

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, March 5, 1984

- 9:00 a.m. Public Hearing - Formation of a Diking District and Drainage District in the Lower Samish River Area.
- 10:00 a.m. Planning Department - Robert Schofield, Director:
1. Discussion - Permit Granting Procedures for Accessory Buildings.
 2. Discussion - Department of Natural Resources participation in the Northern State Grounds and Building Enhancement Project.
 3. Miscellaneous items.
- 11:00 a.m. Resolution - Establishment of Fee Schedule for Superior Court Local Rules - Carol Perusek, Director of Court Services.
- 11:15 a.m. Resolution - Ordering Sale of County Property - Ruth Wylie, County Treasurer.
- MISCELLANEOUS ITEMS
- 2:30 p.m. Resolution - Proclaiming Foreign Language Week.
Resolution - Proclaiming Red Cross Month.
- MISCELLANEOUS ITEMS
- 3:00 p.m. Executive Session - Land Acquisition and Labor Negotiations.

The Board of County Commissioners met in regular session on the above noted date. Commissioners Norris, Mansfield and Rohrer were present.

Public Hearing - Formation of a Diking District and Drainage District in the Lower Samish River Area.

Megan Cheney, in behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of

Public Hearing, as published in the Skagit Valley Herald on February 17, February 24, and March 2, 1984.

Robert Schofield, Director of the Planning Department, passed out maps showing the boundaries of the proposed district. He reviewed the Staff Findings of the Planning Department, concluding that the Planning Department recommended approval of the formation of the Allen Diking and Drainage District Request #83-3.

Mr. Schofield reviewed the findings of the Boundary Review Board's January 24, 1984, hearing. Findings of the Boundary Review Board included the following:

- a. The formation of these special districts would compliment and enhance the present agricultural use of the land.
- b. No significant growth would result from the proposed action.
- c. No additional municipal or utility services would be needed.
- d. The formation of the districts may require the imposition of additional regulations and taxes by the districts themselves.

Based on these findings, the Boundary Review Board recommended approval of the districts without modification.

Mr. Schofield stated that the original application was received on November 22, 1983. The Boundary Review Board held a hearing in January at their earliest opportunity, and made their decision in February.

Attorney Gary Jones stated that Commissioners Norris and Mansfield had attended a meeting regarding the formation. Approximately 70 percent of the land owners signed a petition requesting the formation of the districts. Initially, when the petitions were obtained, it was to be a diking and drainage district. However, it is now understood that the two districts must be separate in order to provide maximum effectiveness.

Ray Smalley, 989 Chuckanut Drive, Burlington, asked if the proposed districts were to be new districts. Don Nelson, Flood Control Engineer responded that these districts will be new districts operating independently of the other districts.

Victor Jensen, 1310 Field Road, Bow, questioned the formation of two separate districts. Chairman Norris and Mr. Schofield explained that the boundaries of the two districts will be the same, but there will be a diking district and a drainage district.

Ron Knutzen, 1462 Allen West Road, Bow, stated that timing was extremely important with this issue.

Lloyd Loop, 1368 Field Road, Bow, expressed concern about two large holes in the dike, which make it impossible for him to farm his land.

Neil Omdahl, 1449-C Allen West Road, Bow, said lack of funds was the reason the holes have not been repaired.

Chairman Norris said the County will provide rock for repairs if the property owner will apply for it.

Ray Smalley had a question about repair of a road. The Board directed him to contact the Highway Department.

Commissioner Mansfield stated that the main purpose of the districts would be to coordinate matters within the districts.

Ron Knutzen asked if the commissioners within the district will have the power to act for the district. Chairman Norris responded that the elected commissioners will have jurisdiction over the district.

No one present questioned the need for the formation of the districts. Commissioner Mansfield motioned to close the public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Commissioner Mansfield motioned to call for an election on the formation of a Lower Samish River Diking District. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #9982)

Commissioner Mansfield motioned to call for an election on the formation of a Lower Samish River Drainage District. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #9982)

PLANNING DEPARTMENT - ROBERT SCHOFIELD, DIRECTOR.

