

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

CONSENT AGENDA REQUEST

TO: Board of County Commissioners
Josh Peters, County Administrator

FROM: Sophie DeGroot, Noxious Weed Control Coordinator

DATE: September 22, 2025

SUBJECT: PUBLIC HEARING NOTICE RE: In The Matter of Amending Chapter [3.65](#) of the Jefferson County Code (JCC) for the Jefferson County Noxious Weed Control Board Assessment Rate.

STATEMENT OF ISSUE:

In 2015, the Noxious Weed Control Board and the Board of County Commissioners passed an ordinance creating a special assessment fee to fund the Noxious Weed Control Board programming and staff. The fee has stayed stagnant since then, despite the rising costs of materials and labor due to inflation. The Jefferson County Noxious Weed Control Board voted on August 11, 2025 to recommend BoCC pass an ordinance with proposed amendments to chapter [3.65](#) to increase the special assessment fee to the recommended rate of \$5.50 per parcel and \$0.45 per acre.

BoCC held a hearing on September 15, 2025 on the above-mentioned topic and continued deliberations to Monday, September 22, 2025.

ANALYSIS:

As was discussed during the Public Hearing on September 15, 2025, the Noxious Weed Control Board budget, supported by the Special Assessment Fee is quickly becoming inadequate to support the program. Increased expectations, demand for services, and the constant pressure to remove noxious weeds has meant the Noxious Weed Control Board needs to increase staff and educational programming. An increase to the special assessment fee will facilitate hiring more staff throughout the year, allowing the coordinator to dedicate more time to education, outreach, and volunteer management, as well as implementing a cost-share program for County residents.

Previous Ordinance [07-1109-15](#) Establishing an Assessment for Funding the Jefferson County Noxious Weed Control Board, JCC [3.65.020](#) incorporated by reference an "Attachment A," regarding Land Classification, consistent with the requirements outlined in RCW [17.10.240](#). However, when trying to determine the Special Assessment Fee per land classification type (i.e., forest and non-forest), this inevitably required finding the old ordinance and Attachment to review the land classification types. In the proposed amendments, the Land Classification language formerly found in "Attachment A" to Ordinance [07-1109-15](#) is now moved into the body of section [3.65.020](#) JCC for transparency and convenience. This change should also help with better understanding. All proposed changes to sections [3.65.020](#) and [3.65.030](#) JCC are indicated in the attached proposed ordinance, **Attachment A**.

New Considerations or Questions Raised During the September 15th Hearing:

- Should private property located within the Olympic National Park, of which there is not many, be exempt from the Noxious Weed Assessment Fee based on RCW [37.08.210](#)?
 - Short Answer: Staff have no objection to adding this exemption criteria to the proposed ordinance and have reflected this minor modification to the proposed ordinance.
- Is the assessment fee of “forested lands” equitable based on RCW [17.10.240](#)(2)?
 - Short Answer: Yes. There is no need to change the proposed ordinance language, as it is consistent with state law. Staff contacted several other Noxious Weed Board Coordinators to ensure consistency in understanding, interpretation, and application. Staff also consulted further with the county Assessor’s Office and Prosecuting Attorney’s Office. There does not appear to be any other applicable guidance on this particular topic. Staff has provided a supplemental power point presentation and will be prepared to discuss this further during the BoCC deliberations.

Attached for Review:

- Slightly Revised Proposed Ordinance recommending amendments to sections [3.65.020](#) and [3.65.030](#) JCC.
- Supplemental Power Point Presentation.

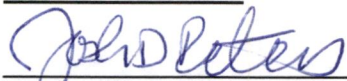
FISCAL IMPACT:

The recommendation from the Noxious Weed Control Board is to increase the Special Assessment Fee from \$4.00 per parcel and \$0.30 per acre to \$5.50 per parcel and \$0.45 per acre. These numbers account for inflation over the last decade, plus the need to increase program staff.

