

Skagit County Planning Commission
2011-2016 Capital Facilities Plan
Public Hearing and Deliberations
November 2, 2010

Commissioners: **Jason Easton, Chairman**
 Carol Ehlers
 Mary McGoffin
 Elinor Nakis
 Annie Lohman
 Kristen Ohlson-Kiehn
 Dave Hughes
 Matt Mahaffie

Staff: **Carly Ruacho, Senior Planner**
 Jan Flagan, PW Surface Water Manager
 Brian Adams, Parks Director
 Mike Elde, PW Operation/Management

Public Hearing
Speaker: **Randy Good**

Chairman Jason Easton: Good evening and welcome to the Skagit County Planning Commission. I call it to order (gavel). The purpose of the public hearing tonight is to receive testimony and correspondence regarding the County's proposed 2011 through 2016 Capital Facilities Plan. As the Commission can see on the agenda, we'll have the public hearing, followed by deliberations and adjournment. Let me read our opening statement:

There's a sign-up sheet in the back of the room for those who would like to testify. An opportunity will be given at the end of the hearing for those that wish to testify but did not sign up to speak. Please limit your comments to a three-minute period so that everyone will have a chance to speak. Special interest groups, associations or those representing others are encouraged to designate a spokesperson for your group, to allow for greater participation and cross-representation.

Before you testify, clearly state your name, spelling your last name, and give us your address. A recording system will record your comments. Written comments are also being accepted and can be placed in the box located on the staff table near the front of the room. Before we take public comment, staff will give a brief

presentation about the proposal. Thank you for your time and for your participation.

At this time I'll turn it over to Carly Ruacho.

Carly Ruacho: Thanks, Jason. It's a little déjà vu. It hasn't been too long since we were before you with the Capital Facilities Plan. That previous plan was the 2010-2015 Plan, and we are processing two plans this year to try to kind of get back on cycle so that we are updating and processing our Capital Facilities Plan yearly in concurrence with our budget. It's been quite a while since we've been on that cycle and so we're trying really hard this year to get back on that cycle and then keep it in the future. So that's why we've had two plans come before you so near each other.

But the plan that you are considering tonight and taking testimony on is the 2011-2016, so this would be in place for next year. So the 2010-2015 Plan that you acted on earlier would be in place for the remainder of the year. And the notable action that was taken on that was the change in school district impact fees. So the results of your action on the Capital Facilities Plan earlier was that the County did change the impact fees for the two school districts that requested that. And so folks that are coming in for permits are benefitting from that action, and that's why we didn't want to wait to just combine the two. Because there are folks out there who that means several thousand dollars for so we wanted to process that as fast and be as responsive as we could. So that has gone into effect and is happening. And then these numbers would take effect next year, beginning in January, if all is processed as we expect.

This year for the 2011 Plan we did not have any school districts needing to change their impact fees. As with all the participating districts, folks are supposed to by statute do a capital facilities plan once a year, even if the numbers remain the same. You're to show your work and show the projects. It is a burden for a lot of smaller districts and I think school districts are included in that. They oftentimes don't actually do a capital facilities plan each year. They tend to only do one when they need a change reflected. So even though there are no changes reflected – that's why you don't have any appendices – it doesn't mean they weren't communicated with and given an opportunity. They were. And we did receive a response from several saying, you know, We've given you what is most current and that's, you know, what they're still operating under.

I think you will notice in this Plan a lot more emphasis on the non-County entities. We did a really large outreach effort to those non-County entities – dike districts, drainage districts and the like – fire districts. And we did get a really good response. Where you don't see information, again, all those folks were offered to – you know – to participate and received several communications from us, but some elect not to participate and so we leave in the most current information that we have. But those that wanted to, you see those changes reflected there. So I

really feel like we did have a really good response. All those folks who did participate were invited to be here today – were sent the notice – and unfortunately I don't know – maybe Randy might be representing one of the districts. I'm not sure. But unfortunately we don't have any fire district folks or anything like that, but they were given the opportunity to come and participate tonight. I know there's a lot going on tonight, so it doesn't look like they were able to attend.

As you look through the Plan, I think it's hopefully evident, you know, we track all the changes in strike-through and underline so that hopefully it's easy for folks to see what is changing from year to year. The main change throughout is the addition of the year 2016, adding one year to the planning horizon. And then eliminating the year 2010 as those projects should have either moved forward or you'll see how they've been pushed into different years or however the County intends to do that, or the entities.

So having just gone through this exercise, I think you're all pretty familiar with it and hopefully it can be smooth. There're still a lot of numbers to take in, but it was definitely a smoother process on our end so hopefully we're getting a little better at this as we process them and we won't forget next time.

We do have County staff here. We've got Parks Department here and hopefully that will be helpful because we did receive the one comment letter with regard to one budget item in Parks – in the Parks section. And we also have Mike Elde here from Operation and Maintenance from Public Works and also Jan Flagan, who prepared the Drainage portion for Public Works.

So, again, all the County departments were invited to come to answer questions, and obviously, you know, some folks might not have been able to make it so we'll muddle through if you have questions and help where we can. The Planning Department takes all this information from the different departments and we compile it and process it, but we're certainly not the experts in, you know, their figures or their projects. But we'll definitely try to do the best we can tonight. And some of these folks might have agreements with maybe other divisions to represent them and be able to give some more information on that.

But that's really all I have to say about it, and hopefully we can move through this quickly and easily and get on track for this year and in the future to do this concurrent with the budget, which I think will be helpful for the public to be able to kind of understand what we're doing and what we're planning for.

Chairman Easton: Okay. All the Commissioners, did you all receive the letter – the comment letter – that had come in earlier?

Carol Ehlers: Yes.

(several sounds of assent)

Chairman Easton: All right. Okay, with that, is there anyone here who wishes to testify? Mr. Randy Good.

Randy Good: (inaudible)

Chairman Easton: We opened it at the beginning.

Mr. Good: My name is Randy Good, 25512 Minkler Road, Sedro-Woolley. I want to thank Jan for being here. Maybe she can clarify some of the questions I have.

On the Hansen Creek under Public Works on this 2011, there's \$85,000 that's earmarked for a Hansen Creek Bridge. And maybe that was supposed to be Red Creek Bridge?

Jan Flagan: No, it's Hansen Creek.

Chairman Easton: Let him finish his testimony, then you can – why don't you just ask her questions and we'll have her come up here and respond when you're finished?

