

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, April 24, 1984

- 8:30 a.m. Work Session - Public Works Department - Road Supervisors.
- 9:00 a.m. Public Works Department - Gene Sampley, Director:
1. Public Hearing - Road Establishment - Lily Lake Road.
 2. Public Hearing - Road Establishment - Sweetwater Road.
 3. Public Hearing - Road Establishment - Clark Cabin Road.
 4. Call for Bid - Two dump trucks.
 5. Call for Bid - Wheel loader.
 6. Call for Public Hearing - Vacation of roads in Fidalgo Bay Addition.
 7. Signature on appraisals - Little Mountain Road.
 8. Discussion - Easement request - Walker Valley Gravel Pit.
 9. Discussion - Road surfacing.
 10. Miscellaneous items.
- 10:00 a.m. Discussion - Solid Waste Incineration - Mayors.
- 11:00 a.m. Parks, Recreation and Senior Services Department - Jon Aarstad, Director:
1. Bid Opening - Skagit Playfield Fencing.
 2. Miscellaneous items.
- MISCELLANEOUS ITEMS
- 1:30 p.m. Discussion - Recreational use of the Concrete Pool - Dr. Carl Shaff, Superintendent, Concrete School District, and Jack Ketcham, Chairman Concrete School Board.

2:00 p.m.

Planning Department - Robert Schofield,
Director:

1. Planning Commission referred items:
 - a. James Zielinski Rezone Request #R-84-003.
 - b. Mark Houser Rezone Request #R-84-007.
 - c. Samish Meat Packers Rezone Request #R-84-009.
 - d. William Christensen Shoreline Substantial Development Request #3-84.
 - e. Lopez Salmon Shoreline Substantial Development Request #8-84.
 - f. Evarts Whipple Open Space Request #7-85.
 - g. Tom Stakkeland Timber Open Space Request #12-85.
 - h. Thomas Solberg Timber Open Space Request #25-85.
 - i. Robert Giles Timber Open Space Request #27-85.
 - j. Richard Hurley Timber Open Space Request #51-85.
2. Discussion - Policy on Temporary Flower and Fruit Stands.
3. Miscellaneous items.

MISCELLANEOUS ITEMS

The Board of County Commissioners met in regular session on the above noted date with Commissioners Norris and Rohrer present. Commissioner Mansfield was absent.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Public Hearing - Road Establishment - Lily Lake Road.

Megan Cheney, on 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 April 13, and April 20, 1984.

John Rumsey, of the Public Works Department, located the Lily Lake Road in the Alger area north of the intersection of the Barrell Springs Road and the Wood Road. He stated that the road has been graded by County forces on a regular basis and appears to meet the criteria for a primitive road designation.

Mary Hilliard asked if the County could maintain the Lily Lake Road all the way to the last house, as they did ten years ago. Chairman Norris and John Rumsey explained that the application for establishment was only for that portion called out in the legal description.

Commissioner Rohrer motioned to approve the establishment of the Lily Lake Road as a County road. Chairman Norris seconded the motion. The motion was carried and so ordered.

2. Public Hearing - Road Establishment - Sweetwater Road.

Megan Cheney, on 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 April 13, and 20, 1984.

John Rumsey, of the Public Works Department, located the Sweetwater Road in the Alger vicinity. He stated that the road is approximately 1/3 mile in length and is not currently up to County road standards. It was recommended that the road be improved to County standards before being established as a County road.

Jay Haun, 413 Sweetwater Road, Bow, stated that the owner of the development (Bayview Farms) had agreed to improve the road up to old standards if the County would establish the road at that time.

Tom Hollis, the owner of the Bayview Farms development asked if gravel and oil paving would suffice or if asphalt paving would be required to meet County standards. Mr. Rumsey stated that this topic was scheduled for discussion later in the day. The County was considering requiring paving instead of the light bituminous surface treatment which has been acceptable in the past.