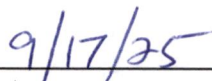
RECOMMENDATION:

BoCC move to approve proposed ordinance Amending Chapter [3.65](#) of the Jefferson County Code (JCC) for the Jefferson County Noxious Weed Control Board Assessment Rate.

REVIEWED BY:



Josh Peters, County Administrator



Date

STATE OF WASHINGTON
County of Jefferson

In The Matter of Amending Chapter [3.65](#) of the Jefferson County Code (JCC) for the Jefferson County Noxious Weed Control Board Assessment Rate.

ORDINANCE NO. _____

WHEREAS, the Jefferson County Board of County Commissioners (BoCC) created the Jefferson County Noxious Weed Control Board (Noxious Weed Board) on March 23, 1998 by Jefferson County Resolution No. [24-98](#); and

WHEREAS, BoCC adopted new Noxious Weed Control Board District Boards in 2000 by Resolution No. [75-00](#) and in 2007 by Resolution No. [61-07](#); and

WHEREAS, BoCC established an Assessment for funding the Noxious Weed Board's programming in 2015 by Ordinance No. [07-1109-15](#);

WHEREAS, the Noxious Weed Board serves an important purpose in maintaining and promoting the general health, safety and welfare of the citizens of Jefferson County by limiting economic loss and adverse effects to local agricultural, natural, and human resources due to the presence and spread of noxious weeds on terrestrial and aquatic areas within Jefferson County; and

WHEREAS, the Noxious Weed Board's services are paid for by the annual Noxious Weed Board Assessment authorized by chapter [3.65](#) JCC and monies received from the county's General Fund; and

WHEREAS, the Noxious Weed Board's rates have stayed stagnant since creating an Assessment for funding its programming in 2015; and

WHEREAS, RCW [17.10.240](#)(1)(a) requires the Noxious Weed Board to annually submit a budget to the county legislative authority for the operating costs of the county's weed program for the ensuing fiscal year; and

WHEREAS, RCW [17.10.240](#)(1)(c), authorizes the county legislative authority to levy an assessment against certain lands within the county; and

WHEREAS, like other aspects of local government, the Noxious Weed Board has had to adjust for inflation and increasing costs in order keep up with the volume of work, compounded by a growing demand for services; and

WHEREAS, the Noxious Weed Board offers invaluable services with a high level of local expertise and desires to continue serving the needs of Jefferson County; and

WHEREAS, the Noxious Weed Board held a public hearing on August 11, 2025, and passed a motion to amend the Noxious Weed Board Assessment Rate authorized by chapter [3.65](#) JCC to account for reasonable cost increases based on inflation, subject to BoCC approval;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Whereas Clauses Adopted as Findings of Fact. The Jefferson County Board of Commissioners hereby adopts the above “Whereas” clauses as Findings of Fact.

Section 2. Purpose. The purpose of this ordinance is to amend chapter [3.65](#) JCC in order to reflect reasonable cost of living increases for the Noxious Weed Board’s annual Assessment rate codified in section [3.65.030](#) Rates and update related section [3.65.020](#) Land classification for consistency with applicable law.

Section 3. Amendments to Chapter [3.65](#) JCC Adopted. Amendments to chapter [3.65](#) JCC, including section [3.65.020](#) Land classification and section [3.65.030](#) Rates, as reflected in **ATTACHMENT A**, are hereby adopted.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or its application to other persons or circumstances shall be fully valid and shall not be affected.

Section 5. Effective Date. This ordinance shall be effective January 1, 2026.

Section 6. SEPA Categorical Exemption. This ordinance is categorically exempt from the State Environmental Policy Act under WAC [197-11-800](#)(19).

(SIGNATURES FOLLOW ON THE NEXT PAGE)

APPROVED and *ADOPTED* this _____ day of _____, 2025.

