

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Tuesday, January 15, 1991

9:00 a.m. - 10:00 a.m. Discussion - Department of Natural Resources Three-Year Forest Management Plan - Pat McElroy, Deputy Supervisor.

MISCELLANEOUS ITEMS.

10:00 a.m. - 10:30 a.m. Report on Use of County Library Grant - Doug Everhart, Anacortes Public Library/Bud Southworth, Mount Vernon Public Library.

10:45 a.m. - 11:15 a.m. 1) Resolution - Establishing County-Wide Tax Rates.
2) Miscellaneous Financial Matters.

1:30 p.m. - 2:00 p.m. Resolution - Elected Officials' Salaries.

2:00 p.m. - 3:30 p.m. Department of Planning and Community Development - Scott Kirkpatrick, Director:

- 1) Referral From Skagit County Planning Commission - Right to Farm Ordinance.
- 2) Growth Management Act Update.
- 3) Update - Watershed Planning Activities.

3:30 p.m. - 4:00 p.m. Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 15, 1991, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

DISCUSSION - DEPARTMENT OF NATURAL RESOURCES THREE-YEAR FOREST MANAGEMENT PLAN - PAT MCELROY, DEPUTY SUPERVISOR.

Due to Mr. McElroy's conflicting schedule, this item was canceled and rescheduled for another session.

MISCELLANEOUS ITEMS.

There were no miscellaneous items at this time.

REPORT ON USE OF COUNTY LIBRARY GRANT - Doug Everhart, Anacortes Public Library/Bud Southworth, Mount Vernon Public Library.

Doug Everhart of the Anacortes Public Library and Bud Southworth of the Mount Vernon Public Library were present to discuss with the Board the use of the County library grant.

Mr. Everhart reported that the libraries within Skagit County have received the money provided by the County for three years. Anacortes has been involved in a massive project of reconverting records of all the books and tapes to machine readable form. They are digitalizing maps and information. It is a one-time project. This will allow the library to link in with other libraries so there will be one catalog. They will then be able to provide better service to the public. Mr. Everhart said that Burlington has also used funds for automation.

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Mr. Southworth of the Mount Vernon Public Library said that in Mount Vernon is automating by putting a description of each book and piece of material they have into their computer. Once this is done it will allow better access to materials. Mr. Southworth emphasized that they are looking forward to linking their computer with other libraries as it will save money in duplication.

Mr. Southworth reported to the Board that another broad field they are developing is education of pre-school children. They are trying to get parents to bring their children to the library and to programs provided by the library. They wish to encourage parents to read to their children. He emphasized how important this is in the development of children. He added that the money received from the County has helped to enhance the children's programs.

Mr. Everhart reported that the monies received from the County have been especially helpful to Sedro Woolley in expanding library services and meeting the needs of the people within that community.

Mr. Southworth discussed with the Board the fact that the Mount Vernon Public Library is inadequate in terms of size to meet the needs of the Mount Vernon community. The library was built for a community of 10,000, was remodelled to meet the needs of a community of 12,000, and Mount Vernon now has a population of about 18,000.

There was some discussion about the fact that Skagit County does not have a county library system. Skagit Valley College is the only library in the County where anyone can obtain a card without paying a non-resident fee. Mr. Everhart said that because there is not a county library system the burden is placed on the city libraries. The user fee for Anacortes for out-of-city patrons is \$26.00 per family per year. Mr. Southworth reported that the fee is \$35.00 per family per year in Mount Vernon.

There was discussion about the library budgets. Mr. Everhart reported that the current budget for Anacortes is about \$310,000. Mr. Southworth said that the budget for Mount Vernon is about \$600,00.

Commissioner Robinson said that he is aware of the fact that a number of people would like to see a county library system. Mr. Southworth said his main concern with a county system is that services would not be duplicated. It would be important to cooperate so that the problems other areas with county libraries are experiencing would not occur here.

Commissioner Vaux asked if the local libraries meet periodically. Mr. Everhart said they meet on almost a monthly basis to discuss current issues. They are talking and cooperating more than they ever have.

In terms of the County's contribution, Commissioner Vaux noted that Skagit County donates \$100,000 to the community libraries, which is pro-rated on a formula to six libraries. It is based on circulation and the size of the book collection. Two of the smaller libraries are given the same amount.