Chairman Norris stated that the road should be improved to County standards before being established as a County road. He also noted that in his opinion, whatever form of surface treatment was adopted, it

shouldn't be retroactive to affect Mr. Hollis, as he had begun the proceedings for road establishment earlier.

Mr. Hollis stated that the road could be completed in approximately three or four months.

Commissioner Rohrer motioned to approve the Sweetwater Road as a County road, contingent upon the criteria listed on the Engineer's Report.

3. Public Hearing - Road Establishment - Clark Cabin Road.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of Commissioners, read the Notice of Public Hearing, as published in the Skagit Valley Herald on April 13, and April 20, 1984.

Gene Sampley submitted a petition containing 30 names of people asking the County to continue maintenance on the Clark Cabin Road (or Bullerville Road). He stated that although this establishment was initiated by the County, the Public Works Department recommended against establishment. He located the road off of Highway 20 just outside of Marblemount, and noted that the narrow roadway is approximately 730 feet in length.

Mrs. Clark stated that retired people reside in eleven mobile homes on the Clarks' property. They would appreciate continued maintenance for the benefit of the elderly people living on the road. Winter snowplowing allows emergency vehicles to enter the area.

John Rumsey, of the Public Works Department, noted that there wasn't room to widen the road because the road runs between cabins.

There was some discussion regarding the possibility of accidents on such a narrow roadway.

Mrs. Clark stated that they would be happy to see the County maintain the road just as they have in the past, as the work has been very satisfactory.

Commissioner Rohrer motioned to approve the establishment of the Clark Cabin Road. Chairman Norris seconded the motion. The motion was carried and so ordered.

4. Call for Bid - Two dump trucks.

Gene Sampley presented for the Board's consideration a resolution calling for the Auditor to issue a Call for Bids for two new diesel dump trucks. Mr. Sampley explained that these trucks would be purchased as part of the equipment replacement plan.

Commissioner Rohrer motioned to adopt the resolution calling for the Auditor to issue a Call for Bids for two new dump trucks. Commissioner Norris seconded the motion. The motion was carried and so ordered. (Resolution #10038)

Sealed bids will be received and publicly opened at 9:00 a.m. on Tuesday, May 8, 1984.

5. Call for Bid - Wheel loader.

Gene Sampley presented for the Board's consideration a resolution calling for the Auditor to issue a Call for Bids for one three cubic yard wheel loader to replace an existing loader.

Commissioner Rohrer motioned to adopt the resolution calling for the Auditor to issue a Call for Bids for one new wheel loader. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10039)

Sealed bids will be received and publicly opened at 9:00 a.m. on Tuesday, May 8, 1984.

6. Call for Public Hearing - Vacation of roads in Fidalgo Bay Addition.

Gene Sampley presented for the Board's consideration a resolution authorizing the Auditor to publish a Notice of Hearing with regard to the vacation of portions of certain roads in the Plat of Fidalgo Bay Addition to Anacortes. The Petition for Vacation was initiated by John L. Miller.

Commissioner Rohrer motioned to adopt the resolution calling for a public hearing on the proposed road vacation. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10040)

The public hearing on said petition will be held at 9:00 a.m. on Tuesday, May 15, 1984.

7. Signature on appraisals - Little Mountain Road.

- a. The Board approved for signature the appraisals of two right-of-way acquisition parcels of property on Little Mountain Road: Property owned by John Britt Rogers valued at \$1,271, and property owned by Ramona J. Shinn valued at \$369.
- b. The Board approved for signature the appraisals of two right-of-way acquisition parcels of property on Minkler Road: Property owned by Alf Albertine valued at \$17,970 (\$3,000 per acre), and property owned by Ernie and Blanche Albertine valued at \$12,210 (\$3,000 per acre).

8. Discussion - Easement request - Walker Valley Gravel Pit.

The Board discussed with Gene Sampley the request of Mr. Clay Imhof for an easement to access his property behind the Walker Valley Gravel Pit. It was the consensus of the Board and the recommendation of the Public Works Department that this property should be surplusd in total. Mr. Sampley pointed out that the County cannot issue an easement and would have to go through a bid process for a lease for access purposes.