SEAL:

JEFFERSON COUNTY BOARD OF
COUNTY COMMISSIONERS

Heidi Eisenhour, Chair

Greg Brotherton, Member

Heather Dudley-Nollette, Member

ATTEST:

APPROVED AS TO FORM:

Carolyn Gallaway, CMC Date
Clerk of the Board

Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney

ATTACHMENT A

AMENDMENTS TO CHAPTER 3.65 JCC ASSESSMENT LEVIED FOR COORDINATING NOXIOUS WEED CONTROL

Strikethrough and underline indicate recommended changes to code section below.

Section 3.65.020 Land classification.

The Jefferson County noxious weed control board has classified land in Jefferson County pursuant to the requirements outlined in RCW 17.10.240. The classifications of land subject to assessment are defined as forest and nonforest as provided ~~in Attachment A to the ordinance~~ ~~codified in this chapter which by this reference is incorporated herein.~~ below:

(1) Non-Forestry. All real property parcels in Jefferson County that have an upland component or distributed land share and are not classified in another category listed here. Includes, but is not limited to condominiums (timeshares and non-timeshares), State Parks, County Parks, conservation lands, schools, libraires, fire district facilities, churches, agricultural lands, ports, and other real property parcels not-classified elsewhere.

(2) Forestry. Real property parcels in Jefferson County that are in the designated Timber and Forestlands (chapter 84.33 RCW), Open Space, Agricultural, Timberlands (chapter 84.34 RCW), and public lands managed for timber as identified by the Jefferson County land use codes 9710 (County owned timberlands), 9720 (State DNR managed timberlands) and 9725 (State Forest Board timberlands).

(3) Public Roads (State, County, City). State, County, and City roads will each be assessed as one parcel per jurisdictional entity, with an aggregate assessment determined by evaluating the length and functional width of each segment under the jurisdiction of the fee assessment payer and develop an appropriate parcel count and acreage aggregate. The non-forestry rates will be used.

(4) Lands not subject to the Noxious Weed Assessments, include:

- a. Federal and Tribal Trust lands;
- b. Mineral rights;
- c. Standalone tideland parcels and tideland acreage;
- d. Standalone water parcels and water acreage;
- e. Common areas and open space as separate parcels where the land is assessed through other parcels (acreage may be distributed to the other parcels for calculating the Noxious Weed Assessment (NWA) fees);
- f. Private roads as separate parcels where the land is assessed through other parcels (acreage may be distributed to the other parcels for calculating the NWA fees);
- g. Parcels with taxable values exempted under RCW 84.36.015;

- h. Improvements Only parcels (no direct land component);
- i. Parcels determined by the county assessor to qualify for a senior citizen or disabled persons property tax exemption under RCW 84.36.381 on January 1st of the tax year; and,
- j. Properties within the boundaries of the Olympic National Park (RCW 37.08.210).

(5) If a portion of a real property parcel does not satisfy any exemption criteria specified in this section, then the parcel shall be subject to said fee.

Section 3.65.030 Rate.

(1) An assessment for the Jefferson County noxious weed control program of \$4.00 per parcel and \$0.30 per acre \$5.50 per parcel and \$0.45 cents per acre on all property not classified as forest land shall be imposed annually. The Jefferson County Noxious Weed Control Board has classified land in Jefferson County pursuant to the requirements outlined in RCW 17.10.240. The classifications of land subject to assessment are defined as forest and nonforest, and as provided in section 3.65.020 JCC Land classification.

(2) Under RCW 17.10.240, forest lands may be subject to an annual noxious weed assessment that does not exceed one-tenth of the weighted average of the per acre and per parcel rate levied on other lands that are subject to the weed assessment.

(3) Property classified as forestland, as defined in RCW 84.33.035, which is used solely for the planting, growing or harvesting of trees and which is typified, except for a single five-year period following clear-cut logging, by canopies so dense as to prohibit the growth of an understory, shall be assessed at the rate of \$0.40 per parcel and \$0.03 per acre. as specified in RCW 17.10.240(2), shall be assessed at one-tenth the non-forestland rate or \$0.55 per parcel and \$0.045 cents per acre.