Mr. Everhart said that it would be helpful to meet with State Representative Mary Margaret Haugen about legislation to obtain some possible aid for the libraries in Skagit County.

Commissioner Robinson noted that there are many people in the County on a low income who cannot afford the \$26.00 or \$35.00 yearly fee. Mr. Southworth noted that they can come to the library and use the material there but they can't check it out.

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Commissioner Vaux expressed concern that if state money was used to develop programs and those monies were not forthcoming later, a bigger problem could be created.

Mr. Southworth said that with the computer linkup, libraries can do things more efficiently than before. He emphasized the need to expand facilities. A bigger building is needed to house more materials longer.

Commissioner Vaux asked about reciprocity between libraries. Mr. Everhart said that you can mail a book over or you can obtain a slip and go pick a book up at another library. If the system was automated people could have cards that would be interchangeable within the County library system.

The Board thanked Mr. Everhart and Mr. Southworth for their presence and the information they provided.

RESOLUTION - ESTABLISHING COUNTY-WIDE TAX RATES

Paul Mahoney, Skagit County Assessor, presented a resolution establishing County-wide tax rates for the approval of the Board.

Commissioner Wylie motioned to approve for signature a resolution adopting the Skagit County tax levies for 1991 as presented by the Assessor. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #12805)

MISCELLANEOUS FINANCIAL MATTERS

1) Commissioner Wylie motioned to approve for signature a resolution proclaiming Skagit County a disaster area due to the "silver thaw" and ensuing damage, and due to the Gibraltar Road slide, and requesting the Honorable Governor of the State of Washington to provide assistance for emergency and relief purposes. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #12804)

2) Mike Woodmansee, Finance Director, presented to the Board for their review, a resolution establishing a change fund for the Skagit County Assessor's Office.

Commissioner Wylie motioned to approve for signature a resolution establishing a change fund in the amount of \$30.00 for the Skagit County Assessor's Office. The Custodian of this fund shall be the Skagit County Assessor. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12806)

3) Mr. Woodmansee reported on the status of the 1/4% Real Estate Excise Tax implemented September 1, 1990. Approximately \$104,000 has been collected since September first.

RESOLUTION - ELECTED OFFICIALS' SALARIES.

Commissioner Wylie motioned to adopt the resolution establishing the salaries of the County's elected officials for the next three years, and causing those salaries to be figured as a percentage of the County Commissioners' salaries. Additionally the resolution extends health care benefits to the elected officials, as negotiated and recommended by the County Administrative Officer, Bob Taylor. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12808)

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:

1) Referral from Skagit County Planning Commission - Right to Farm Ordinance.

Craig Olasen, Associate Planner, reviewed concerns identified by the Board at the last discussion of the Planning Commission referral. He stated that, regarding the distribution of the disclosure statement information in the Treasurer's tax statement, he has received permission to add the information in a small area on the back of the statement. It will be mailed with next years tax statement and sales updates. He stated that the County Auditor can add the disclosure statement to his list of materials which must accompany the recording of a property deed. For those whose taxes are automatically paid by a bank, mortgage company, etc., the Planning Department will do target mailing.

Commissioner Wylie suggested that a simple disclosure form be developed for use by the public and by banking and mortgage institutions.

Chairman Vaux, addressing the audience, explained that this item was recommended for approval on a 7-0 vote of the planning Commission. He stated that on the recommendation of the Planning Department, the Board of Commissioners requested the study of this issue by the Planning Commission. He stated that he has received a "couple" of calls supporting the ordinance from the real estate community. Chairman Vaux stated that the Board, on finding concerns regarding the disclosure statement, requested a continuance of the discussion on the matter from last week's session.

John Roozen asked if it would be possible to put the disclosure information on a small card and do a County-wide, one time mailing.

Commissioner Wylie stated that the Treasurer has indicated that any small additional item of even a fraction of an ounce could overweight the tax statements, causing the need to add an additional stamp, at a cost of approximately \$11,000.

Richard Smith questioned Mr. Olasen regarding the ability of the public to make complaints about farming practices.

Commissioner Robinson indicated that he had received calls from non-agriculturally involved citizens who were concerned that wording of the ordinance was too ambiguous and would not protect them from overspraying of chemicals and other farmland nuisances.

