: – for your discussions –

Ms. Ehlers: Oh, yes.

Mr. Walters: – for a couple of reasons: one, because you can see each other; two, it brings you back down to the level of the normal person, you know, versus up here on the bench. So that could make a difference. So I think that that's probably a discussion that we should have – you know, how you want to set up your meetings, set up your tables. We'll probably have to have the discussion with the A/V crew to make sure they can shoot it all for TV, but we can have that discussion maybe later because there're a couple of facets to it. And maybe we can have the discussion with the meeting parliamentarian.

So I wanted to provide a little preview of what happens now with all the input that you have provided. I'm going to be writing an ordinance for the Board that will amend several chapters of Skagit County Code: Title 2; Title 14; Title 14.02, which is the planning commission section; and Title 14, chapter 08, which is the legislative action section. And it's going to include options, including options for term limits, options for term limits on officers. I actually don't think that the Board is going to adopt any term limits, but we're going to write it in so that they have that option. It's going to clearly define in code the appointment procedures, the roles of the officers, the ways to fill the vacancies. One problem we have identified is that all of your terms end next year, with the exception of just a couple of you who end in 2014. So over the next two years, or in the span of two years, all of your terms end. That's not the way the statute sets it out. You're supposed to be significantly staggered so that two terms end, two terms end, two terms end, and not everybody ends or leaves at the same time. So we're going to re-stagger those terms so of the eight of you – the ninth person obviously isn't here so it doesn't really matter – but of the eight of you none of your terms will get significantly shorter, but several of them will get longer in order to make that staggered.

Mr. Easton: Will we be in that discussion? Will we be part of that discussion?

Mr. Walters: I would say actually if you *don't* want to serve, then you should communicate that to one or more of the Commissioners so that they know so that they can make that decision. But it's sort of complicated, and the way I've got it worked out right now nobody's term basically gets shorter. Like, I think, Carol's term would get a month shaved off of it and Mary's term would get a month shaved off of it because it ends at a weird time. Your term actually really ends at a weird time –

Mr. Easton: Yeah, it's in August, in the middle of summer.

Mr. Walters: In the middle of the year. But basically they'd all get longer, and they'd get longer and no district – no individual district – would have all of their terms expire at the same time. Those were the two criteria. We didn't want to make anybody's term shorter and we didn't want to have all the terms expire at the same time.

Mr. Easton: How are you going to avoid this problem in the future? When a person gets reappointed, would they actually finish the term of the person they're appointed to refill –

Mr. Walters: Yes.

Mr. Easton: – instead of restarting terms? Because the reason we all ended up with these weird dates –

Mr. Walters: That's right.

Mr. Easton: – is because we were filling people's terms who resigned – some of them were because of the resigning mid-term. Like in my case, I filled the term of somebody who had to quit in mid-term.

Mr. Walters: Right. And that's the way the statute says it's supposed to work, and we're going to write it in the code so that you can't miss it. It'll say you fill a vacancy you fill it for the remainder of the term. If that means you get appointed for a month and then appointed again, that's what happens.

Mr. Easton: Gotcha.

Mr. Walters: And then the other thing with respect to that that we're going to do – well, that's going to be clearly spelled out in the code with reference to the RCW that mandates it, so that that's very clear. And part of this is making the code clearer so it's more useful, more user-friendly so that we actually use it rather than just remember how this works. But that is exactly what happened. People got appointed for four-year terms without having a four-year term to fill. We're also going to number the terms so – or number the positions so, you know, you'll be – or whoever – will be positioned number 1 from District 1. But you'll have a number so that you'll stay with that number and that won't get confused again. And that'll be on the website and that kind of thing.

Ms. Ehlers: I think that's the way it was.

Mr. Walters: Yeah, but if it's not in the code, eventually we sort of lose these things. We're also going to adopt in the code requirements to comply with the Open Public Meetings Act and the Public Records Act. Those are things you have to do anyway, but they're going to be adopted in the code to, again, make it very clear that that ___ and also to prescribe *how* you comply. For instance, one of the things we have advised you is that for compliance with the Public Records Act you need to use the County e-mail address as we provided if you're sending e-mails. So we're going to spell that out in the

code. It's not just good advice. It's also the law – that kind of thing. And adopt Robert's Rules in the code as the rules for the Commission. The Board wants to formally set that out. And that's probably something you're going to do for all boards and commissions at the County, and they're going to adopt something that we are not sure exactly what it will look like yet but an ethics policy for all boards and committees of the County.

So that's sort of the section about the Planning Commission, and then there's our legislative process section. We're going to spell out more clearly the public participation requirements. The first part of that is we're going to require the Board – and this is, you know, what the Board is going to adopt – to require of themselves to adopt the work plan. If they want an agenda item to come before you, if they want the Department to work on a project the Board will have to – as part of the public participation program – say that they want it to be worked on. Part of the problem has been oh, well, one Commissioner wants this, another Commissioner wants that. We need – we, everyone – the Board itself, the Department – needs to know that the Board wants a – the Board as an entity wants that done. So we're going to require the Board to adopt sort of a revision to the work plan resolution anytime they want to add something. It will also help them to see what the Department is working on at that time.

Some of the other public notice requirements will be updated for the 21st century: require it to be put on the webpage; require it to be sent out via e-mail – that kind of thing. I'm not going to remove the legal notices, Carol. But those types of things will be expanded so that it's very specific as to what it is. Right now there's a menu in the code. You get to do one or more of these. It'll just be specific: This is the way people get noticed.

And some maybe better timelines so that there's some prescription on how far in advance you get your information. And then some more prescriptive guidance on what staff reports should contain. Some of that is already in the code but it will be clearer – you know, more background on how these pieces all fit together into the larger regulatory scheme.

And then there were questions that came up over the past year that we're going to answer in the code. For instance, one of them was, Can you call another public hearing? And I don't know the answer to that. As you may recall, I said I don't know the answer because it's not clearly spelled out in the code whether you can or not. What we're going to do is write a line that says you can or not and the Board's going to choose, you know, whether you can or not call another public hearing. I think we're going to write a line that says you can extend the public hearing, but we're going to make that clear that you can do that. And more clearly we're going to more clearly define the content of the recorded motion. I know there's been confusion over what constitutes a finding, a recommendation, a reason for action, so we're going to specify – you know, The statute says you need to do this, and, Here's what this means and how that fits together.