(4) State forest lands managed under RCW 79.22 shall be considered to be forestland for the purpose of this assessment.

(5) The parcel and acreage assessment for condominium timeshares will be levied based on each physical condominium unit and divided among the unit shares.

(6) Annual Assessment will be adjusted per Annual Fee Indexing. Fixed amount fees established by this ordinance shall be adjusted annually on the first business day of January (adjusted date) by the amount of the increase in the Consumer Price Index (CPIW). The CPIW is the Consumer Price Index – U.S. City Average for All Urban Wage Earners and Clerical Workers, published by the Bureau of Labor Statistics for the United States Department of Labor. The annual fee adjustment shall be calculated as follows: The fee in effect immediately prior to the adjustment

date will be increased by the percentage increase in the CPIW as reported for the month of September preceding the adjustment date.

(7) Increases to the Noxious Weed Annual Assessment will be rounded to the nearest cent for the per parcel rate and the nearest tenth of a cent for the per acre rate.

(8) Timber rates are one tenth of each per parcel and per acre rate.

(9) The Noxious Weed Assessment shall not be reduced due to Annual Fee Indexing.

(10) Noxious Weed Assessment Fee increases in accordance with this calculation shall not exceed five percent per year.

Noxious Weed Assessment Increase Recommendation

September 22, 2025

Presented by Sophie DeGroot, Jefferson County Noxious Weed Coordinator

Jefferson County Courthouse, BoCC Chambers

Follow Up

- Hearing occurred on September 15, 2025 and continued for BoCC deliberations on September 22, 2025.
- **Exemption.** Added to proposed ordinance the following sections:
 - **3.65.020(4)(j) JCC Land Classification:** Properties within the boundaries of the Olympic National Park (RCW 37.08.210).
 - **3.65.030(5) JCC Rate:** The parcel and acreage assessment for condominium timeshares will be levied based on each physical condominium unit and divided among the unit shares.
- **Forestlands.** RCW 17.10.240(2): Forestlands used solely for the planting, growing, or harvesting of trees and which are typified, except during a single period of five years following clear-cut logging, by canopies so dense as to prohibit growth of an understory may be subject to an annual noxious weed assessment levied by a county legislative authority that does not exceed one-tenth of the weighted average per acre noxious weed assessment levied on all other lands in unincorporated areas within the county that are subject to the weed assessment. This assessment shall be computed in accordance with the formula in subsection (3) of this section.

Follow Up

- **Forestlands.** RCW 17.10.240(2):
 - Since the hearing on 09/15, staff consulted with additional Noxious Weed Board Coordinators to double check interpretation and application. Consensus is that Jefferson County's proposed code interpretation is consistent with other Boards, taking into account the following:
 - "5-year exception" applies to type of land, not assessment ability.
 - No way to track or enforce harvest information.
 - Logging operations by large landowners do not always follow parcel boundaries.
 - Goal is to provide predictability, consistency, and avoid fluctuation of budgets for both Noxious Weed Board and forestland owners.

Recommendations

- Recap:
 - On August 11, 2025, the JCNWCB voted to:
 - Raise the assessment:
 - \$5.50 / parcel
 - \$0.45 / acre
 - Add Inflation Adjustment
 - On September 15, 2025, BoCC held a public hearing on the proposed amendment language. Based on BoCC discussion and public comment, staff recommend minor modifications to the proposed ordinance, specifically addressing the exemption criteria and assessment calculation for condominium timeshares. The remaining content is substantively the same.
 - Staff request BoCC approve and adopt the proposed ordinance amending the Noxious Weed Assessment Rate, which shall be effective January 1, 2026.

Staff Contact: Sophie DeGroot, sdegroot@co.jefferson.wa.us, 360-316-9332