George Theodoratus stated that he felt that it treats all agriculturally zoned land the same, no matter what the size. He stated that while some farmers are being compliant now, bad practices could develop at a later date. He cited an incident in which the chemical EDB contaminated the wells of a number of his neighbors in the upriver area. He was also concerned that improper application of sewage sludge could not be corrected under the ordinance, and indicated that certain areas within an agricultural zone that contain a concentration of homes should be protected from these types of violations.

Chairman Vaux, reading from page #2, Section 14 of the proposed ordinance, stated that the ordinances indicates that it does not supersede State or Federal Regulations, therefore it does nothing to change current rules on sludge application. Chairman Vaux was, however, concerned about the identification of a one mile radius from agricultural property within which a disclosure statement must be provided by the seller

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of property.

Commissioner Wylie stated that she did not disagree with a one mile radius, and discussion ensued.

Dave Hedlin, who farms near LaConner, voiced support for the ordinance, especially the education component.

Tom Solberg also supported the ordinance. A Christmas tree farmer, Mr. Solberg asked whether, if a farmer follows all rules for proper chemical application and still contaminate a neighbors well, the ordinance releases the farmer from liability.

The Board answered emphatically that it did not.

Serena Campbell also indicated that the Department of Agriculture has a "zero drift" policy.

Chairman Vaux felt that the ordinance is more of a philosophical stand than a legal instrument. He stated that it is a symbolic gesture aimed at supporting the County's greatest industry.

Commissioner Wylie stated that since farmers must now follow "Best Management Practices", the ordinance does not introduce new rules, it only adds a requirement for a disclosure statement.

Oscar Lund was also in favor of the ordinance.

John Roozen again recommended the mailing he had previously discussed, and the Board promised to look into the possibility.

An unidentified man asked whether the ordinance also protected other businesses like oil refineries and sawmills, and Chairman Vaux indicated that it pertained to agricultural operations only.

Lisa Nielsen, Executive Director of Skagitonians to Preserve Farmlands, indicated her group's support of the ordinance. She stated that comparing the proposed Skagit County ordinance with others of its kind, it contains language similar to others. The disclosure statement, she stated, is common, as is distribution of information through tax statements.

Serena Campbell, President of the Skagit County Farm Bureau, stated for the record that her group is strongly in favor of the ordinance.

Mr. Christiansen again reviewed the Board's options. He stated that the Board may exercise any of the following:

- 1) To adopt the recommendation of the Planning Commission.
- 2) To remand the matter back to the Planning Commission for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Mr. Theodoratus urged the Board to delay the passage of the ordinance until there had been ample opportunity for public comment.

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Mr. Christiansen stated that there have been at least six study sessions, as well as a public hearing held by the Planning Commission on the matter. He stated that each agenda of the Planning Commission which advertises topics which will be discussed is mailed to a great number of interested parties, including the realtors association.

At this point, Commissioner Wylie motioned to approve the recommendation of the Planning Commission to add the recommended "Right to Farm" ordinance to Chapter 14 of the Skagit County Code. Commissioner Robinson seconded the motion, and the motion received unanimous approval.

3) Update - Watershed Planning Activities.

Jim Freeman, Associate Planner, provided the Board with an updated list of the representatives on the Watershed Planning Committee. He stated that their first meeting will be held on Thursday, January 17, 1991, at 4:00 p.m.

Mr. Freeman stated that as part of the Centennial Clean Water Act, the Washington State Conservation Commission is offering grant funding for local watershed planning activities conducted by conservation services. He stated that the Skagit County Conservation Service will be applying for a grant in the total amount of \$107,000, with 80%, or \$80,000, being contributed by the grant, and 20%, or \$27,000, being contributed in local matching funds.

Vicki Mesmen of the Skagit Conservation District explained her agency's plans for the grant funding, and requested a letter of support to the Washington State Conservation Commission for the grant.

Commissioner Wylie motioned to send a support letter, as requested by Ms. Mesmen. Commissioner Robinson seconded the motion, and the motion carried unanimously.