Ms. Ehlers: And is the recorded motion going to be the motion that the Planning Commission moves, the way it has been recently, or is it going to be changed the way it used to be?

Mr. Walters: Yeah, and we're going to spell out how that works. And the whole thing will be done with clearer terms, references to the statutes that mandate the requirements, no passive sentences so we know who is required to do what, and then, maybe most importantly, headings that make it easier to read the code and use it as actually the guide to our everyday processing of these development regulations. So that's what I'm working on and maybe I'll have it done in a couple weeks, and that'll go to the Board and there will be a public hearing and public comment.

Mr. Easton: Please notify us when that happens.

Mr. Walters: We will.

Mr. Easton: That would be great.

Ms. Ehlers: One of the basic problems the County has had over the long term and short is back timing. The worst illustration was when we had a coordinated water system plan that was finished in 1997 and it was stalled for two years because the new Comprehensive Plan wasn't going to come out, and so John Moffat insisted that we get the whole thousand papers – remember that, Gary? A thousand sheets of paper was given to the public and given two weeks to read it, and then there was a slight delay because they were trying to put it on the Internet for the first time. But the hearing was held, by God, with that first two weeks. So, of course, most people didn't really have a chance to look at it.

One of the difficulties we face now: Betsy's going to – has told us she wants April, May and June. I hope she'll hit April, May and June because there's been more than once that I have stayed here instead of doing something really nice because something was going to be done by the Planning Department and it didn't get done. Now if you're driven the way Tim was last year by that lawsuit that's one thing. But a lot of these delays are not driven by a lawsuit. It's just that the County didn't get around to doing it. And I think what I would prefer is if you have a sense you're not going to be able to do it, then plan more time.

Mr. Walters: And I think that we are addressing that through the work plan resolution and there are just also going to be fewer things we're probably capable of doing this year because the Department has fewer staff.

Ms. Ehlers: That's true.

Mr. Walters: But also let me tell you that as an elected official who gets agendas four days in advance I'm very sensitive to that issue and we're going to address that.

Ms. Ehlers: I think that might turn out to be the best benefit of an election that we've had in a long time.

Chair Lohman: Thank you, Ryan. _____. Anything else?

Mr. Walters: No.

Chair Lohman: Gary?

Mr. Christensen: No.

Chair Lohman: Can we move on now? I see the time set there so I'm – the watch or the clock is making me really tense that we're past. So the next item, Item b), is Flood Damage Prevention, Community Rating Service – says Community Rating System. Tim?

Tim DeVries: Yes. I was before you last fall with changes to the flood damage prevention ordinance relating to the Endangered Species Act. And so I know that all of you are painfully aware of the federal connection, but for the benefit of the viewing public and attendees I'll give just a short, brief history.

Skagit County belongs to the National Flood Insurance Program, a part of FEMA, and because we belong to it landowners in Skagit County get less expensive flood insurance rates. Within the National Flood Insurance Program we also belong to the Community Rating System, which rates how well we do with our regulations and enforcement of our regulations. The better the score, the cheaper the flood insurance. We have a rating of 4, which is one of the best in the country, so that means that the residents of Skagit County are saving approximately \$260 or 70 a year on their flood insurance.

Along with that rating comes a couple of requirements. One of them is that you have to be audited every three to four years to make sure you are doing all of the things that earned you that rating. And within that classification there are certain things you must do that other communities who don't have as good a rating don't have to do. And that's what brings us here tonight to talk to you.

We are needing to amend the flood damage prevention ordinance in a relatively minor way in order to meet the requirement of a Community Rating System Level 4. And the way in which we are amending it is in the general standards there's language that says electrical, mechanical, heating equipment must be elevated 1 foot above the base flood elevation. Followed by that sentence is a second sentence that says duct work – mechanical duct work – must be elevated above the flood elevation. So the ordinance doesn't say duct work has to be 1 foot above. We've been informed by the people doing our audit that our flood ordinance must require duct work to be 1 foot above.

And so it's a – it is a change. It's a relatively minor change. We have a very short timeframe in which to do that because we've been working with the audit for the last year getting it to where this is the last remaining issue. We have until about the end of the month, and so with that in mind we're going to be – today we completed the SEPA Checklist and Determination of Nonsignificance for publication Thursday. When the comment period is over in fifteen days, we will be going to the Board of County Commissioners for approval of an interim ordinance. We also are scheduling a public hearing in front of this Commission for April 3rd and hoping that, because of the minor nature, that we can hold the public hearing and deliberations in the same evening. The reason that we're going this way is, number one, to get the interim ordinance signed before the end of the month and to eliminate the need to have two public hearings, one as a result of the interim ordinance and then another with the Planning Commission.

So that's an update of what will come before you in a few weeks. And I'd be happy to answer any questions if you have any.

Ms. Ehlers: Whatever happened to the fish aspect of that?

Mr. DeVries: Well, the reason that we had not addressed this issue that I've been talking about prior is that we were anticipating additional work being done on the flood ordinance as a result of comments from FEMA and combining this with it. Recently they have taken divergent paths and so we're taking care of what we have to that we have a deadline on and allowing the other to take a more natural route.

Chair Lohman: And the language about the duct work is the only thing that's changing in there?

Mr. DeVries: Yes.

Chair Lohman: Okay. Anything else? Any comments from the Commissioners?

Mr. Easton: Look forward to seeing you in April

Chair Lohman: Okay. Thank you, Tim. Moving on: Item c) Bayview Ridge Planned Unit Development & Design Guidelines. Gary?

Mr. Christensen: Yeah. Before I just jump into my topic, really what we wanted to do for you this evening was spend a bit of time talking about a number of projects which we are actively involved with which will be coming before you at some point in time. And so what we wanted to do was just provide you with a brief summary update – you know, five minutes, ten minutes – provide a little Q & A time if you have some questions about the project. So that's how we organized this evening's agenda, and you'll see a number of these projects then that appear on the agenda. Really, that's the purpose of our being before you this evening.