1. Discussion - Permit Granting Procedures for Accessory Buildings.

Steve Wood of the Permit Center presented the Board with a memorandum regarding the permit process used with the Ed Hawkings building at 1102 Markwood Road, Burlington.

Chairman Norris asked if there were any height restrictions, such as for solar easements. Robert Schofield replied that at this time there are no solar easement provisions. Solar easement provisions have been drafted, but have not yet been adopted.

Roxanne Michael, County Building Official, defined a loft according to the County Building Code.

Mr. Wood read a letter from John Rumsey, of the Public Works Department, regarding truck traffic on Markwood Road.

He stated that a load limit, as Mrs. Waldschmidt had requested, would not be feasible because school buses and fuel trucks, etc., still have to use the road. Chairman Norris questioned the use of Markwood Road by trucks. Mr. Rumsey stated that nearly all truck traffic does take Goldenrod Road.

Chairman Norris asked what would happen if in the future Mr. Hawkings starts using his building for commercial use. Mr. Wood replied that the Permit Center would probably send a letter advising him to obtain a Conditional Use Permit. Commissioner Mansfield noted that it is difficult to control the use of a building. He added that there should be some definite height restriction. Mr. Schofield proposed adopting a height restriction for future buildings.

Leo Waldschmidt, 1105 Waldschmidt Acres, Burlington, stated that the permit granted for the Hawkings building was for a 60-foot by 46-foot by 24-foot high building. His measurements show that the building is now 64 feet by 46 feet by 28 feet high.

Chairman Norris read the following letters which Mr. Waldschmidt presented:

1. Fisher & Sons, Inc., P.O. Box 534, Burlington, WA 98233.
2. DuCap Electronics, Inc., 1259 Goldenrod Road, Burlington, WA 98233.
3. Mr. and Mrs. Darrell Wiseman, 801 Fairhaven Avenue, Burlington, WA 98233.

All three letters stated opposition to the Hawkings building.

Mrs. Waldschmidt stated that she did request a load limit on the road, but did not intend for it to apply to school buses or fuel trucks. She described the inside of the Hawkings building.

Mr. Schofield requested a week to check into the new developments of the building. He also suggested reviewing the entire section of the zoning ordinance concerning this activity in a residential area.

Mr. Waldschmidt listed the various equipment located at 1102 Markwood Road. He compared the height of the Hawkings building to the other commercial buildings which are not as high. Mr. Waldschmidt stated that they gave 60 feet of right-of-way in front of their farm property on the Frontage Road in exchange for no truck traffic on Markwood Road, with the exception of school buses and fuel trucks, etc.

2. Discussion - Department of Natural Resources participation in the Northern State Grounds and Building Enhancement Project.

Robert Schofield read a letter from Brian Boyle regarding the Washington Conservation Corps' assistance with the project. He stated that it was

probably too far to bring a crew from Monroe, but he would like to help. He referred the County to Bill Wallace in Olympia. Mr. Schofield is expecting to hear from him later this week.

3. Miscellaneous items.

There were no miscellaneous Planning Department items.

MISCELLANEOUS ITEMS

Robert Taylor, Commissioners' Assistant, presented the following items:

1. The Board approved for signature a Dance License Application for the Idle Hour Tavern located at 706 Old 99, Burlington.
2. The Board approved for signature a renewal of Consulting Service Agreement between Skagit County and William M. Mercer, Inc.
3. Robert Taylor presented the following Petitions for Property Tax Refund:
 - a. Ruth L. Cressey, 447 Ida Drive, Sedro Woolley, WA 98284, in the amount of \$247.92.
 - b. Walter M. Merchant, 1515 Douglas, Mount Vernon, WA 98273, in the amount of \$107.64.