The Board instructed Mr. Sampley to contact Mr. Imhof to ask if he would be in agreement with that recommendation.

9. Discussion - Road surfacing.

Following discussion of the types of road surfacing available, the Board instructed Gene Sampley to meet with Bob Schofield, Director of the Planning Department, to develop a change in the road standards to include asphaltic concrete surfacing. This item is to be scheduled on the agenda in two weeks as a discussion item at a specified time with a clearly published indication of purpose.

10. Miscellaneous items.

- a. Gene Sampley presented a resolution calling for a public hearing with regard to adoption of an ordinance pertaining to the movement of overwidth farm equipment on County roads.

John Rumsey, of the Public Works Department, explained that the R.C.W. allows the County to issue permits for overwidth vehicles, but the County lacks the rules and regulations to go along with the permits.

Chairman Norris expressed some concerns regarding a call for public hearing, and requested the Public Works Department to bring it back before the Board in two weeks with clear indications as to why this is necessary. The Board concurred that if and when a call for public hearing is made, contact should be made through the Extension Service as well as the other appropriate channels to maximize communication with regard to this ordinance.

- b. The Board approved for signature the Street Lighting Conservation Grant Agreement with Puget Power for conversion of mercury vapor street lights to sodium vapor street lights on Fir Island Road at the Conway Bridge.
- c. The Board approved for signature the Interlocal Agreement with Snohomish County to provide for equipment rental services for 1984.

DISCUSSION - SOLID WASTE INCINERATION - MAYORS.

Chairman Norris opened the discussion with a review of the previous meeting on the subject. He noted that the previous consensus was to proceed as quickly as possible.

Gene Sampley, Director of the Public Works Department, passed out a synopsis of his contact with the Navy regarding the solid waste incineration project. He stated that the County was originally contacted in 1982 with regard to the incineration plant concept at NAS Whidbey. The County received four proposals on a local waste to energy proposal, one of which was rejected immediately as nonresponsive. Difficulties were encountered in the process of evaluating the remaining three proposals for a variety of reasons including significant technological and operational differences.

Mr. Sampley stated that the County responded to the Navy's preliminary study of the project, which was issued in August 1983, but received no response back from the Navy. The Navy later explained that due to personnel changes, this project was overlooked. Mr. Sampley reviewed his March 28, 1984, meeting with the Navy.

Mr. Sampley explained that the Navy has now decided not to initiate the project. They are interested in being a customer, however, if anyone else wants to initiate the project. Mr. Sampley pointed out the attachment to his synopsis, which identified Skagit County's goals for solid waste management.

Sid McIntyre asked which proposal the County rejected immediately. Mr. Sampley responded that R. W. Beck's proposal was rejected because they did not respond to the proposal as they were requested.

Chairman Norris stated that if the Navy is not interested in proceeding, a consultant would be useless. This discussion was scheduled because of the recent change of events.

Jim Rice, Mayor of Anacortes, stated that he would like to see private enterprise build and operate a plant. He was in favor of the Cities helping with the cost of the study.

John Wiseman, City Engineer of Mount Vernon, stated that there should be someone on board to begin with, rather than after the studies are complete.

Chairman Norris stated that the main question now was if a consultant should be hired to formulate a request for proposal, or if we should use the people we have.

Sid McIntyre, representing Thermo Reduction, stated that he didn't see a need for any additional consultants because they have experience and understand the costs from other plants in operation.

Ray Henery, Mayor of Burlington, stated that a consultant was needed to come up with costs, so this project could be figured in their budgets.

Ray Reep, Mayor of Mount Vernon, concurred with Mayor Henery, and added that enough studies have already been done. Now estimates are needed.

Mary Lam, Mayor of La Conner, concurred with Mayor Henery and Mayor Reep, as did the City of Sedro Woolley.

