

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, April 9, 1984

- 10:00 a.m. Program Funding for Developmental Disabilities - JoAnn Angevine, Coordinator, Community Services.
- 10:30 a.m. Proclamation - Earthquake Awareness Week - Tom Sheahan, Director, Emergency Services.
- 11:00 a.m. Planning Department - Bob Schofield, Director:
1. Charles Dodd Appeal of Hearing Examiner decision regarding Special Use Permit #SP-82-010.
 2. Miscellaneous items.
- MISCELLANEOUS ITEMS
- 12:00 Noon Emergency Services Council Meeting - Rock E's Restaurant, Burlington.
- 2:00 p.m. Discussion - Downtown Mount Vernon Revitalization, Ray Reep, Mayor of City of Mount Vernon.

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

PROGRAM FUNDING FOR DEVELOPMENTAL DISABILITIES - JoAnn Angevine, Coordinator, Community Services.

JoAnn Angevine described the requests for funding, as outlined in her memo to the Board:

1. Skagitron: \$1,500 for adaptive tools, such as wire stripper, circuit board lead cutter, and bend/cut machine for circuit board parts. These tools would enable some people to be more productive.

Ms Angevine stated that there are presently 18 people working at Skagitron, and there is also a waiting list, as well as a need for a larger facility.

2. STR Center of New Leaf: \$1,500 for two regular sewing machines to augment weaving program, a timeclock, and a refurbished cash register.

3. SPARC: \$1,500 for purchase of a sound-proof acoustical door to separate hearing impaired program from rest of new SPARC building.
4. Chinook: \$1,500 for partial funding of a mid-sized tractor for a Thousand Trails grounds maintenance program at Friday Creek.
5. Developmental Disabilities: \$2,000 matching funds for a 25 passenger SCOA owned van for transportation of area handicapped citizens.
6. Mental Health: \$2,500 matching funds for one SCOA owned UMPTA van for transportation to day treatment program and to enhance the Community Support Program.

Chairman Norris stated that the total of these requests is \$10,500. These items were included on the County's list of items for future funding.

Commissioner Mansfield motioned to approve the expenditure of funds from the Commissioners Reserve Fund for the above listed items. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

The Board asked Ms Angevine to prepare letters to each of the agencies receiving funds informing them of the County's appropriations.

PROCLAMATION - EARTHQUAKE AWARENESS WEEK - Tom Sheahan, Director, Emergency Services.

Tom Sheahan presented the Board with a Proclamation signed by Governor John Spellman declaring April 8 through April 14, 1984, as Earthquake Awareness Week in Washington State.

Mr. Sheahan presented a resolution for the Board's approval and signature, proclaiming April 9 through April 13, 1984, as Earthquake Awareness Week in Skagit County. He explained that the Department of Emergency Services would be showing two programs designed to make people more aware of the potential threat of earthquakes and of those things that can be done before, during, and after an earthquake to save lives, protect property, and mitigate damages and injuries. These programs are available by contacting the Department of Emergency Services.

Commissioner Mansfield motioned to adopt the resolution proclaiming the week of April 9 through April 13, 1984, as Earthquake Awareness Week in Skagit County. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10025)

MISCELLANEOUS ITEMS

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

1. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, April 2, 1984, and Tuesday, April 3, 1984. Commissioner Mansfield seconded the motion. The motion was carried unanimously.
2. The Board approved for signature two Sale of County Land statements, which finalized the sales as a result of last week's auction. Account No. 353501-0-004-0003 was sold to John Korchinski, Box 81, La Conner, Washington 98257, for the sum of \$235. Account No. 4113-022-012-0006 was sold to the State Bank of Concrete, P.O. Box 426, Concrete, Washington 98237, for the sum of \$1,275.
3. The Board approved for signature an Application for Dance License for Charles Blair for the Midway House, effective April 6, 1984, through April 5, 1985.
4. Commissioner Mansfield motioned to approve the Petition for Property Tax Refund for Harley C. Waldrick, P.O. Box 267, Concrete, Washington 98237, in the amount of \$126.33, for a senior citizen exemption, as recommended by the Treasurer. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Petition #844466)
5. The Board discussed the procedure for issuing a Pawn Brokers and Second-Hand Dealers License. Robert Taylor explained the procedure according to Chapter 5.04 of the Skagit County Code. Accordingly, the County Sheriff has the responsibility of approving or denying the license. If the Sheriff approves the license, it then goes to the Board for signature. If the Sheriff denies the license, the Auditor then appeals the license application to the Board of Commissioners.

The Board expressed a desire to be left out of the process if the Sheriff approves the license, since they have no approval or disapproval in signing the license. Chairman Norris requested that the Prosecuting Attorney, Auditor and Sheriff all meet with the Board to discuss the procedure before signing the license.

6. Commissioner Mansfield motioned to adopt the resolution calling for the transfer of funds from the Commissioners Reserve Fund to the Community Services Agencies (\$10,500) and Pioneer Association Contract (\$3,832 for Centennial Committee). Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10026)

PLANNING DEPARTMENT - Bob Schofield, Director:

1. Charles Dodd Appeal of Hearing Examiner decision regarding Special Use Permit #SP-82-010.

John Moffat, Assistant Prosecuting Attorney, explained that the Board could approve the decision of the Hearing Examiner, remand the matter back to the Hearing Examiner, or hold their own public Hearing on the matter.

Steve Wood, Zoning Administrator of the Permit Center, read the Hearing Examiner's Report on the construction and operation of a sawmill. The Hearing Examiner found that Mr. Dodd was in violation of the following conditions of the issued Special Use Permit #SP-82-010:

Condition 2: Hours of operation shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. - The Hearing Examiner also found that this condition as written was ambiguous and required additional clarification.

Condition 3: Waste products shall be removed from the site on a weekly basis. - The Hearing Examiner also found that this condition was ambiguous and required additional clarification.

Condition 5: The perimeter of the site on the north, west and east sides shall be screened by a double row of evergreen trees, three to four feet in height at planting and spaced a maximum of ten feet on center.

Evidence and testimony submitted during the public hearing also supported the following findings regarding other ordinances, statutes and requirements applying to the operation of Mr. Dodd's facility:

1. The Hearing Examiner found that Mr. Dodd was in violation of the Skagit County Code and the Washington Administrative Code with regard to maximum environmental noise levels.
2. The Hearing Examiner found that Mr. Dodd was in violation of the Skagit County Code with regard to erosion resulting from the fact that Mr. Dodd had not provided adequate drainage facilities to direct surface water away from the property of Mr. Paul Meaney.

In the Hearing Examiner's conclusion and decision, dated February 1, 1984, the Special Use Permit dated December 27, 1983, was rescinded and superseded by the revised permit. Condition 2 of the Special Use Permit was modified to clarify hours of operation, and Condition 3 was modified to specify conditions regarding waste products. Mr. Dodd was ordered to immediately comply with revised Conditions 2 and 3. He was given 30 days from the date of the order to comply with Condition 5, regarding drainage and noise.

Mr. Wood stated that William Nielsen, attorney for Mr. and Mrs. Dodd, had asked for reconsideration by the Hearing Examiner. He then submitted a supplement to the Notice of Appeal, listing the errors in his opinion made by the County.

Chairman Norris asked if allowing Mr. Dodd more time in which to comply with the conditions would be a viable solution. John Moffat stated that he didn't think they would comply with the conditions even if given more time.

Mr. Wood stated that the stop work order was issued three weeks prior to the public hearing. Following the public hearing, Mr. Dodd was given 30 days to comply with the conditions. Mr. Wood stated that contrary to what Mr. Nielsen believes, according to the Skagit County Code, conditions can be added to a Special Use Permit after the permit is issued. When he did not meet those conditions, the permit was suspended.

Commissioner Mansfield stated that this is a situation where Mr. Dodd has been given adequate time to comply with the conditions set, so in his opinion, the only thing the Board can do is uphold the Hearing Examiner's decision.

Mr. Moffat stated that no specific noise conditions were shown on the original permit, although there are noise and drainage standards which apply for each zoning area according to Skagit County Code.

Commissioner Rohrer stated that the only thing Mr. Dodd did to improve the drainage was to dig a ditch.

Mr. Wood read a report dated March 28, 1984, by Don Nelson, Flood Control Engineer, following his inspection of Mr. Meaney's property. He noted from the conditions on the site that the sawmill may be contributing to the drainage problem, but the entire blame cannot be placed on the sawmill.

Otto Walberg, of the Planning Department, stated that he had no problem with extending the time for Mr. Dodd to comply with the conditions.

Commissioner Mansfield asked if the conditions could be complied with in a reasonable amount of time. Mr. Wood stated that the noise condition would be difficult to resolve.

Mr. Walberg stated that Mr. Dodd should be able to comply with all of the conditions except the noise condition without major modifications to his sawmill. The noise code is very stringent for that area. Variances for noise are only issued for short term projects. It may be too costly to correct the noise problem.

Commissioner Mansfield stated that, in his opinion, there was nothing to do but deny the request that the Hearing Examiner's decision be reversed.

Commissioner Rohrer suggested allowing Mr. Dodd 30 additional days in which to comply with the conditions.

Chairman Norris stated that he was concerned with setting a precedent. He suggested the Board hold their own public hearing in 30 days. This

would allow Mr. Dodd 30 additional days to comply. He asked Mr. Moffat if this procedure would be sufficient to correct the error which Mr. Nielsen claims the County made with regard to the hearing process. Mr. Moffat stated that he wasn't sure if this would suffice or if the Dodds even have a legitimate claim.

Chairman Norris stated that a public hearing would show that the Board was making every opportunity for Mr. Dodd to comply. Chairman Norris asked how closely noise restrictions are enforced throughout the County. Mr. Wood stated that these restrictions are enforced as much as possible.

Robert Taylor, Commissioners' Assistant, scheduled the public hearing on May 14, 1984, at 1:30 p.m.

Chairman Norris asked if Mr. Dodd could run his mill during the 30+ days to try to comply with the conditions. Mr. Walberg suggested Mr. Dodd obtain an appraisal of what it would cost to bring the mill into compliance.

Mr. Moffat stated that the mill can be tested without being in violation of the suspended permit. The County staff will take noise level readings at any time Mr. Dodd would like.

Commissioner Mansfield motioned to hold a public hearing on May 14, 1984, at 1:30 p.m., for the purpose of giving an opportunity to assess, evaluate, and make improvements to the Dodds' sawmill. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

2. Miscellaneous items.

Bob Schofield, Planning Director, presented the following items:

- a. The proposals for preparation of the EIS for Cypress Island have been reviewed, and Shapiro & Associates, Inc., of Seattle, seems to be clearly superior. They were also the highest price, because their proposal identified all anticipated studies necessary, while other proposals stated that additional studies would be added. Mr. Schofield said they are negotiating with Shapiro & Associates, Inc., about their price. Their original price was \$96,000, and has been reduced to \$80,000 for the nearly year-long project.

Commissioner Mansfield motioned to allow the Planning Department to negotiate with Shapiro & Associates, Inc., for preparation of the Cypress Island EIS. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

- b. The Board approved of imposing a \$10 fee for reviewing boundary adjustments, provided that the adjustment does not create another building lot.

- c. The Board gave permission for Mr. Schofield to attend a Boundary Review Board workshop in Bellevue in June.
- d. The Board was informed that due to new SEPA regulations in effect, a \$50 fee will be imposed to cover posting and advertising costs. Mr. Schofield asked that it be understood that this would be a Planning Department fee, not a Permit Center fee.

Chairman Norris was present for the following items. Commissioners Mansfield and Rohrer were absent.

DISCUSSION - DOWNTOWN MOUNT VERNON REVITALIZATION - Ray Reep, Mayor of City of Mount Vernon.

Mike Woodmansee, Clerk-Treasurer of the City of Mount Vernon, began the discussion by stating that two items needing to be addressed regarding the revitalization project were parking and traffic. In talking about the Mount Vernon shopping district, there is a need for ways to enhance the shopping area and possibly consider a parking garage. But before we consider altering downtown Mount Vernon, parking and traffic need to be resolved.

Chairman Norris stated that he could only speak for himself, since there wasn't a quorum. In his opinion, parking would be the most important item to consider. He stated that the County has acquired more property to try to relieve the County's parking problems, but is still open to additional ideas.

Mr. Woodmansee stated that parking is, of course, a concern of the merchants.

Chairman Norris suggested that staff members of the Planning Department or Public Works Department should meet with staff members of the City of Mount Vernon to see if there are some joint venture possibilities. He suggested doing the preliminary work at the staff level before meeting together as elected officials, rather than hiring someone to do the preliminary work.

Mr. Woodmansee stated that the County receives 15 percent of every dollar of sales tax the City of Mount Vernon receives. Although the financial benefit to the County is not as great as to the City, there is still some benefit.

Chairman Norris stated that if the County has a staff member who could be useful in the preliminary work, the County will try to work with the City on the matter. However, he wanted to speak with Commissioners Mansfield and Rohrer before proceeding. Robert Taylor, Commissioners' Assistant, will be in contact with Mike Woodmansee as soon as a decision is made in approximately one to two weeks.

Mayor Ray Reep stated that John Wiseman, of the City of Mount Vernon's Engineering Department, is interested in assisting with the preliminary work.

Conrad Breitenstein, of the Condensery, stated that he was concerned with egress and ingress of traffic and felt that a traffic study was needed.

Chairman Norris stated that the County is willing to look at the problems if the County is to blame, but the study of traffic patterns in the City of Mount Vernon should be the City's affair.

Mayor Reep pointed out that there are two major intersections which would benefit from alignment, namely First and Division Streets intersection (this intersection is controlled by the State and may be addressed in 1985) and Third and Kincaid Streets intersection.

Chairman Norris stated that the Third and Kincaid Streets intersection has been discussed before, but the Parks, Recreation and Sr. Services Department building is in the way of Third Street going straight through.

Jim Repass, architect, stated that the majority of the responsibility of any revitalization plan will fall on the City, however, the County should also be involved to some extent. He stated that the two keys to the project would be parking and financing.


Chairman Norris stated that a joint effort would certainly be most beneficial to everyone in the City of Mount Vernon and Skagit County. He thanked everyone for coming.

ADJOURNMENT

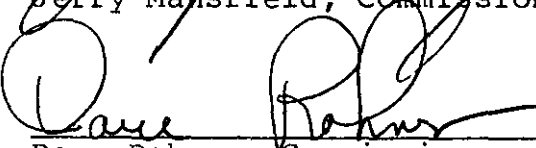
Chairman Norris adjourned the proceedings.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

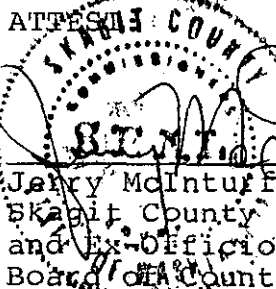

Bud Norris, Chairman



Jerry Mansfield, Commissioner



Dave Rohrer, Commissioner

ATTEST



Jerry McInturff
Skagit County Auditor
and Ex-Officio Clerk of the
Board of County Commissioners