Mr. Good: Okay. Okay.

Chairman Easton: So your question was whether –

Mr. Good: Well, I talked to Jan earlier and it sounded like it was meant to be on Red Creek, because the explanation I got was that this is a culvert that's going to be taken out on Red Creek and then replaced with a bridge. And so – and that can wait for a little bit.

Chairman Easton: Okay.

Mr. Good: And I guess the main issue I wanted to address was our ag community is facing projects that start uphill and work down. And another – a prime example is the Northern State disaster up there. And because of our – I was an advisory committee member on our Hansen Creek Flood Control Zone and we've had to dissolve as most of the other flood control zones here in the county. But we started our zone in 1980. We'd never worried about a flood up until about 2004 when the Swinomish and all these environmental requirements started kicking in and then we started dealing with floods. That was the first time. Even in 1990 and '95 when those major floods, we didn't have to worry about it. But since '04, you know, we've had to worry about floods. And so we've had to dissolve our flood control zone, mainly because of mitigation requirements and costs, you know, and regulations like that.

But what I'm getting at with this \$85,000 that's earmarked to replace a culvert, my understanding is that it's under – it's in Red Creek. And so that's – we're spending money on replacing a bridge, or putting a new bridge in, and upstream from down where it comes in through our property and floods our land. And back when they – this is – what I'm talking about is Red Creek – back when the County did the Helmick Road "project," they called it, and they replaced three culverts that were up there with a big bridge, and ever since then we've had almost double the amount of flow coming down Red Creek and trying to get into Hansen Creek and it's caused a, you know, real problem there.

So any – I guess the – you know, my point is that I'm concerned that we're spending money on a project that's going to cause more havoc down below before things downstream are taken care of. So I think, you know, and I hear this all the time – I'm also on the County's Ag Advisory Board and we hear this all the time about. You know, if things need to be taken care of start down at the bottom and work up so that we don't have to have the consequences like we're facing right now on Hansen Creek. And so because – anyway, so I'm pretty sure that's on Red Creek is what I was told today.

Let's see what else I had. I guess just additional planning needs to be done before, you know, these upstream types of deals are put in – before, you know, to be aware of what the consequences are down below. Thanks.

Chairman Easton: Thank you, sir. Jan, why don't you join us at the microphone and address Randy's questions?

Ms. Flagan: Good evening. I'm Jan Flagan, the Surface Water Section Manager for Public Works. And the bridge that we were discussing replacing is on Hansen Creek. And I don't know if you're familiar with it, but it's at the head of the alluvial fan area. It's an old bridge that provides, you know, access between the County property and the Northern State's property. So if you go up Helmick Road where that parking area is and you pull into the parking area, it's just a little bit to your right up on Hansen Creek. And it's that, you know, access bridge. And the problem is is that we've – the creek is trying to bypass the bridge and it's going to blow around it and cut off access.

And I agree with, you know, most situations is it's starting downstream and working our way up. But Hansen Creek, its major problem is sedimentation so what we've been trying to do is work upstream and capture the sedimentation working our way down. So that's why that procedure has been taking place in the construction.

Chairman Easton: I have a question. Is this the *end* of the public process for that project or will there be a separate public process for the actual permitting of – you know, the beginning of that project? Will there be any public hearing or is

this – after the Capital Facilities Plan is approved, would that be the end of the public's ability to comment on the project?

Ms. Flagan: No. The public always has ability to comment on projects and we try to be, you know, forthright with what we have on our plate and what we've accomplished. And we're also scheduling – this is a little different because it's on two property owners that are government-owned, basically. Typically in Drainage Utility projects we have neighborhood meetings to discuss what projects we plan on doing. And it's necessary for the Drainage Utility to do that because we rely on cooperation of the citizens, the property owners. We can't go onto a property without their agreement, basically, and do work.

Chairman Easton: Thank you. Mary's going to go first and then I'll –

Mary McGoffin: Could you describe the bridge that's going in, though? Will it maintain access between the hospital and the farm?

Ms. Flagan: Yes, it will. And it's significantly longer. The one that's there, I'm not sure. It might be about thirty feet long. And what we're having to replace it with is about a sixty- or seventy-foot long bridge because the stream is cutting in that area. And it will be – it'll be pedestrian and small vehicles. It won't be truck rating.

Chairman Easton: Elinor?

Elinor Nakis: I just have a question. Why is that bridge necessary? It's been blocked for many years. Do they use it? I mean –

Ms. Flagan: Yes – well, the primary use is pedestrian access, and they do use it for vehicle access occasionally.

Ms. Nakis: As far as – I work at – on the Northern State property at times and I know they don't want people using that bridge as pedestrian access.

Ms. Flagan: Well, I'm –

Ms. McGoffin: I don't think we want to lose it, though, because it's part of the historical – you know, history of the place, and it's the only bridge left across the creek.

Brian Adams: It is in the master plan for Northern State –

Chairman Easton: Brad, you're –

Ms. McGoffin: Brian.

Chairman Easton: Brian – I'm sorry – you want to come to the microphone?

Mr. Adams: I'm Brian Adams, the Director of Skagit County Parks and Recreation. And I know there was a public process going into the Northern State Recreational Plan. That bridge and another bridge was actually a part of that Plan. We have lost one bridge, I think maybe six, seven years ago. Currently the state uses a mower vehicle to cross over to get to the cemetery up near the farm, and that's primarily the use. There are times when we're asked to allow them to use other vehicles across – over, as well.

Ms. McGoffin: Aren't there fiber optics that go underneath it to the Tribe?

Mr. Adams: There are some utilities and some fiber optics, as well, that need protection.

Chairman Easton: Any other questions about this project?

(silence)

Chairman Easton: Okay. Thank you.

Ms. Flagan: Okay.

Chairman Easton: Is there anyone else here who wishes to testify?

(silence)

Chairman Easton: Okay, at this time the public hearing is closed (gavel). Have we received any new comment letters?

Ms. Ruacho: No. The one that we received was the only one received by close of business, which was the official close of the comment period, but folks could submit them here at the hearing if they chose. But I think Randy just provided his comments to you by his testimony, and I don't think we have any further comments to provide to you.

Chairman Easton: All right. Commissioners –

Ms. Ehlers: I have a bunch of questions.

Chairman Easton: Yes, we're –

Ms. McGoffin: Can we start with Brian so he can go?

Chairman Easton: Yeah. Let's start with any questions that we have for staff so that we can let staff go if that's necessary – you know, if available. So if you have questions for staff, go ahead with your question.

Ms. Ehlers: I have one on page 3 and 4 which – page 3 particularly, on transportation – which indicates that the budget's federal funding is going from 38,000 to 6,000 – there's zeroes at the end of that – and state funding from 23 to 6. That's a significant difference.

Chairman Easton: Are you addressing that to a particular staff member or –

Ms. Ehlers: To a staff person who might know the answer. Is this the end of the stimulus funds? There's a reference later in here on the road extension from Anderson to LaVenture, which has been planned since 1960, that I know of. We don't hurry here. And a lot of it was supposed to be stimulus funds and I don't know whether that's – I don't know how that fits into this document. But I think it's one of the most crucial road projects that County's had for years.

Chairman Easton: Any member of staff want to – care to comment?

Ms. Ruacho: Well, I think maybe I can clarify, Carol, on the first part of your comment/question. What had happened last time – the Transportation portion, as you look through here, is the most comprehensive, if you will, or the largest portion, and it's a monster of a table to try to put together. And this – doing the process, splitting the process up as we did allowed us to perfect it a little bit. Last time it was all we could do just to get it to balance and get all the information on a table so that it was understandable to people.

This time gave us a little bit of breathing room to be able to look at it and say, you know, Could we convey this information in a clearer way? Is there anything we could do better? And one of the things that we realized was that, as you can see on the table – as you were pointing out – on page 3, there's two categories of revenue sources. There's existing revenues and new revenues. And it was an oversight with the Transportation section last time that *all* the revenues were placed up in the existing revenue category. And so this time if you look at the stricken state, federal and local funding, you'll see numbers when you add them to the 6,000 and 5,000 that are listed next to it. When you add those together to the one at the bottom that are new, you'll get very near that same amount, with minor differences.

So to sum up there – sorry about that; that was kind of long-winded. But what we did was we broke up the funding to really clarify what is actually existing and what is new in that. And “new” means what would need to be received in order to go forward with the project. It does not mean it's secured, but that's what we would need in order to go forward with the projects as written.

Ms. Ehlers: Good. Now anyone who looks at the budget can get the answer from what you've said.

Chairman Easton: Excellent.

Ms. Ehlers: In terms of funding, there's another reference in here that applies particularly to Parks, and that is the real estate excise tax. Now the only tax money anyone has a chance of knowing about is from these documents that Assessor Leander used to put out. There isn't one from this year. But that's just property tax. And so most of us haven't had access to any information about a real estate excise tax, which turns out to seem to have large amounts of money – at least hopefully – attached to it in a couple of years. So if someone could explain how that works, then that would be the other major funding source for what we have here that isn't really known to most of us.

Ms. Ruacho: Do you want to talk about it, Brian?

Mr. Adams: I think we need Trisha Logue. I'm Brian Adams again, Director for Skagit County Parks and Recreation. I think Jason probably knows more about real estate excise tax than I do. I think I saw him at an event where we were both on opposite ends of the argument. But real estate excise tax, just from my perspective, from a Parks perspective – again, this isn't a financial and budget perspective – but there are two quarter percent pieces to that puzzle. The first quarter percent goes to Public Works and for road projects. The second quarter percent is earmarked for Parks projects, so that's the portion of the percentage or the pie that I'm generally concerned with. Those can only be used for capital projects and we are in a capital project freeze mode at the Parks Department. So although some of those monies are building up and being put in a pot – picture, I guess, a fishbowl with IOUs going in it, because that's kind of what's happening. We're frozen. There are some monies going in there, not as many dollars as were going in there two, three, four years ago, but there are still some dollars being collected in that second quarter percent that are not being used at this point.

Ms. Ehlers: So these monies can be kept and reserved?

Mr. Adams: Yes.

Chairman Easton: Until there's a capital project that's – that moves forward.

Mr. Adams: Right. Right, and there is a cash reserve there but, again, right now we're frozen because we just want to make sure at this point at the larger County level – and this again is a Trisha question – I mean, in just the shell game and how the monies are moving around. It just needs to be liquid at this point and not – you know, we just – there's no reason to move forward with capital projects for

– you know, we just want to come back to the base level and just take care of what needs – what we have now. And so that’s our primary focus at Parks now.

In a given year, there are times where, you know, we might ask for a small portion, and there’s a process that we go through to just ask for a little bit of those dollars for something that we think needs done. And sometimes we’re accepted on those projects and sometimes they’re not. And that’s why there’s a lot of projects in here. They *have* to be in there. We need that placeholder if a project is to move forward. It’s got to be in the Plan.

So there’s a lot of dollars in there on the Parks side that’s not going to be used.

Chairman Easton: Before we move off, just let me add a little – some clarification.

Mr. Adams: Okay. Sure.

Chairman Easton: One, this is typically referred – can be referred to as a “transfer tax.” It happens at the point of sale.

Mr. Adams: Mm-hmm.

Chairman Easton: And that’s a 1.78%. I believe that’s the number. That’s collected from the seller of their home at the time of sale. The rules concerning what can and can’t be done with that are set by the state legislature.

Mr. Adams: Mm-hmm, right.

Chairman Easton: So the County, because of its current fiscal situation, is not doing capital facilities work.

Mr. Adams: Correct.

Chairman Easton: You know, I mean not actually doing any capital plan, but funds are still being deposited. Every time a sale closes, they go into those respective funds accordingly through the Treasurer.

Mr. Adams: Absolutely. Well articulated. And that might be a quarter-million dollars per year at this point for that second quarter percent for Parks, whereas, you know, if there’s a timber transaction or anything – you know, in the past there’s been as much money as six, eight-hundred thousand – you know, I mean there was a couple of big years there. And so there is somewhat of a substantial cash reserve that Parks has. Now I think that the road fund is getting depleted; you know, that’s still being utilized.

Ms. Ehlers: So to use the terms that most of us learned in school, these are restricted funds.

Chairman Easton: Yes.

Mr. Adams: Yes.

Ms. Ehlers: And I understand the Drainage Utility – I *know* the Drainage Utility was set up with restricted funds also.

Mr. Adams: But is that an RCW? I think that they're restricted, as Jason says, with an RCW.

Ms. Ehlers: No, it was the contract – the social contract that was written –

Mr. Adams: Right – social contract.

Ms. Ehlers: – and the conditions under which the Drainage Utility was created that explicitly said it had to be restricted.

Mr. Adams: Sure.

Ms. Ehlers: And I know sometimes, since it's a nice pot of money, I have seen all kinds of greedy people wanting it.

Chairman Easton: Yeah.

Mr. Adams: Yeah, Parks wants some of that actually.

(laughter)

Chairman Easton: All right. Let's continue with the deliberations. Are there other questions for staff?

Ms. McGoffin: I have a question for Brian. According to the letter that we received, he said that this wasn't a valid project for the Parks, this – what was it called?

Several voices: Frailey Mountain.

Ms. McGoffin: Frailey Mountain. And that he saw that we had allocated money for it and he said, But it's not a legitimate project.

Mr. Adams: Well, according to – the process that we had to go through to determine whether it was a valid recreational project was done through an organization at that time called "IAC," the Inter-Agency Committee for Outdoor

Recreation. Now it's got a new acronym, "RCO," Recreation and Conservation Organization. And the project to be considered recreational has to be thought of and statistically approved in their SCORP document, another fun acronym: the State Comprehensive Outdoor Recreational Plan. And we got a letter to that effect that it is actually a recreational project. That was required to go through the acquisition process to get that land from the DNR. And so they think it is a valid project.

Again, it's a capital project so I think it fits under REET as well. Even if you're going through the planning and permitting and/or legal phase to get a capital project through the process, that's considered, you know, a part of a valid REET expenditure. So it's a placeholder. I think it's only \$5,000 and, you know, if there's legal fees or whatever needs to be done to kind of keep it in place. We're kind of treading – running in place at this point with that project, but to continue to run in place we need that placeholder.

Ms. McGoffin: Okay.

Ms. Ehlers: Brian? In the – we're more familiar, I think, with the transportation process in which the Six-Year TIP mandates that if you're going to spend public money on something, even if you haven't figured out what you're going to do with it, you just recognize it's a problem – like a road. It has to be on a Six-Year TIP before you can spend state or other kinds of money –

Mr. Adams: Right.

Ms. Ehlers: – to think about what you might do.

Mr. Adams: Sure. That's similar.

Ms. Ehlers: Is that same process applied to your Parks?

Mr. Adams: Absolutely. Yeah, and we like to see it in the Comprehensive Plan although we make our Comprehensive Plan as broad as possible at times. I mean, we won't specify often. You know, we want to be able to leverage dollars when they become available. Sometimes a private donor might come forward and say, Hey, this is a great project. It's not really in our Plan but it's in there in spirit, you know. I mean, waterfront access or different projects that fit as a statistically high demand project and then we'll move forward with that oftentimes.

Ms. Ehlers: Okay, now does your Six-Year TIP process work the same way? We might as well all understand what we're doing. Including the public.

Ms. Flagan: The Drainage Utility funding mechanism was established by RCW and it does not have the same requirements that you do have for the TIP, the

Transportation Improvement Program. It does require that the funds that are assessed be only spent on stormwater control facilities for the design, construction, evaluation, operation and maintenance of stormwater control facilities. I have developed the DIP, my Drainage Improvement Program, and I ensure that projects are on there before they're constructed. But that is not a requirement of law, as it is under the TIP.

Chairman Easton: Any other questions of staff?

Annie Lohman: Mr. Chair?

Chairman Easton: Yes?

Ms. Lohman: Maybe this would be to Carly: I noticed that if you flip over to page 58, on Fire District 5, that the "Common Name: Allen" and, further down on the page, "Common Name: Samish Island" were both stricken. And I checked with my husband, District 5 Commissioner, and that is a mistake.

Ms. Ruacho: Okay. So 58?

Ms. Lohman: Page 58 where it says, "Station: Common Name..." It was stricken.

Ms. Ruacho: Fire 5?

Ms. Lohman: Yeah.

Ms. Ruacho: For some reason they're showing up on 59 on mine.

Ms. Lohman: It's in blue print on mine.

Ms. Ruacho: So I have "Common Name: Allen" and "Common Name: Samish Island."

Ms. Lohman: Yeah. It's – they want to keep the common name.

Ms. Ruacho: They just accidentally struck too much there when they struck their square footage?

Ms. Lohman: Yes.

Ms. Ruacho: All right.

Ms. Ehlers: I wonder if that applies to Fire District 8 also?

Ms. Lohman: But if you jump up and – so you have both Allen – so in Fire District 5, you want Edison, Allen and Samish Island.

Ms. Ruacho: Samish Island. Okay. And that looks like what we would have. Which would make sense because right now they didn't give them a name. And these just came. They were given their original table out of the existing Plan and these are what came back, and we put them in *exactly* how they came back. And I know some – not to say that your fire guy isn't savvy, but sometimes it's a little hard for them to work the tables and things like that, so I could see where some extra striking would happen. So that's not a problem to fix that.

Ms. Lohman: I'll tell him he had a fat finger!

(laughter)

Ms. Ruacho: Yeah! And then you were talking Fire 8, Carol. I think that one is fine because it looks like what they chose to do was just to strike Hickson altogether and then they – but they've got it there again.

Ms. Lohman: She re-did it on page 62.

Ms. Ruacho: And I think that originally was. I don't think Hickson was ever on South Shore Drive. I think that was an error originally. So I think they corrected where Hickson is, which is on Prairie Road, not on South Shore. I think there was some cutting and pasting that must have gone awry there and I think they clarified what they really indeed have and where they are. I think that one is correct. But, yeah, if you just in a motion tonight want to –

Chairman Easton: Yeah, I've made a note of that so when we get to that point we'll make it.

Ms. Ruacho: Yeah, but certainly not an issue on our end to fix and it certainly seems valid.

Chairman Easton: All right.

Ms. Lohman: This would probably be directed towards Jan, under Surface Water Management. On the Current Inventory – this is an observation – all of the – the list is just a jumble, and I would suggest – my bookkeeper person hat – it would be more meaningful and easier to read if you were to put all the Edison drainage stuff together. If you put all of the Nookachamps stuff and – because I can't see any reason to the order of the list. So when we're looking it's difficult because it's here and there and everywhere. I think the whole table needs to be reorganized so that it's meaningful, so that you're talking basins or watersheds or whatever kind of meaningful grouping. Because it isn't organized, as far as I can tell, by any logical list.

Ms. Flagan: Yeah, the way it's organized is chronologically, basically, so as projects were developed they were put on the list in order. And I have noted other areas where we would like to enhance the geographical reference of our projects and stuff. So –

Ms. Lohman: But it makes it hard to find an error, because it doesn't have any reference to a time or a date.

Ms. Flagan: Okay.

Ms. Lohman: So *you* know it's chronological but nobody else can discern that.

Ms. Flagan: Yeah. Okay.

Ms. Lohman: I *guessed* that was probably the case.

Ms. Flagan: It's a fairly extensive list.

Ms. Lohman: Yeah.

Ms. Flagan: We've got a number of projects. And let me ask you one question –

Ms. Lohman: Well, I did notice a project missing is how come, because I don't see McElroy Slough on here in the SRT ___.

Ms. Flagan: McElroy Slough was not under the Drainage Utility. The Edison SRT was under the Drainage Utility and that's there.

Ms. Lohman: Where would the McElroy SRT project then, where would it fall?

Ms. Flagan: It falls under Roads. It was considered a Road project. It was funded by a grant; I'm not sure whom.

Ms. Lohman: Is that project, then, under the Road section? Because I couldn't find the project and I know that they spent over a million dollars on it so I know it was a pretty significant project. But it's not in the list and maybe we need to –

Ms. Ruacho: What year would that have been, Annie?

Ms. Lohman: It was right around the same time.

Ms. Flagan: About 2007.

Ms. Ruacho: Yeah, I mean this Plan is going to only address future projects to come, from 2011 through 2016.

Ms. Lohman: But isn't that an inventory?

Ms. Ehlers: Yeah, it is an inventory.

Ms. Ruacho: Oh, you mean as a – on the inventory, not on the project list?

Ms. Lohman: Right.

Ms. Ruacho: Okay. I see what you're saying. And we would be looking for a –

Ms. Lohman: McElroy Slough.

Ms. Ruacho: What was it called? Let's see...

Ms. Lohman: I tried –

Ms. Ruacho: A tide gate?

Ms. Flagan: It's McElroy SRT or McElroy Slough Project, and, you know, that was – like I said – that was – because it was under the road prism, it was considered part of the Road ___.

Ms. Ruacho: But is it *now* considered – should it be listed under our current inventory for Drainage Utility – Current Facilities? Would that be _____?

Ms. Flagan: It is one that we've considered transferring to the Drainage Utility, along with some other structures. But what we're trying to do is to maintain the drainage facilities that are within the road prism under the Roads, because that's part of their road maintenance.

Ms. Ruacho: Right, and I think what we run into there is that the facility inventory – it's huge. And so – it's on page 32 of mine, which Annie might be a page ahead of yours. I think our printers were different there – the margins or something. So under number 4, Transportation, Current Inventory – wherever that might land in your Plan – you'll see that instead of like the Drainage Utility where there's a fairly, you know, concise list, we put it in the Plan, but for Roads we say facility inventory is included in the 2003 Transportation System Plan. So I wouldn't say it would be in there, because if you're saying it's like a 2007 project it looks like their plan might be a little lagging as to current inventory, but whenever that plan were to be updated that is where you would find this project you're talking about. Because, like Jan is saying, it's considered within the Road prism so that's where it would fall, under Facility Inventory.

So I think – I mean, I think you're right to point out, you know, a gap in that certainly it's not listed here as none of the Roads Facility Inventory is listed here.

It's just too large of a list. It has its own list and the most updated list is – according to what I have, the information that I have – is 2003, which would probably be missing on that one as well, but I'm not sure what type of cycle they're on to update that and what those requirements are. It's nothing that we work on, but it's certainly a good question for transportation there. I'm not sure that really through the Capital Facilities Plan that there's much more that we can do other than refer to the most updated road inventory list that we have, which is that 2003 list that we referred to.

Ms. Ehlers: But Annie's point is well taken. There ought to be some place where you can go find this stuff.

Ms. Ruacho: No, I agree. I don't know how often they update it, and to our knowledge, this is the most up-to-date, which is the 2003. And, like I say, I'm not sure what the requirements are.

Chairman Easton: Okay.

Ms. Ehlers: Well, there's –

Chairman Easton: Wait – I guess there's one more for you.

Ms. Ehlers: Well, there's a couple more.

Ms. Flagan: Okay.

Ms. Ehlers: In the road list you've already partly explained but there's two things: one –

Ms. Ruacho: She is not Roads, Carol. She's Drainage.

Ms. Flagan: Yes.

Ms. Ruacho: So try – just a reminder!

Chairman Easton: Be soft on her!

Ms. Ruacho: Don't – yeah, be easy on Jan for Roads because that's not her section.

Ms. Ehlers: You're right.

Ms. Ruacho: Guilt by association! If you're Public Works, you're Roads.

Ms. Ehlers: One of the things which I have – I'm going to go back to something Randy started with and that I've noticed lately and that to me ends up as a public

understanding question. Everything the Planning Department does goes through a hearing process. Bless you. Because everything you do, everything you approve there is a notice about it in the paper and if you really care about doing something and it's a concern of you, there you are, and there is a process.

Public Works doesn't have that process. When it came to the Fidalgo Plan, which is mentioned here as being done, we had a meeting. When someone brought up a question regarding Wildwood Lane and the problem down there, which interrelates Planning, Public Works and Health and the Lake Management District, there is no process for that to take place in a coordinated fashion and have a discussion. And that is a major weakness in the local management issue. There was no hearing or public meeting.

Chairman Easton: Commissioner? I want to remind you and the rest of the Commission that please limit your comments in this part of our deliberations to those things within the Plan that you would like to see amended, and let us save those things that wouldn't fall into that category for another time.

Ms. Ehlers: I have brought this up for fourteen years and there is never a time. I wanted to say it on the record one more time. Thank you.

Chairman Easton: Are there any other questions for staff?

(silence)

Chairman Easton: Thank you. At this time, are there any other comments about deliberations that wouldn't fall under the, you know, heading of "Questions for Staff"? Any other things that you wish to bring up? Commissioner?

Ms. McGoffin: I was disappointed to see that the Health Department didn't have anything on this Capital Facility Plan because I think their building is wholly inadequate to serve the public. So why isn't there?

Ms. Ruacho: Well, if you're talking about – so you're just talking about the building?

Ms. McGoffin: Well, just – did every department get a chance to put forth sort of a wish list?