Mr. Freeman then gave a chronological overview of the events leading up to the present watershed planning activities. He stated that in 1987 the Puget Sound Water Quality Authority Management Plan was constructed to examine non-point source pollution. In 1988 a Watershed Ranking Project identified the Nookachamps as rating first on a priority list for the development of a watershed management plan. In 1989 Skagit County applied for and received funds from the Centennial Clean Water Fund to develop a watershed management plan for the Nookachamps watershed. In 1990 the development of the plan was begun. It is anticipated that the plan will be completed in January of 1993.

Mr. Freeman stated that the Padilla Bay/Bayview watershed is second on the watershed ranking list for Skagit County. A number of water quality concerns were identified in this area by the County's Watershed Ranking Committee. Mr. Freeman recommended that the County apply now for funds to construct a watershed management plan for Padilla Bay/Bayview so that by the time staff finishes with the Nookachamps project, funds will be available to begin the new study. This will allow the watershed program to remain continuous.

Mr. Freeman stated that the intent of the Puget Sound Water Quality Authority was to have each county complete three watershed plans by 1996, or to have engaged in related activities.

Mr. Freeman estimated that the Padilla Bay/Bayview study would cost between \$200,000 and \$250,000, 25% of which must be local matching funds, with at least half of the local match being cash contributions. Mr.

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Freeman requested permission to draft the application, which would be subject to the approval of the Board before submittal was accomplished. He stated that additionally, the funds can be declined at a later date, or deferred until staff is actually ready to begin work on the project.

The Board granted Mr. Freeman permission to begin the application process.

Finally, Mr. Freeman stated that the staff is required to produce several maps as part of the watershed planning process. He stated that the Department of Ecology's River Basin Team has offered to assist the County in the map preparation using their GIS system. Originally it was thought that they would be unavailable to undertake this task, however, they have agreed to use the County's funding to hire additional staff so that they can accommodate Skagit County's needs. Mr. Freeman showed the Board examples of GIS maps. He stated that the amount of funding for this portion of the watershed project would be no greater than \$3,500, which is available within the watershed grant, with the approval of the Department of Ecology.

Mr. Freeman had only a rough draft of a contract today, and stated he would return with a final draft at a later date.

Commissioner Wylie motioned to approve Mr. Freeman's request to enter into a contractual relationship with the DOE's River Basin Team for map production to support the Nookachamps Watershed Plan, at a cost not to exceed \$3,500. Commissioner Robinson seconded the motion, which passed unanimously.

2) Miscellaneous Growth Management Items.

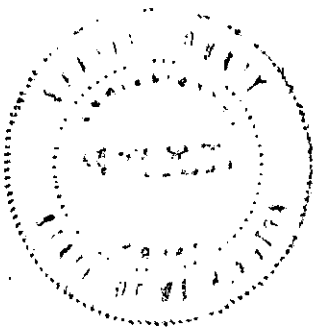
- A. A contract with Steve's Blueprinting of Bellingham to provide an oversized copying machine for used by the Planning Department Staff to copy 3,500 maps belonging to the Assessor's Office for staff use was approved for signature. Total cost of the services is \$1,886.50, and a timeline of three weeks is identified. Commissioner Wylie motioned approval of the contract, with Commissioner Robinson seconding. Unanimous approval was received. (Contract #00801)
- B. Mr. Kirkpatrick reviewed the latest development in the negotiations with the Skagit Council of Governments and city planners to form a Regional Transportation Planning Organization. He provided a resolution which will be presented at the next SCOG meeting which declares that Skagit County has entered into an RTPO with Island County. The resolution divides the grant funding for the RTPO, allowing SCOG to retain \$7,000 for administration of the RTPO. The remainder of Skagit County's share, \$21,000, will be used to hire a consultant to give detailed information on what the RTPO must do to be ready to perform regional transportation planning. The Board indicated support of the resolution, authorizing Chairman Vaux to sign as their representative at the SCOG meeting.
- C. A code enforcement activity report was provided to the Board.
- D. Mr. Kirkpatrick provided each Board member with a copy a section by section summary of the Governor's Growth Management bill, which he stated he would review with the Board at a later date.

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ADJOURNMENT:

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Robinson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





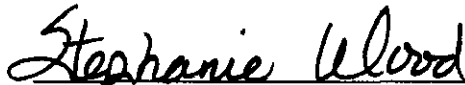
W. W. Vaux, Chairman



Robby Robinson, Commissioner

Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners