

SNOHOMISH COUNTY COUNCIL
PUBLIC HEARING PACKET

ORDINANCE 22-011 **RELATING TO THE COUNTY NOXIOUS WEED
CONTROL BOARD; AMENDING CHAPTER 3.42 SCC**

ECAF: 2022-0241

Date/Time: Wednesday, April 20, 2022, at 10:30 a.m.

Staff Person: Nicole Gorle

DPA: Laura Kisielius

EXHIBIT LIST

Click on Exhibit # to view document.

Exhibit #	Date	Exhibit Description
1	3/14/22	Council Staff Report
2	3/04/22	ECAF
3	3/04/22	Ordinance Introduction Slip Signed

1 APPROVED:
2 EFFECTIVE:

3
4
5 SNOHOMISH COUNTY COUNCIL
6 Snohomish County, Washington

7
8 ORDINANCE NO. 22-011

9
10 RELATING TO THE COUNTY NOXIOUS WEED CONTROL BOARD;
11 AMENDING CHAPTER 3.42 SCC

12
13 WHEREAS, the Snohomish County Noxious Weed Control Board
14 (“Board”) was established pursuant to chapter 17.10 RCW; and

15
16 WHEREAS, administrative support for the Board currently is provided by
17 the Snohomish County Department of Public Works; and

18
19 WHEREAS, the Snohomish County Noxious Weed Coordinator
20 (“Coordinator”) currently is appointed and supervised by the Director of the
21 Snohomish County Department of Public Works; and

22
23 WHEREAS, the purpose and activities of the Board and Coordinator are
24 consistent with the purpose and activities of the Snohomish County Department
25 of Conservation and Natural Resources (“DCNR”); and

26
27 WHEREAS, it is the intent of the Snohomish County Executive and the
28 Snohomish County Council to transfer these administrative support, appointment,
29 and supervision responsibilities from the Director of the Snohomish County
30 Department of Public Works to the Director of the Department of Conservation
31 and Natural Resources; and

32
33 WHEREAS, chapter 17.10 RCW recently was amended by SHB 1355,
34 filed on May 10, 2021, and signed by the Governor of the State of Washington;
35 and

36
37 WHEREAS, it is the intent of the Snohomish County Council to update
38 chapter 3.42 of the Snohomish County Code (SCC) to be consistent with recent
39 amendments to chapter 17.10 RCW.

40
41 NOW, THEREFORE, BE IT ORDAINED:

42
43 Section 1. Snohomish County Code Section 3.42.010, last amended by
44 Amended Ordinance No. 10-083 on October 27, 2010, is amended to read:

1 3.42.010 Established – membership – qualifications – appointments.

2
3 Pursuant to chapter 17.10 RCW, a county noxious weed control board,
4 hereinafter referred to as the "board(~~(",~~)," is hereby established. The board shall
5 consist of five voting members. At least (~~(four)~~) three of the voting members shall
6 be engaged in the primary production of agricultural products. There shall be one
7 non-voting member who shall be the county extension director or an extension
8 representative appointed by the county extension director. The council shall
9 divide the county into five districts, none of which shall overlap and each of which
10 shall be of the same approximate area, and shall appoint a voting member for
11 each district.

12
13 Section 2. Snohomish County Code Section 3.42.050, last amended by
14 Amended Ordinance No. 10-083 on October 27, 2010, is amended to read:

15
16 3.42.050 Administration.

17
18 (1) The board shall employ or otherwise provide a county noxious weed
19 coordinator, hereafter referred to as the "coordinator," through the county
20 personnel system, pursuant to RCW 17.10.060, with the director of the
21 department of (~~(public works)~~) conservation and natural resources as the
22 appointing authority for the coordinator. The coordinator may be classified as full
23 time or seasonal as determined by the director of the department of (~~(public~~
24 ~~works)~~) conservation and natural resources in consultation with the board. The
25 coordinator shall comply with the county personnel policies. These policies
26 require supervision from the director of the department of (~~(public works)~~)
27 conservation and natural resources or (~~(his/her)~~) the director's designee for all
28 purposes including authority regarding appointment, termination or employee
29 discipline.

30 (2) The coordinator's duties shall include management of the annual noxious
31 weed control program, including but not limited to:

32 (a) Supervision of the inspection of land to determine the presence of
33 noxious weeds;

34 (b) Preparation of the annual program and preliminary budget for
35 approval by the (~~(board and the)~~) county council;

36 (c) Management of the board's annual program of work which includes
37 four elements: the weed control program; the education program; the
38 enforcement and regulation program; and the monitoring program.

39 (3) The coordinator will be accountable to the board for meeting the fiscal and
40 budgetary restraints set forth by the board and the county council. The
41 coordinator will provide the board with a budgetary review of expenditures and
42 balances at the regular meetings of the board or as requested by the board.

43 (4) Subject to budgetary control by the county council, the board may request
44 that the director of the department of (~~(public works)~~) conservation and natural
45 resources assign additional department employees as the board deems
46 necessary for the administration of the county's noxious weed control program.

1 Such employees shall be county classified positions subject to the provisions of
2 title 3A SCC. While the board shall establish the annual noxious weed control
3 program to be carried out by such employees, they shall be subject to the
4 supervision of the director of the department of ~~((public works))~~ conservation and
5 natural resources or ~~((his/her))~~ the director's designee for all purposes including
6 decisions regarding appointment, termination or employee discipline.

7 (5) Administrative support for the board shall be provided by the department of
8 ~~((public works))~~ conservation and natural resources. Subject to the limitations of
9 budgetary appropriations, such support shall include, but not be limited to, office
10 space, vehicles and equipment as well as payroll, accounting, grants
11 administration and all other necessary financial services. All expenditures of
12 board appropriations shall be approved by the ~~((chairman))~~ chair of the board, or
13 ~~((his/her))~~ the chair's designee, before being authorized by the department.

14 (6) The board may seek and recommend that the executive, in accordance with
15 SCC 2.10.010(25), apply for grants to support the county noxious weed control
16 program. Grant contracts shall be approved in accordance with SCC 2.10.010
17 and 3.04.140.

18
19 PASSED this ____ day of _____, 2022.

20
21 SNOHOMISH COUNTY COUNCIL
22 Snohomish County, Washington

23
24 _____
25 Chair

26
27 ATTEST:

28
29 _____
30 Asst. Clerk of the Council

31
32 () APPROVED
33 () EMERGENCY
34 () VETOED

35 DATE: _____

36
37 _____
38 County Executive

39 ATTEST:

40
41 _____
42
43 Approved as to form only:

44  2/2/22

45
46 Deputy Prosecuting Attorney



Snohomish County Council

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 1

FILE ORD 22-011

Committee: Conservation, Sustainability, and Recreation
ECAF: 2022-0241
Ordinance: 22-011

Analyst: Nicole Gorle
Date: March 14, 2022

Consideration:

Amend Chapter 3.42 SCC relating to the Snohomish County Noxious Weed Control Board.

Background:

In 2021 the Legislature passed SHB 1355 which amended State Statute relating to noxious weeds, the State Noxious Weed Control Board, County Noxious Weed Control Board's, Weed Control Districts, and noxious weed control.¹ Specifically relevant to this ordinance is the amendment made relating to County Noxious Weed Control Board's where they changed the number of voting members on the board that have to be engaged in the primary production of agricultural products.

In addition to the change made by the legislature, the County went through some reorganization and the Department of Conservation and Natural Resources was created and moved Surface Water Management from Public Works to this new department. As part of this reorganization, the Executive branch is proposing moving the Noxious Weed Control Board from Public Works to the Department of Conservation and Natural Resources.

Current Proposal:

Scope:

1. Moves the Snohomish County Noxious Weed Control Board from Public Works to the Department of Conservation and Natural Resources.
2. Aligns code with RCW as recently revised by [SHB 1355](#) in 2021 by changing the number of voting members that need to be engaged in the primary production of agricultural products from four to three.

Duration: Permanente change (unless amended later via ordinance)

Budget: There is no fiscal impact from this change.

2022 Budget: No

Future Budget Impact: No

Handling: Normal

Approved-as-to-form: Yes

Risk Management: N/A

Executive Recommendation: Approve

Attachment: None

Amendments: None

Request: Move to Administrative Matters at General Legislative Session on March 30th to set time and date for a public hearing on April 20, 2022 at 10:30 a.m.

¹ [SHB 1355 Bill Analysis](#)



Snohomish County Council

Legislation Text

File #: 2022-0241, Version: 1

SNOHOMISH COUNTY COUNCIL

Executive/Council Action Form (ECAF) EXHIBIT # 2

FILE ORD 22-011

ITEM TITLE:

Ordinance 22-011, relating to the County Noxious Weed Control Board; amending Chapter 3.42 SCC

DEPARTMENT: Conservation and Natural Resources

ORIGINATOR: Dave Lucas

EXECUTIVE RECOMMENDATION: Approve - Lacey Harper

PURPOSE: To update chapter 3.42 of the Snohomish County Code (SCC) to be consistent with recent amendments to chapter 17.10 RCW, and to transfer administrative support, appointment, and supervision responsibilities from the Director of the Snohomish County Department of Public Works to the Director of the Department of Conservation and Natural Resources.

BACKGROUND: Snohomish County Noxious Weed Control Board was established pursuant to chapter 17.10 RCW Administrative support for the Board currently is provided by the Snohomish County Department of Public Works The Snohomish County Noxious Weed Coordinator currently is appointed and supervised by the Director of the Snohomish County Department of Public Works The purpose and activities of the Board and Coordinator are consistent with the purpose and activities of the Snohomish County Department of Conservation and Natural Resources This Ordinance will transfer these administrative support, appointment, and supervision responsibilities from the Director of the Snohomish County Department of Public Works to the Director of the Department of Conservation and Natural Resources This Ordinance will update chapter 3.42 of the Snohomish County Code to be consistent with recent amendments to chapter 17.10 RCW.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS

TOTAL			
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DEPARTMENT FISCAL IMPACT NOTES: No fiscal impacts

CONTRACT INFORMATION:

ORIGINAL	_____	CONTRACT#	_____	AMOUNT	_____
AMENDMENT	_____	CONTRACT#	_____	AMOUNT	_____

Contract Period

ORIGINAL	START	_____	END	_____
AMENDMENT	START	_____	END	_____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Approved as to form by DPA Laura Kisielius 2/2/22.
Reviewed and approved by Finance

ECAF NO.:
ECAF RECEIVED:

**ORDINANCE
INTRODUCTION SLIP**

SNOHOMISH COUNTY COUNCIL

TO: Clerk of the Council

EXHIBIT # 3

TITLE OF PROPOSED ORDINANCE:

FILE ORD 22-011

~~~~~

  
\_\_\_\_\_

Councilmember Date

~~~~~

Clerk's Action: Proposed Ordinance No. _____

Assigned to: _____ Date: _____

~~~~~  
**STANDING COMMITTEE RECOMMENDATION FORM**

On \_\_\_\_\_, the Committee considered the item and by \_\_\_\_ Consensus /  
\_\_\_\_ Yeas and \_\_\_\_ Nays, made the following recommendation:

\_\_\_\_\_ Move to Council to schedule public hearing \_\_\_\_\_

**Public Hearing Date \_\_\_\_\_ at \_\_\_\_\_**

\_\_\_\_\_ Move to Council as amended to schedule public hearing


\_\_\_\_\_ Move to Council with no recommendation

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Consent Agenda.**

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Administrative Matters Agenda**

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

  
\_\_\_\_\_

Committee Chair