Ms. Ruacho: No, and, you know, certainly recommendations that you would have, you know, to put forward to the Commissioners, you know, I think would be great. The Plan looks like it looks because, in part, it's always looked the way it looks and it just gets updated.

The Health Department and many other departments – I mean, you'll notice in here there's *many* County departments that are not in this Plan. They fall under

the General Government category. So there's kind of the broad, over-arching category of General Government where the Commissioners and the County Administrator would decide for those smaller departments, or departments that generally don't build things – and that's why you see a lot – I mean, Public Works is kind of the star of the show in the Capital Facilities Plan because they build things. And so they have, you know, kind of the majority on the capital projects and then, you know, Parks has some. And, I mean, you see Planning isn't in here, which maybe that's why we're the objective party that processes it – I don't know – because we don't build things.

So, you know, there's lots of folks that are in here. When it comes to if you're talking about, you know, a building, a public building, that would fall under the General Government. That would all go through – and Gary might be able to address it better – the budget process where they would get to tell the Commissioners, you know, our building isn't working out. We need a bigger building or, you know, no stairs or whatever it might be because of their needs. But then if the Commissioners decided that was something they wanted to do on behalf of the County, that would fall under the General Government. So it's kind of a chain of command type thing that they would make their wishes known to the Commissioners and then ultimately – we generally work a lot with Budget and Finance – the Budget and Finance Director, who tells us what to put in here for General Government. So I think they make their wishes known to them and then that funnels through and we get given what I guess they've agreed to or is feasible or what have you – however that decision is made. But the Health Department, our department, smaller departments that are all around the County would fall under that General Government category. So if there were projects to be undertaken – it comes on mine on page 6 – we have a project to do some work to the regional food distribution center. A couple buildings need a roof. Improvements: There're some restroom improvements that are going to happen in a building. And so I think those requests go forward – some make it on the list and some don't – but that comes forward through Administration to us.

Ms. McGoffin: Okay.

Chairman Easton: Other comments in general as we keep moving forward towards finishing our deliberations?

Ms. Ehlers: I think there are some differences in how the Health Department is funded from anything that we understand or have been exposed to. I have been told recently by staff that they are able only to do that which is grant funded and it has apparently limited many of the things that they are even expected to do. So that may explain part of the building issue.

Gary Christensen: If I may add some comments.

Chairman Easton: Yeah.

Mr. Christensen: Skagit County General Government facilities are administered through the County Facilities Department, which is under County Administration/Budget Finance. So there is a County Facilities Master Plan and certainly a current inventory of all of our owned properties and where various departments and offices are located. And there have been studies over the years which seek to best predict or forecast or determine the need for our own facilities.

With regard to the Health Department, you might turn to – on my copy – page 7. Under Capacity Analysis under General Government, there is a reference to a Health Department Needs Analysis which was completed in 2006, and it provides strategies for meeting general government and specific departmental facility needs over the next twenty years. So I think there has been some thought given to meeting the needs of all County departments and offices; it's just a matter of kind of the economic times and the lack of revenues perhaps, and even so grants or other additional funding sources that just aren't as readily available and would allow the County to pursue some additional facilities or expansions or new buildings.

Chairman Easton: Okay.

Ms. Ehlers: Of course there is something else. That is if you have a project that is – to use the current term – “shovel ready,” and if the Planning Department were to be allowed to have a process in which you could grant a permit for something based on funding to come, in which most of the stuff was approved, analyzed and the rest of the things that are required, then if money suddenly appeared then some of these projects could go forward. That's the way the Guemes project went forward – the building and the repair for the dock. So that might be a way in which the Health Department's project and needs could be dealt with if someone had the time to think of that at the same time you're trying to figure out how to cut your budget. It's just a suggestion.

Ms. Ruacho: I would suggest – I mean if the Commission as a whole – I mean, you know, I hear Mary's concern, you know, that she feels the Health Department building is inadequate to serve, you know, the population that they serve, and if the Commission feels that way in general, you know, I think that'd be a great finding – you know, that we'd like to see a capital project addressing the Health Department – you know, just a suggestion – then that's how we can convey your opinions and suggestions to the County Commissioners. They can certainly watch this, they can read the transcripts, but if it doesn't get into your recorded motion somehow then, you know, that suggestion might not reach their ears. So if it's something the Commission feels (is) important, certainly we can include that.

Chairman Easton: Annie?

Ms. Lohman: Jan, one more question on the – sorry to pick on you! I just – it's my understanding that all of the structures that would have been under the flood control zones that have dissolved, they would have already have been in your inventory list. Correct?

Ms. Flagan: No, because most of the zones that had assets – physical assets – were abolished this year and the assets are not transferring over until the end of the year. So they will show – for example, Britt Slough: We had the pump station and pump house and culvert and stuff.

Ms. Lohman: I understand that this is a draft. It says it in giant letters. So that additional information will be added when – as soon as you get it?

Ms. Flagan: When it gets transferred to the _____.

Ms. Lohman: As soon as it's booked?

Ms. Flagan: Correct. Yeah!

Ms. Lohman: Okay.

Ms. Ruacho: Just to clarify, since we process: They'll add it to their list as an inventory, but as far as the Capital Facilities Plan it won't get updated until the next time we receive a list from them, which would be the 2012-2017 Plan. When we put out a call for new information – here's what the Plan said before; please give me your edits – then all that new stuff would show up and we would put it in the Plan. Jan will have it on her list because, like she said, she's taking transfer of that. So if you called her and said, you know, I need to have/want information about that, she would have it on the list but it won't be reflected on the Capital Facilities Plan until we go through another process.

Ms. Lohman: Okay.

Ms. Flagan: And we'll also at the – when we go through the process again, we'll have completed other projects that will get added to the list.

Ms. Ruacho: Right. That won't be the only change, but that's when you'll see it reflected in this document.

Ms. Lohman: Okay.

Ms. Ruacho: It's one of those things that, you know, you do so much work and it's outdated the minute you adopt it. It's great. Job security, right?

Chairman Easton: So at this time are there any other comments? The Chair –

Ms. Ehlers: There's a reference in the document – when we get to the dike districts – about the dike districts themselves and it refers to a map. I would like to remind everyone that that map was given to us with the first round, the first version, last summer, and since it's come up in the newspapers I would like for Carly to show on the paper – on your overhead – what the levee districts are. Because if you read the levee plan – or I should say the "Draft Flood Protection Plan" – you have a reference that the monies have all come from the County road fund, and yet the millions have come from the taxpayers in those dike districts to build the levees and protect us. And it's useful to see what the extent of those are.

Ms. Ruacho: So on the screen is, as Carol said, the attachments are quite extensive to the Capital Facilities Plan. You were just given the Plan earlier. Those were included in that Plan. As I indicated in the transmittal, I didn't include them this time because I'm sure you all still have them – just for, you know, saving some trees we didn't go ahead and copy those. Of course they're available. We did not make any changes to them. That's why they weren't provided. But this is one of the appendices that is attached to the Capital Facilities Plan and will be in the formal document; it just wasn't transmitted.

Ms. Ehlers: You also have the Drainage District Plan, which you can show the public. And since these issues are going to come up in the next year it's useful for someone to have a way of referring to them if they happen to want to know where it is. Because, of course, this is on the County website also. I would draw attention to the fact that in 22 it's a drainage *and* a levee district, so they have done the two projects and the two responsibilities together. Most of the others are not quite the – the levee district and the drainage district are not quite the same because of their different obligations. But I would also point out that down around La Conner, as you see, there is neither a levee district nor a drainage district, and that might turn out to be important as the discussion goes on in the next number of months. Thank you.

Chairman Easton: So all right. At this time the Chair would entertain a motion and then an amendment to the motion, since we have a change to the – Carly asked that we take care of the issues with the names of the five districts as an amendment.

Ms. Lohman: Oh. So you need a motion to accept the Capital Facilities Plan for 2011-2016?

Chairman Easton: Yes, I do.

Ms. Lohman: I'll make that motion.

Chairman Easton: Is there a second?

Ms. Ehlers: I'll second it.

Chairman Easton: So Annie has moved and Carol has seconded the approval of the 2011-2016 Plan – Capital Facilities Plan.

Ms. Ehlers: With the amendment.

Chairman Easton: And at this time, are there any amendments? The way I wrote the amendments down – to make them simple – would be that we change the fire district names as noted earlier in the evening. Is that sufficient for the transcript?

Ms. Ruacho: Yeah, I would just say we're going to remove inadvertent deletion of Fire District number 5 station names.

Chairman Easton: Would a member of the Commission please make that as an amendment?

Ms. Ehlers: Well, Annie can make it.

Chairman Easton: Mm-hmm.

Ms. Lohman: I'll make that motion.

Ms. Ehlers: And I can second it.

Chairman Easton: So it's been –

Ms. Lohman: I'll amend my motion.

Chairman Easton: It's been amended – it's been moved to amend the motion by Annie and seconded by Carol that we clarify the names of the fire districts, as discussed earlier in the evening. All right. And all those in favor of the amendment, signify by saying "aye."

Ms. McGoffin, Ms. Lohman, Chairman Easton, Ms. Ehlers, Kristen Ohlson-Kiehn, Ms. Nakis, Dave Hughes and Matt Mahaffie: Aye.

Chairman Easton: All those opposed?

(silence)

Chairman Easton: Any abstentions?

(silence)

Chairman Easton: All right. Any further discussion on the motion?

(silence)

Chairman Easton: Seeing none, I'll call for the question. All those in favor of the motion, signify by saying "aye."

Ms. Ehlers, Chairman Easton, Ms. Lohman, Ms. McGoffin, Ms. Ohlson-Kiehn, Ms. Nakis, Mr. Hughes and Mr. Mahaffie: Aye.

Chairman Easton: All those opposed?

(silence)

Chairman Easton: Any abstentions?

(silence)

Chairman Easton: All right. Let the record show it passes eight to zero. Our deliberations are finished. Thank you. Thank you, staff. And, citizens, thank you.

At this time, according to the agenda, we'll discuss general issues and what the work program is for the remainder of the year. And I'll turn it over to the Director.

Mr. Christensen: Thank you. Good evening. Thank you for your earlier action tonight. I do want to just take a few minutes. I know everybody's perhaps anxious to conclude this evening's business and get onto other events this evening. But you should have received an e-mail notice from Patti, I think, earlier this week. Carol, you would have received notice via snail mail.

Ms. Ehlers: I got a notice but nothing in it.

Mr. Christensen: Okay. What was provided to you was a copy of a packet of information which was presented to the Board of County Commissioners mid-month last month – a couple of weeks ago – and it included a periodic update or a quarterly report of the Department's legislative work program. As part of that packet of information, there is a memorandum, which is dated earlier this year – January of this year – which really goes into kind of the thought process in creating a work program. And I won't summarize that here, but attached to that memorandum are a number of kind of tables or matrices which – in that packet of information – the first of which is the latest revision of the work program which is dated October 5th of this year. In that table there are eleven work program projects, which the Board of County Commissioners committed the Department and, to some extent, yourselves to this year. What you'll find is that there are not

any new additions, no new projects, but that you'll find that either the description or the status of those projects have been updated. And as to how they may have changed, if you simply scroll through those electronic documents or a paper copy you'll see that there are previous quarter reports and you can compare one with the other to see what's really changed over time.

So if you want to know what was thought about in January, you go to the end of that electronic document. You can see the projects as described and what their status is, and then as you proceed forward you'll see how they have changed over time, and that'll give you an update.

So we have accomplished a lot to date. There is still some unfinished business that we hope to wrap up by the end of the year. We always do our best to meet the work program as established by the Board of County Commissioners and to make progress on that. So we will do another report probably in January, which will look at really a compilation of those things that we accomplished over the year. And we'll probably go over that in a joint meeting like we held earlier this year where you and the Board of County Commissioners met and we talked about accomplishments for the previous year and things that we may be working on in the coming year. So we'll do that again.

So that's really all I was going to say about the work program. I wasn't going to spend time talking about any one of the projects. I guess I could answer questions, if you had any, based on your early review of what was transmitted to you. So, with that, I do have a couple of other miscellaneous tidbits –

Chairman Easton: We have a question.

Mr. Christensen: Yes?

Ms. Ehlers: I have two brief questions.

Mr. Christensen: Okay.

Ms. Ehlers: The Guemes Plan: Are you really going to get it done by Christmas?

Mr. Christensen: That is our plan, yes.

Chairman Easton: I spoke to the Commissioners – two Commissioners – about that and it is still their intent to have it done by the end of the year.

Mr. Christensen: Yes.

Ms. Ehlers: Is there some way we could look at it and make sure that you – we went through an awful lot of stuff, Carly – and to make sure that what we thought we agreed to is what's in there?

Ms. Ruacho: Yeah, that'll be transmitted to you. We're still working on that.

Chairman Easton: Yeah, because I haven't signed that one yet.

Ms. Ruacho: Right. You know, your recorded motion hasn't been transmitted yet, so you'll still have a chance. I'll go through Jason, as I do with all your recorded motions. If he wants to put it out for review, you know, that's his purview however he wants to handle that. But we kind of went through the public process, which was our intent all along. If you look at the work program, it was our intent to mid-year process it and then complete it toward the end of the year. So we went through the public process and then kind of shelved it to work on these things like the two Capital Facilities Plans and things like that that we needed to get done by a certain time, and then we'll pick it back up again toward the end of the year and get that done. But, yes, it will come back and at least Jason has to put his name to it to make – you know, say that it is what you agreed to before –

Chairman Easton: Due to its size, I'm going to do a preventative strike here and actually ask that it's distributed. And then your comments can be routed to me and we'll – if there's something that was missed, I'll take it up with the staff before we sign it. So given its vastness and how many changes we reached and then made, I think that would be appropriate. So a hard copy to Carol and an electronic version to the rest of us –

Ms. Ehlers: And that would be –

Chairman Easton: – would be in order. Thank you, Carly.

Ms. Ehlers: – good because that creek I asked you to identify on the map turns out to be in the Capital Facilities Plan.

Ms. Ruacho: Nice.

Chairman Easton: That's helpful.

Ms. Ehlers: Only it doesn't have a name and it might be helpful if you could give it one.

Chairman Easton: Do you have another question?

Ms. Ehlers: Yes. The RV language – I mean, my goodness; you must be meeting yourself coming and going! – the RV park hearing: Is that really going to be in December?

Mr. Christensen: Yes.

Ms. Ruacho: Yep, December 7th.

Ms. Ehlers: Okay.

Ms. Ruacho: So that just – Gary didn't really touch on specifically what *you* might be concerned about, which is what's next for you, which is some changes to the Master Planned Resort code language and some changes to several sections of code that relate to RV parks in the county. There'll be some changes to definitions, some changes to zoning and some other portions of the code. So those are in final development stages right now. We're getting very close. We plan to release mid-November, so in plenty of time for a December 7 hearing. It is our anticipation and hope that you will be able to hold deliberations that night, if we are able to close the comment period in sufficient time to get you those comments. And as always, of course, depending on if written comments come in during the hearing then, obviously, you know, that could change the course.

But right now the plan is to set it up so that the comment period will close before the hearing so that we can transmit those. If no further comments are received in writing, hopefully you can deliberate that night. If not, we'll have to talk about whether you're willing to come back another night in December or whether we push it back into January. But if we miss it, it's going to be very close.

Chairman Easton: Let me add my comments to Carly's. I want the Commissioners –

Ms. Ehlers: Will that deal with wild cat RV parks?

Ms. Ruacho: It's just going to deal with *all* RV parks. It's not specific to any one RV park.

Chairman Easton: I want all the Commissioners to come prepared on December 7th to deliberate. And I've asked staff that all comment letters – assuming that we make the deadline, as we have every intention of making – that all comment letters be transmitted to us as soon as possible so that you have that. We will reserve the – obviously, at anytime when I say to you “by e-mail or in person,” that I – it's my intention for us to deliberate, it is always amenable to change that if we get inundated with more than we can handle, from a testimony point of view. It's not set in stone. It's just I want to make sure that you're prepared ahead of time, and that's my intention. I take the job as your Chair to – part of the responsibility, I think, is to try to manage the calendar with the staff and that's what I'm trying to do in trying to accomplish our deliberations at the same time, when possible. Yes?

Ms. Nakis: So just – I want to understand the –

Chairman Easton: You want to move your mic towards you?

Ms. Nakis: What's the deadline about? Why do you –

Chairman Easton: Oh, the deadline for when they have to put the Plan out so that the public has enough time to comment on – has the period of time they need to comment on it.

Ms. Nakis: So, I mean, is the idea that the County Commissioners would be making a decision on this before the end of the year or something like that? Or what's driving the deadline?

Ms. Ruacho: Right, the work plan.

Ms. Nakis: Oh, okay.

Ms. Ruacho: The work plan is the 2010 work plan so those are the eleven items that we committed to getting done by the end of 2010. And so, you know, we're doing our absolute best to achieve that. If it – obviously, like Jason says, if public comment dictates that we take longer we obviously will, but if nothing comes we would like to try to deliberate that night, you know, if it's possible. Then we could meet the deadline. Obviously, if we need more time we'll spend more time. But just try to meet as many of them as we can.

There's one, the Miscellaneous Code Amendments, that's not going to happen this year, and so there's one already that, you know, kind of had to slide a little bit. So we're just trying to, you know, do our best to be responsive and timely and get as many done this year as we can.

Ms. Nakis: Okay. Thanks.

Chairman Easton: Any other questions?

(silence)

Chairman Easton: I believe that is the end of what we have for business tonight, so –

Mr. Christensen: I just have two little –

Chairman Easton: Oh, I'm sorry.

Mr. Christensen: – tidbits, if I may.

Chairman Easton: You bet.

Mr. Christensen: It won't take long. As you probably know, there is a vacancy on the Planning Commission in District 2. The County Commissioners advertised for a position in District 2 – asked that letters of interest and statements of qualifications be sent to their office. So we are in receipt of several, which are going through an interview process. We've had one interview and we have several more scheduled. So hopefully we'll have a new member on board for your December meeting, but we'll have to wait and see.

The other information is is that I'm pleased to be able to say that member Dave Hughes has agreed to serve another four-year term, so he is official this evening and looks forward to the years ahead, yes.

So that's the – all of the Planning Commission administrative business that I have and no other items to bring forward.

Chairman Easton: Great. Commissioners, (do you) have anything?

Ms. Lohman: Need a motion to adjourn.

Chairman Easton: A motion to adjourn? Actually –

Ms. Nakis: I make a motion that we adjourn this meeting.

Chairman Easton: All those in favor?

Ms. Ehlers, Ms. Nakis, Chairman Easton, Ms. McGoffin, Ms. Lohman, Ms. Ohlson-Kiehn, Mr. Hughes and Mr. Mahaffie: Aye.

Chairman Easton: (gavel) We stand adjourned.