So, with that as kind of a preamble, let me talk to you a little bit about Bayview Ridge, the planned unit development and the design guidelines project. So let me take you back about fifteen months to early 2011. And back then I approached the Port of Skagit County and asked if they would be interested in partnering with the County in terms of moving forward on the planned unit development and the design guideline project, which was at an impasse. It wasn't moving forward and we needed some inertia and some assistance to move forward on that.

And so last year there was a lot of discussion with the Port of Skagit County, the Port director, their legal counsel, their commissioners, as well as our commissioners, our legal staff and the Department about how we could really come together and work together on moving the project forward.

And as a result of really a good part of last year – almost nine months of back and forth between the County and the Port – in September of last year we signed an interlocal agreement regarding the Bayview Ridge Subarea Planned Unit Development Ordinance and the Development Standards project. Now you'll say, Well, what did that do and what purpose did that serve? What that interlocal agreement did last fall was identify the Port of Skagit County as the project facilitator and project manager for moving the PUD and the Design Guideline project forward. In that interlocal agreement Skagit County agreed to pay for consultant services which would be required to develop the PUD code and design standards, and it also identified and called out for what we call now the "Partnership Committee." And the Partnership Committee was formed as a result of that interlocal agreement, and that included three representatives from the Port, three representatives from Skagit County and three landowners who own land within the Bayview Ridge subarea.

Also as part of that interlocal agreement there was a scope of work that was identified, so all the parties knew what our tasks were. It called out for a master site plan for both the Bayview Ridge Community Center and the mixed use areas, and also called out for design standards, and in particular that there would be design standards for streetscape, street, architectural and open space amenities. In addition to design standards there were a number of items that were viewed as significant or important issues as part of the implementation plan, and they were identified as stormwater, traffic, a finance plan, school location and facilities, a community park and/or trails and non-motorized network, and pipeline safety.

This also called out for a consultant selection process, and as a result of that the Partnership Committee which had been formed reviewed several consultant proposals that were submitted and as a result of those proposals three firms were selected for interviews. Makers, which is out of Seattle, is the consultant who was selected. They are under contract with Skagit County. So in November of last year a personal services agreement was signed between Makers and the County. Under that contract Makers was provided with a scope of work, tasks, deliverables, timeline and compensation for assisting the Partnership Committee. I'm pleased to be able to say since then that the

Partnership Committee has met one to two times on a monthly basis, so about every other week, sometimes every third week. We have a meeting again this week.

So work is certainly proceeding. We are on schedule, on budget, and we expect then to have a draft PUD code and design standards to the Commissioners in May of this year, so a couple months out.

Now, what happens thereafter? So this draft product, which the Partnership Committee has been working on, will be transmitted to the Commissioners in May. The Commissioners will then probably take some time to review that. And they will then decide that perhaps the Partnership Committee needs to spend more work on it. The County Commissioners may decide that perhaps we have to have a number of community meetings within the subarea. Or perhaps they'll want to release it for public review and schedule public hearings for you to take public testimony and written correspondence on it. We are hopeful and certainly desire being able to have this work completed before the end of the year.

So that is – without getting into any of the minutia and the detail about what the Partnership Committee has actually been working on beyond that which I've already provided you – that's a snapshot and a timeline and a heads up on something coming your way later this year.

Mr. Easton: Madame Chair? A question.

Chair Lohman: Jason.

Mr. Easton: Mr. Director, could you tell us who the nine members are?

Mr. Christensen: Yes. It's – with the Port of Skagit County, it would be Patsy Martin, Sara – Young, is it? – and Heather, and she's changed her last name. Heather. So it's those three – primarily Port staff. With Skagit County it is yours truly, Ryan Walters and Tim Holloran. And representing property owners are John Bouslog, Jon Sitkin and Loyd Frazier.

Mr. Easton: Thank you.

Ms. Ehlers: You're going to keep us busy in May.

Mr. Christensen: Yeah, this will not likely come to *you* in May.

Ms. Ehlers: Good.

Mr. Christensen: I would anticipate more late summer, early fall.

Ms. Ehlers: Good.

Chair Lohman: Okay. Thank you, Gary. Moving on, Shoreline Master Plan – Betsy.

Betsy Stevenson: Good evening. I don't have much more to add than I did last time, but Carol's comment makes me realize that I can't say it often enough. I actually have you scheduled in May, June and July, so you're not mine in April. The Advisory Committee is starting to get some draft master program language now and we're going to be looking into some of those sections, actually on Thursday night at our meeting, so we should have that put together for you. I will have a better sense from them if they're feeling comfortable with the information; if it's going to take some major rewrites and that sort of thing; whether we'll be before you the first meeting in May or the second meeting in May. So right now we're scheduled every two weeks – your regularly scheduled first Tuesday meeting and then two weeks from there, so later in the month for May, June and July. And I know historically you guys haven't necessarily met in July, but we need you. So I'm hoping that's going to work because if it doesn't we're in a bad way. There's a lot to go over and unless you want to meet weekly, which doesn't give us any time to go back and make changes, it seems like that worked out best, so I'm hoping that will still work with you.

I can start – I think I've given you a little bit of information, but I can start giving you some background. I would like to – maybe if you have a meeting that doesn't have a full agenda, where there's a little bit more time to do some and I'm a little bit prepared to do it, because I don't want to do it tonight. I don't want you to say, Oh, we have time now, because I'm not really prepared, so I'll preface it with that. Just kind of a higher view before you get into the nitty-gritty details of what it is that we're doing and what needs to happen and kind of the structure and framework and some context for some of the information that's going to be coming to you shortly in the way of draft language for the document, because I know you'd probably rather have a little bit of it at a time than a big, monster-sized packet of information. So as soon as it comes out of the Advisory Committee and we can start making some sense of it, I think I'm going to start sending that to you – if that's okay – so it'll give you more time to be looking at it.

Chair Lohman: So, Betsy, did you want to do that then maybe for the next meeting?

Ms. Stevenson: I can try to do that. It depends on what else you have.

Chair Lohman: May will be here before we know it.

Ms. Stevenson: I know. I suppose if the next meeting is April then I should probably try to do that.

Chair Lohman: Yeah, yeah.

Mr. Easton: I have a question.

Chair Lohman: Jason?

Mr. Easton: So I've made my way to the – in live time here – to the page on the website and the question that I couldn't find an answer to is Who's on the committee? Is that on there? Maybe I missed it.

Ms. Stevenson: There should be at the bottom of the – the Advisory Committee?

Mr. Easton: Yeah. Oh, there we go. Thank you.

Ms. Stevenson: That's one of the few things that is on there. I am behind in getting stuff posted. There're some agendas and some –

Mr. Easton: I thank you for having a page.

Chair Lohman: And you're still planning on the draft draft? Or the pre-draft – whatever – getting us that?

Ms. Stevenson: As soon as we get it from the Advisory Committee and get the, you know, recommended things that they want or however – yeah. And, like I said, if I can come before you in April with some context and some of those sections – because it's kind of divided differently – and kind of maybe – a couple people have mentioned it might be helpful – Here's how it's laid out now and here's, like, even table of contents to table of contents comparison or something like that – just the sections – because it's going to be a little different. So I need to think that through a little. It's just organized differently and we have to look at more information and have it in there.

Chair Lohman: Maybe we should just pencil her in now so that we know for sure April.

Ms. Stevenson: Okay.

Chair Lohman: Okay, Jason?

Mr. Easton: I have a question. At one point – I see that Oscar Graham is serving on the Shoreline Advisory Committee. Was I confused? Was there a point where Oscar was also serving as a consultant to the Shoreline project, or has he only been on the Advisory Committee? I know he's done consulting work for the Department before so I could be confused.

Ms. Stevenson: Yes.

Mr. Easton: Tell me I'm confused.

Ms. Stevenson: No, there was a point where we had discussed bringing him on to help with that –

Mr. Easton: Okay.

Ms. Stevenson: – in terms of maybe helping manage the project. And then he said, Well, I've thought about it a little bit and I think I can better serve and do a better job as an Advisory Committee member. And I thought that was great so –

Mr. Easton: Oh, yeah.

Ms. Stevenson: – there a little bit of discussion. But obviously he couldn't do both.

Mr. Easton: Right. I appreciate the clarification.

Ms. Stevenson: No, that's fine.

Ms. Ehlers: But he did do a very good coastal management.

Ms. Stevenson: Several years ago.

Ms. Ehlers: A number of years ago. That should be part of your discussion.

Ms. Stevenson: Okay. Part of my discussion with you?

Ms. Ehlers: Excuse me?

Ms. Stevenson: Part of my discussion with you or part of the discussion with the Advisory Committee?

Ms. Ehlers: The discussion with the Advisory Committee –

Ms. Stevenson: Okay.

Ms. Ehlers: – and with the shorelines because he raises a number of issues that need to be raised. He does a nice job summarizing about seven volumes of a DOE document that was done by an expert geologist and it's one of these things that are easily read and written that you should be using.

Ms. Stevenson: Yeah.

Ms. Ehlers: Now last year when we were doing that FEMA flood issue Tim DeVries said there was a different way of measuring distance from a shore, and he called it a "perpendicular" something or another. It always was "horizontal distance" and now, apparently, it's got a perpendicularity to it that he didn't explain. I haven't seen a definition. But anyone who lives near a stream or water is going to want to know how this distance is measured.

Ms. Stevenson: Okay.

Ms. Ehlers: So I would hope that you'd bring that early on because that's always a very touchy issue.

Ms. Stevenson: Okay, I'm not sure the reference. I'll have to go back and try to figure that out. We do have to somehow tie in all the stuff that we've done for the biological opinion, what we're trying to do for the shoreline update – a few other things that are all going to kind of overlap and relate. Integrating the critical areas ordinance into the Shoreline Program will be an interesting exercise.

Ms. Ehlers: And while you're doing that, if you look – any of you who didn't get the Public Works document on the hydraulics study that was issued last month ought to get it because it's a thoroughly frightening document as to what it would be like here in the county if we ever had one of those 50-year floods or 100-year floods that they talk about. So that led me to go looking at the zoning map, and there's an astonishing number of creeks on the South Skagit River where the whole creek bed is zoned for mining. And if you – the easiest one to look at is Finney Creek, which, according to our zoning map, the road will be mined underneath – they'll mine underneath the road, as well as the whole creek bed, way up a couple of miles. Then if you look at the Finney Creek watershed you realize it's one of the largest, and I have visions of somebody getting permission to mine based on that zoning map and making a nice chute so that all the rain that falls in that Finney Creek watershed comes shooting down right into the Skagit River. And it makes no sense. It's an example of a law that didn't connect to other laws.

Ms. Stevenson: I think Gary might want to jump in and correct me if I'm wrong, but what you're referring to is our Mineral Resource Overlay.

Ms. Ehlers: It is.

Ms. Stevenson: And the work that was done for that just indicates where the material that is suitable for mining is available. It doesn't necessarily mean somebody's going to be permitted to mine there. But they have to at least be within that overlay area to even ask for the permit _____.

Ms. Ehlers: Well, within the overlay area you're guaranteeing more water coming down from Finney Creek than you have – than the Public Works has any idea what to deal with. So I think somebody ought to look at it. Because one of the things Bill Dowe said to me a couple of months ago is that Skagit County has not set things up so that we can forbid things that really should be forbidden. And this comes as part of that category.

Ms. Stevenson: Okay.

Chair Lohman: Thank you, Betsy.

Ms. Stevenson: Thank you. I'll be seeing you soon and often.

Chair Lohman: Okay, Kirk – Envision Skagit 2060.

Kirk Johnson: Actually I'd like to reverse the order that I talk about these items, if that's okay with you.

Chair Lohman: Sure.

Mr. Johnson: I'll start with the Comprehensive Plan amendments because that is the one project or proposal that will be coming before you that I can guarantee will be coming before you this year.

So there was an application deadline last year for the 2011 Comprehensive Plan amendments. There was a docketing hearing last fall before the Board of County Commissioners. They docketed three amendment proposals that members of the public submitted – property owners – and also docketed three County-initiated proposals. We are in the process of doing environmental review on those proposals under SEPA, State Environmental Policy Act. In fact, on Thursday in the *Herald* there will be a Determination of Nonsignificance on the 2011 Comp Plan amendment docket – so published in the *Herald*.

There will be about a thirty-day comment period on that. One of the reasons there's such a long comment period is we wanted to provide an opportunity for the Ag Advisory Board, which meets in the middle of the month, to have an opportunity to comment on the DNS. There will also later in the spring be an opportunity for people to comment on the proposals themselves. That will be a thirty- or longer day comment period on the proposals that will come out with a report from the Department with Department recommendations, and that will initiate a public review and comment period on the proposals themselves, the map amendment proposals and the policy proposals that the County's put forward. And that will lead up to a hearing before the Planning Commission and then you'll have deliberations on those amendments. Unfortunately the timing is working out that we would probably be ready for your hearing on that in May, but I know that Betsy has designs on you in May, June and July so we will have to coordinate that. Unfortunately we won't be ready for a Planning Commission hearing before May, I don't think. But, anyway, I just wanted to let you know that those are moving forward. And if you're big legal notice readers like Carol is you can look in the *Herald* on Thursday or on the County website for that Determination of Nonsignificance on the 2011 Comprehensive Plan amendment proposals.

Chair Lohman: Jason.

Mr. Easton: So the process of actually doing the full update of the Comp Plan was done a few years ago – was the '05 update that got finished in '07 or '08.

Mr. Johnson: '07.

Mr. Easton: '07. When are we scheduled to do a complete Comp Plan update again? Do you know?

Mr. Johnson: It's either 2015 or 2016. Gary, do you know which one?

Mr. Christensen: Either/or. It seems like each legislative session some either senator or representative is pushing the dates out for local governments who have just really struggled over the last couple years with lack of revenues –

Mr. Easton: Sure.

Mr. Christensen: – as well as state agencies.

Mr. Easton: Sure. Because I was confused. I was trying to figure out if – in looking back – if the date goes from when the date when it was due – I mean, because it was titled the “2005 Update.” It's not based on that date. It's actually based on the day it was finished, which in our case was '07 then for our seven-year window then?

Mr. Christensen: They were – I think under the statute they were referred to at one time as seven-year updates, so they were supposed to occur every seven years. Now it's like every ten years.

Mr. Easton: Oh, okay.

Mr. Christensen: But in the Growth Management Act it actually specifies the year in which Skagit County, as well as some other counties, are required –

Mr. Easton: Oh, they actually give you an exact year?

Mr. Christensen: They stagger – yeah. Not everybody has to do it the same year.

Mr. Easton: Okay. Thanks.

Mr. Johnson: Our next scheduled update was 2012 and then we hit the recession and the Department of Commerce didn't have planning grants to give to counties and cities, and so the legislature pushed that back to 2015 or 2016.

Mr. Easton: Okay. Thanks.

Mr. Johnson: Okay. So then Envision: So we had a study session with you last time, which, it sounds like maybe you didn't feel the room set-up was quite right, if I can understand the comments, which is disturbing for me to hear, but we'll try to make it work better next time.

Mr. Easton: I'd like to disagree with those comments from earlier.

Ms. Ehlers: I would, too.

Mr. Easton: I thought the set-up was fine.

Mr. Johnson: Okay, well, I may have been misunderstanding what meetings those were referring to.

Ms. Ehlers: For your part of it, the set-up was fine.

Mr. Johnson: Okay.

Chair Lohman: It was where we sat.

Ms. Ehlers: It's where we sat to discuss with each other afterwards that was the problem.

Mr. Johnson: Okay.

Chair Lohman: Where we put the people.

Mr. Easton: We should have spread out after they left is what we're saying.

Mr. Johnson: Okay. Good. So we are working with the Envision report, which has a whole range of recommendations. We've been working pretty closely with the Skagit Council of Governments, so that's with the County's partners – Cities and Towns and, to a lesser extent, the Port of Skagit County and the Port of Anacortes, and tribes, PUD and SKAT, who often don't attend the monthly Skagit Council of Governments' meetings. But we've been working very closely with the City and Town planners, and there's been really a change in tenor in the last few months in those discussions and they've turned very positive. We had a meeting with the City planning directors – City and Town planning directors – on Thursday and there was a lot of excitement about the Envision recommendations at the broad level in terms of the County and the Cities and other jurisdictions working closely together trying to coordinate planning and population growth and economic development – a fair amount of talk about trying to do things more in a coordinated fashion within the county. We call that regional, but not regional in the perspective that some might view it as, you know, with Whatcom County and Snohomish County. But at least coordinating within this county on things where that can be of benefit such as economic development or housing affordability. So that's been very positive.

We're working – we've been working to schedule some meetings with the Skagit Council of Governments' board, which is the elected officials – the mayors of the Towns and the Cities, as well as their city councils. And so we hope that those discussions will be happening in April and May, and that might lead to some agreements that could be implemented through the Countywide Planning Policies or they could simply be implemented through, Yeah, let's work on this together. We think regional economic

planning makes sense. There's some possibility that there – it could provide support for a stronger Skagit Council of Governments than we've had in the last couple of years, which I think – well, I *know* – Gary and I would view as a very positive thing. In some ways it's the County that's been doing the regional planning and it would be nice if it were to happen in a more neutral entity that all of the jurisdictions felt that they had more control over. So that's been moving forward.

Before the end of the year, we'll talk to the County Commissioners about whether there are recommendations that aren't regional in nature but are things like stepping up measures to protect agricultural land that they want to put onto the long-term work program maybe that would be rolled into the 2015 or 2016 update of the Comprehensive Plan. So there could be some things that would be coming your way in years in the future that they might identify before the end of the year that they want to work on when we have resources, staff and the like. So that's kind of the plan of how the Envision recommendations that do get traction, that there is interest in moving forward on will move their way through the formal planning process over time.

Any questions on that?

Ms. McGoffin: Chair?

Mr. Johnson: Yeah, Mary?

Ms. McGoffin: Well, I just went through this. On page 11 where one of the things you recommend is "Identifying 1,600 acres in the Bayview Ridge Urban Growth Area for light industrial use and redirect projected residential growth..." So is it too late for this recommendation? Because you've already hired a consultant to do your design guidelines. So is this a moot point now? Because this was a really important piece.

Mr. Johnson: So I would have a partial answer to that. It – I mean, the County's adopted policy for the area that's within the Bayview Ridge Urban Growth Area is to move forward with the residential development. It doesn't mean that there couldn't be other lands at Bayview Ridge that could be made available for industrial development because it does make sense being close to the infrastructure and the Port and the like. And I'll let Gary talk about whether that recommendation might in any way affect the current work that's being done on the subarea plan.

Mr. Christensen: So the County, through the Partnership Committee, is certainly looking at implementation of a subarea plan which has been adopted by the Board of County Commissioners. There is the Envision Skagit 2060 Citizen Committee final report and recommendations that see Bayview Ridge, either the subarea and some lands beyond, as an ideal place for the unmet need of 1600 acres of industrial land, principally upland area, not floodplain, not farm land, close to an airport, close to compatible land use activities, infrastructure in sewer, water, all-weather surface roads. And if you're to take a long-term vision, the Citizens Committee has said that's an area that we should look at.

So both of these processes will go through some additional public review. They will end up probably in some form or fashion before you. And ultimately the County Commissioners, as well as other elected officials in Skagit County will be making some decisions about these recommendations.

Ms. McGoffin: I just – we're already spending money on one way to do this.

Mr. Christensen: Yeah.

Ms. McGoffin: So you're not going to want to – it just seems like a waste of money to go back in and convert it from residential to industrial. So the cart's already in motion. I just thought it was the best part of this whole thing and it looks like it probably won't happen. But, you know, that's okay. Let it go through the public process.

Mr. Christensen: Are you suggesting that there be like a timeout?

Ms. McGoffin: Yeah! I think that you've already gone down the path of hiring a consultant to do your residential design guidelines.

Mr. Christensen: It should continue with that or –

Ms. McGoffin: No! Not if you want to implement the recommendation that that should be industrial land.

Mr. Christensen: Mm-hmm. So –

Ms. McGoffin: You know, (it's) just my concern. It just seemed like there –

Mr. Christensen: I understand your view on this subject. Others have expressed that as well, so you're not the lone person. These – both of these planning processes will have to have some reconciliation because certainly there is differing opinions. And not all of the Citizens Committee recommendations are necessarily universally accepted, either by our –

Mr. Easton: That might be the largest understatement of the evening.

Mr. Christensen: – yeah – either by our Commissioners or other elected officials, and we are just about ready to embark on a process of beginning a dialogue and discussion on those recommendations. So we'll see how that kind of shakes out. But certainly your points of view are similar to that of others whom I've heard from on this particular subject.

Mr. Johnson: I'd just like to point out that one of the things that I heard loud and clear from the County Commissioners and from the County Administrator when we started the Envision process and they selected the Citizen Committee was, We want to hear

what these citizens who we've selected have to recommend and we want to hear what they bring back to us after going out and meeting in ten public meetings with people who are, you know, willing to come forward and share their thoughts, and we don't want you to steer the process one way or the other. So there are a number of recommendations in there that aren't consistent with current County policy. That's one of them – going to 90% of new population growth in the cities. The goal right now is 80%. They felt that our CaRDs – conservation and reserve developments – as currently practiced, are not meeting the goals. And so – but all that is at this point is a set of citizen recommendations and the adopted policy is what the Commissioners have adopted. If the Commissioners a month or a year from now decide that they want to change course, that's their job to make that decision.

Chair Lohman: Jason.

Mr. Easton: So my one comment and then one concern: The comment is just to my fellow Planning Commissioners. I spoke to a couple of the members of the Citizens Advisory Committee. They found our interactions with them to be one of the best meetings they – or *the* best meeting – that they had, was the way they both – these two described it. They found that we were really interactive and enjoyed the fact that our conversation was so – I think the word they used was so “spirited.” So I think at times they've made these presentations and had a lot of people listening instead of from our seats we played a good job of participating. They were encouraged by that.

The other thing, I just – well, I have one concern. It's just that there's going to be a time where the remainder of the grant money is spent and the portion of your day that's allocated or life in work, not particularly hour by hour, but that's allocated to work on this project is going to come to an end this calendar year, right? If I remember right.

Mr. Johnson: Mm-hmm.

Mr. Easton: And so my concern is that at some point when there isn't a chair leader – and I mean that with respect – on this project, how does that continue to move forward in the process? I'm glad we're getting updates. I think it's going to be good – especially as busy as our spring will be, but sometime in summer in between all of the stuff Betsy's doing for us – to keep getting updates the next couple of times – a couple of times, I've recommended to the Chair – a couple of times this year that we hear back about this. Because post-January, when this calendar year is over, if the GMA Steering Committee and other entities don't really pick up and run with this like you expressed – which I completely agree with the Department's concerns that regional planning should not be only led by one government in a region; that doesn't – it's not going to be long-term – it's not going to work long-term – that that continues to move forward. So I hope to hear more from, I guess, it's – technically – it's the Growth Management Steering Committee, right? The Growth Management Steering Committee – is that –

Mr. Johnson: Well, the Growth Management Steering Committee, which is a subset of SCOG is kind of the gatekeeper, and what we're asking them is will they agree to have

that conversation about the recommendations with the fuller SCOG board, of which they're a part. And I think they're going to say yes, and then we'll have those conversations. And, really, the challenge this year is to get – is to see which of the recommendations – or just sort of the, you know, some of the major themes from the Envision report – which of those get traction, whether it's with the Skagit Council of Governments or the GMA Steering Committee or the Board of County Commissioner who are willing to say, We want this done, if not this year then we want it done next year or we want it done as part of the 2015 Comprehensive Plan update, at which point it – you know – it works its way to the work program and I work on it, as a long range planner. And that can still satisfy our match requirements to the grant, and so even though there's not federal money supporting my time the County has made a commitment to moving it forward.

Mr. Easton: Right. A final thought is my concern is that if it doesn't show up in the work plan in the next – I don't have a lot of faith in seeing it in this year's work plan, given staffing levels and the fact that the grant's still covering part of your work on this. If it doesn't show up in the first sixty days of next year, it starts to become a concern of mine that we just saw a significant amount of federal and county tax dollars spent on a project that then doesn't actually become work – and I mean I hope that that's not the case. I hope that two years from now we're actually going to be able to use some of this. I think some of the work is really going to be helpful if it gets a chance to move forward I hope. But obviously that's a lot of things out of our control that have to do with work plans and other responsibilities. Thank you.

Mr. Christensen: I might just add a bit of commentary to that. Certainly the County and a lot of the community at-large has made a significant investment in this project over the years and we now have a citizens committee's final report and recommendations. And it now will be left to the elected officials as to how they want to move forward. The County and the Department, as well as others, have advocated that a logical entity to take it forward would be the Skagit Council of Governments. They themselves are going through a lot of kind of self-evaluation now and reorganization. They are probably going to need to almost redesign who they are and what they are and how they're going to move forward. So until some of those answers can be answered there's probably going to be some unknowns as to how it will move forward.

But what I can say is that the dialogue and the discussions and the citizens' work is moving forward and there will be dialogue and discussion initially amongst the mayors of the cities and towns in the county, as well as the three County Commissioners. And they themselves will begin to forge a path forward, and in all likelihood it will be a much broader group than perhaps through the Council of Governments which would include others – or would include members beyond just the mayors and the County Commissioners.

So we're hopeful that there will be continued interest and support for seeing some of the recommendations/all the recommendations – whatever the choices may be, but that

they'll actually be implemented as a result of the work effort and dedication over the last several years.

Ms. Ehlers: Okay.

Chair Lohman: Any other comments?

(silence)

Mr. Johnson: Last project is Transfer of Development Rights. It's really more of a project than a program. Looking at developing a transfer of development rights program in Skagit County was one of the recommendations of the Envision Citizen Committee. And based on that and some interest among one or more of the Board members that's been there for a number of years, we did apply for a grant to the State Department of Commerce last fall and were awarded the grant for \$200,000 to move forward looking at development of transfer of development rights program here in the county.

TDR programs are popular in the planning world in concept because they can allow you through a voluntary mechanism where everybody benefits to transfer development rights from places where you might not necessarily want them to happen, such as agricultural land or the floodplain, into places where you might want them to happen, such as within city or urban growth boundaries. And it doesn't need to be – there's been some innovations where it doesn't necessarily need to be transferring a residential development right where you pluck it off of the farm land of the farmer who would rather have the money than putting a house there and putting that residence in the city, densifying the city where the city residents don't necessarily want that. Maybe they do. But there are ways to provide incentives or the opportunity to buy density credits to do more intensive commercial development within a commercial area, for instance, that can create the demand or the revenues that can help move that development right.

So there's a lot of – in concept – there's a lot of potential in a transfer of development rights program. It's voluntary. The people who are giving up the development right are getting compensated. The people who are purchasing it are able to then do something that they want to do and they can do more of it than they could do without that. There aren't a lot of examples around the country of successful programs. One of the most successful is in King County where it's actually helping to protect working natural resource lands – forest and agricultural lands.

So we have the money to move forward. It'll be about a two-year project to look at the potential for doing a TDR program here. It will include some market and economic analysis to see what those transfers would have to look like from a financial perspective to be of interest to the selling landowner and of interest to the person who wants to do development in, say, an urban area. There's – one of the things that's been done elsewhere in the Puget Sound region that we're kind of following here is you've got to have incentives for cities to be a part of this. When you tell a city that we want you to be part of a TDR program because we want to transfer 5,000 additional development rights

into your residential areas and make those more dense, that doesn't always go over so well. So one thing that we've partnered with on this project is we're providing – through the grant the Department of Commerce is providing \$50,000 to help Burlington do some redevelopment planning for its commercial area. So I don't know if – which of you might have attended some of the Urban Land Institute presentations that we had talking – kind of showing examples of sort of bombed out commercial areas that were transformed over time into much more vibrant places that have shops and residences and places to work. And so Burlington will be going through basically a subarea planning process, not looking at its downtown – which it did several years ago with the help of the University of Washington, and that's starting to bear some fruit – but looking at kind of the older retail commercial area in Burlington, which Margaret Fleek will be quick to tell you has about a fifteen-year shelf life before it starts to get outmoded. And the trend that you've seen over time is for leapfrog development to go farther and farther out and then you start rotting from the core. And one of the things that we definitely heard through the Envision project was, Why are we looking at urban growth area expansions when we have the Wal-Mart and the parking lot and, you know, all these big box stores that are empty and vacant, and can't we do something more with those lands? I remember Kim Mower saying, You could have grown some awfully nice crops on the Wal – you know, underneath the Wal-Mart parking lot pavement.

Chair Lohman: We did.

Mr. Easton: Now you can buy a saddle there.

Mr. Johnson: We feel that this is –

Unidentified female: Yeah.

Ms. Nakis: The new one – the new Wal-Mart you can.

Mr. Easton: The Coastal – the Coastal Supply. The Coastal Supply is now on Wal-Mart's old spot.

Mr. Johnson: Right, and that's great. That's what we're talking about is the opportunity to redevelop some of these sites.

Unidentified female: Isn't this cap and trade, though? Cap and trade? I'm sorry.

Mr. Johnson: So we're excited about moving forward with this. We have a number of local partners. They include the Skagit/Island Counties Builders Association, Skagitonians to Preserve Farmland, Skagit Land Trust, Skagit County Agriculture and Forest Advisory Boards, the Conservation Futures Advisory Committee, the City of Burlington and the Skagit County of Governments. So in terms of talking about, Is the Envision project bearing fruit; is it moving forward? I would like to suggest that that kind of partnership that we're now able to put together to try to protect resource lands and environmental areas, as well as revitalize our urban cores is moving forward. And so I

just wanted to give you an update on that and we'll be bringing you more information in the future.

Mr. Easton: Madame Chair?

Chair Lohman: Jason.

Mr. Easton: Just one quick question: Is the 50 Gs out of the 200 or is it an additional on that?

Mr. Johnson: It's out of the 200.

Mr. Easton: So you have – 50,000 is going to Burlington but the other 150 will be spent here in-house to sort of facilitate the program –

Mr. Johnson: Mm-hmm.

Mr. Easton: – over the next couple of years? Great. Thanks.

Chair Lohman: Kirk, I have a question, too.

Mr. Johnson: Yeah.

Chair Lohman: So was there like an opportunity for the Cities then to bid for that opportunity? So how did you decide to do that with Burlington, I guess is – and why didn't Mount Vernon do it and maybe –

Mr. Johnson: Well, two or three years ago when we started talking about this in the context of Envision in terms of trying to do a pilot project within one of our cities that wanted to take a look at redeveloping what it has rather than expanding outward, two or three years ago Mount Vernon was dead set on expanding into the riverbend region or south of Hickox Road and that really wasn't a policy direction that the County was interested in partnering on. Some of the other Cities were kind of antagonistic towards the project and towards the County because of some of the politics that were going on at the mayoral level. But Burlington and the Planning Director there were very supportive of looking at infill, redevelopment, mixed use development in that commercial area. It had a very positive experience looking at their downtown, working with the Burlington Chamber, working with the University of Washington, bringing some graduate students in to help imagine different ways that the downtown portion of Burlington could redevelop and came up with a plan that generated a lot of excitement within the community. And so the thought was, Let's work with them to take this now to the Burlington Boulevard area which is reaching its kind of fifteen-year retail shelf life, and if it doesn't have some new energy and some new enthusiasm brought in to it it might decline.

And so, no, there wasn't a bidding process. That just seemed to be the partnership that was there and wanting to move forward at the time. And Burlington a couple of years ago put in place something called the "Burlington Agricultural Heritage Density Credit Program" where you can – a developer or a landowner – can develop to a certain level within the downtown area. If they want to go beyond that they can purchase density credits and those funds go to the Farmland Legacy Program to help buy development rights off of agricultural lands. And the price of the density credits has been set such that it costs the developer something but they have the potential to reap more economic benefit as a result of buying the density credits. And so it's kind of a win-win for everybody. And so – again – it seemed like Burlington was already showing through its policy actions that it was wanting to move in this direction, it was wanting to revitalize within its boundaries and help protect the resource lands outside of it, and so it just seemed like a good partnership for the County to pursue.

Chair Lohman: Okay, thank you.

Mr. Johnson: Okay. Thank you.

Mr. Easton: Congratulations, Kirk.

Chair Lohman: Thank you, Kirk. Okay, now we're down to item number 3, Miscellaneous Business. Does anybody have anything else?

(silence)

Chair Lohman: Okay.

Mr. Walters: I have one –

Chair Lohman: Go ahead, Ryan.

Mr. Walters: – one thing. I wanted to ask you if this type of presentation with the short summaries well before you actually get the proposal is helpful.

Chair Lohman: Yes.

Ms. Ehlers: Yes.

Mr. Walters: Okay. And then I also wanted to just clarify on the CRS rating ordinance that none of that would apply to any ducting that's currently in place. Because, you know, as land use laws usually work, they only apply to the next permit request.

Mr. Easton: Okay.

Chair Lohman: Okay, I guess I can ask for public comment, but I need to caution you that it won't be part of the formal public record. It'll be on TV but it won't be part of a formal record. So if you have –

Mr. Easton: Madame Chair?

Female in audience: (inaudible)

Chair Lohman: Pardon

Same female in audience: I couldn't hear you.

Chair Lohman: I can invite the public for public comment, but it won't be part of a formal public record. You'll be on TV, but it won't be part of a record. So if you have something you want to say, you can come to the mic and introduce yourself.

Same female in audience: I don't do that. I don't like my face on TV but I can speak. I find this implementation of exhibit 21 to the County and people losing their voting rights _____ implementing what will take away property rights for this SCAG or whatever it is, this – what, you said “regional development”? You're taking each city's rights away, the County's right, each city's individuality away. And this group of – committee – you know? – committee is then telling everybody else in the county what they're going to be doing. They're taking private property rights away and the way of elected officials that represent the local community. It's against the Constitution. And this cap and trade BS? (negative sound)

Chair Lohman: Jason?

Same female in audience: That's my comment.

Mr. Easton: So I want to speak to the Commission. If we're going to begin to host a public comment period I think there is a couple of things in the quorum that have to be followed, in my opinion. Number one, they're going to have to be mic'd because where we have a responsibility is – the eight of us – to make sure we put on decent television because we are on TV. We all agreed to do that when we joined the Commission, and when this Commission originally moved over to television we agreed to make this as easy for the public to understand what's going on. And so we just – I think we need to ask people to come to the microphone.

The other thing that I'd suggest is that if we are going to continue this process – which I'm really open to – if we're in a particularly large – at times we may have a number of people who want to speak so we may have – the Chair may have to consider the idea of time limits. Obviously that wasn't an issue, you know, tonight. But I think having an open public opportunity to speak – and I really do appreciate the clarification that you gave and I think it's a good habit for us to be in to make sure that it's clearly stated in the record by you, as the Chair, or the Vice Chair if you're not present, that it isn't a part

of the record because that leaves the County then not in a position of having – and it's very clear to the people who are speaking that they don't have legal standing because they spoke at this public work session as you would – it's different when you're testifying at a public hearing. So I appreciate the Chair's clarification on that. But I would ask, if the rest of the Commission's agreeable to the Chair, that we consider the fact that we do need to have people mic'd and we do need to probably limit their – the length of the testimony if we have a number of people who want to speak.

Chair Lohman: Well, I agree, and it's highly doubtful anybody heard.

Mr. Easton: Yeah. That's my concern, too. We want people to be able to be heard.

Same female in audience: (inaudible)

Chair Lohman: Okay, do we have a motion to adjourn?

Same female in audience: (inaudible)

Mr. Easton: (inaudible)

Same female in audience: That's insane. How much does the County pay for that consultant?

Chair Lohman: With all due respect, if you want to address us you *have* to go to the mic.

Same female in audience: I'm done. I apologize for not being a normal person.

Chair Lohman: So is there a motion to adjourn?

Mr. Easton: I move to adjourn.

Ms. Nakis: I have one more.

Chair Lohman: Elinor – sorry.

Mr. Easton: I'm sorry. I'll withdraw my motion to adjourn.

Ms. Nakis: I just wanted to tell my fellow Commissioners and the audience that part of what the recommendations are in the 2060 report was mentioned the Home Trust of Skagit, and I am on the board of the Home Trust of Skagit and we have our annual meeting on the 20th in Mount Vernon. And this is all about – we are all about bringing affordable homes and housing to Skagit County. So if anybody's interested in attending that meeting, it'll be a good one and you'll learn a lot. So I just wanted to invite everyone to come.

Mr. Axthelm: I motion we adjourn.

Mr. Easton and Mr. Mahaffie: Second.

Chair Lohman: (gavel) We're adjourned.