Commissioner Mansfield motioned to approve the above listed Petitions for Property Tax Refunds. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

4. Commissioner Rohrer motioned to approve the Records of the Proceedings for Monday, February 27, 1984, and Tuesday, February 28, 1984. Chairman Norris seconded the motion. The motion was carried unanimously.
5. Commissioner Rohrer motioned to approve the Record of the Proceedings for Wednesday, February 29, 1984. Chairman Norris seconded the motion. The motion was carried and so ordered.

Resolution - Establishment of Fee Schedule for Superior Court Local Rules - Carol Perusek, Director of Court Services.

Carol Perusek, Director of Court Services, presented the Board with a Resolution Establishing a Fee Schedule and Charges for the Superior Court Local Rules. Commissioner Mansfield motioned to adopt the resolution which would allow Superior Court to charge \$5.00 per set of local rules. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #9983)

Resolution - Ordering Sale of County Property - Ruth Wylie, County Treasurer

Ruth Wylie, County Treasurer, presented the Board with a Resolution Ordering the Sale of County Property. Commissioner Mansfield motioned to adopt the resolution allowing the Treasurer to hold a public auction to sell six properties which were not sold at the last foreclosure sale. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #9984)

Mr. Kaker was present to protest his property being sold by the County because he didn't pay his taxes. Ruth Wylie stated she would give him a copy of the law which allows the County to foreclose on property.

MISCELLANEOUS ITEMS

1. Commissioner Rohrer motioned to approve Warrants #34279 through #34297 in the amount of \$8,112.71. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (R-7)
2. Jon Aarstad, Director of Parks, Recreation and Senior Services, presented for the Board's approval and signature the Standard Form of Agreement Between Skagit County and Fisher & Sons, Inc., for the Skagit Valley Multi-Purpose Facility project. The Board also approved for signature Change Order #1, which calls for an increase in the number of calendar days from written notification of approval of the Contract by authorized signatures of all parties to Substantial Completion from 180 to 200 days.
3. Jon Aarstad presented for the Board's approval a draft letter to four individuals who worked on the Swinomish Channel project.
4. Jon Aarstad presented several additional letters for the Board's review.

Resolution - Proclaiming Foreign Language Week.

Commissioner Rohrer motioned to adopt the Resolution Proclaiming Foreign Language Week as March 4 through March 10, 1984. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (Resolution #9985)

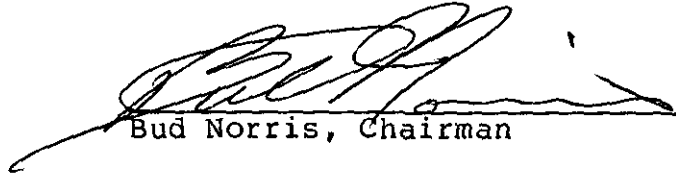
Resolution - Proclaiming Red Cross Month.

Paul Smith was present representing the Red Cross. Commissioner Mansfield motioned to approve the Resolution Proclaiming March as Red Cross Month. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #9986)

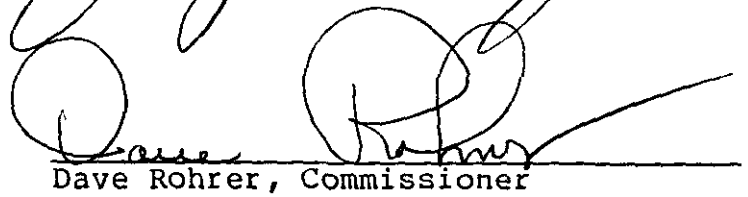
ADJOURNMENT

Commissioner Rohrer motioned to adjourn the proceedings. Commissioner Mansfield seconded the motion. The motion was carried unanimously.

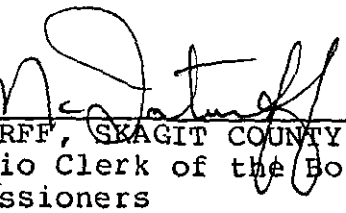
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Bud Norris, Chairman


Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner




JERRY MCINERFF, SKAGIT COUNTY AUDITOR
and Ex-Officio Clerk of the Board of
County Commissioners