Mayor Rice stated that he tried to talk with Island County, but they weren't interested in discussing the project.

After considerable discussion, it was concluded by the Cities and the County that the County should acquire the services of a consultant to bring this issue to a conclusion. Financing for this consultant service would be on a per capita basis between the Cities and the County.

Chairman Norris requested that Mr. Sampley prepare a request for qualifications and begin the consultant selection process. Chairman Norris thanked those in attendance for being present.

PARKS, RECREATION AND SENIOR SERVICES DEPARTMENT - Jon Aarstad, Director:

1. Bid Opening - Skagit Playfield Fencing.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Call for Bids, as published in the Skagit Valley Herald on April 13, and 20, 1984.

The following bids were received:

- a. Economy Fence Center
2201 Riverside Drive
Mount Vernon, WA 98273

Bid: \$4,353.75

- b. Secoma Fence, Inc.
34515 16th Avenue South
Federal Way, WA

Bid: \$4,136.40

- c. Northwest Fence Co.
8022 15th N.W.
Seattle, WA 98117

Bid: \$3,594.50

- d. Security Contractor Services
9619 8th Avenue South
Seattle, WA 98108

Bid: \$3,995.66

Jon Aarstad will review the bids and report back to the Board at a later date.

2. Miscellaneous items.

Jon Aarstad, Director of the Parks, Recreation and Senior Services Department, presented the following:

- a. The Board approved for signature the resolution proclaiming May 2, 1984, as Retired Senior Volunteer Day for the purpose of recognizing these Senior Volunteers for their outstanding contribution to the quality of community life in Skagit County and for expressing our appreciation to them. (Resolution #10053)
- b. The Board approved for signature the Swinomish Channel drawing of the traffic ramp onto the freeway.

Mr. Aarstad reported that he will contact the Department of Transportation, as the estimates for completing the project keep increasing.

MISCELLANEOUS ITEMS

Duane Kline, Budget and Finance Director, presented the following:

- 1. Commissioner Rohrer motioned to approve Warrants #34592 through #34629 in the amount of \$66,703.62. Chairman Norris seconded the motion. The motion was carried and so ordered. (R-15)
- 2. The Board signed a Certification of Completed Inventory for the twelve month period ending December 31, 1983, as recommended by Duane Kline.

DISCUSSION - RECREATIONAL USE OF THE CONCRETE POOL - Dr. Carl Shaff, Superintendent, Concrete School District, and Jack Ketcham, Chairman, Concrete School Board.

Dr. Carl Shaff, Superintendent of the Concrete School District, was present for the discussion. Jack Ketcham, Chairman of the Concrete School Board was unable to attend the discussion.

Dr. Shaff stated that Concrete has a very nice pool, but it is too costly for the limited use of the school and public. They are in the process of

contacting United General Hospital and Skagit County to see if they might be interested in using the pool to help with the costs.

Dr. Shaff stated that the cost of operating the pool is approximately \$45,000 or more per year. The revenue generated by the pool for 1982-1983 was only \$1,144. Because of the expense, their tentative plans for the future include holding the pool open for only one quarter of the next school year. They are also looking into several alternative heating programs, such as solar and wood.

Chairman Norris asked what the County's use might be for the pool.

Dr. Shaff stated that possibly if the County were to contribute to the operating costs, people from outside the Concrete area would become familiar with and use the pool.

Chairman Norris proposed that Dr. Shaff meet with Jon Aarstad of the Parks, Recreation and Senior Services Department, and also United General Hospital, to determine what contribution they are seeking from the County and what the County's use would be.

Dr. Shaff stated that they presently have a swim instructor retained.

Chairman Norris also suggested that Dr. Shaff might want to contact the Y.M.C.A. to see what they might want to offer.

Dr. Shaff stated that at this time with the limited use of the pool, they have to charge the public too much.

MISCELLANEOUS ITEMS

Jon Aarstad, Director of the Parks, Recreation and Senior Services Department, recommended that the Board award the bid for the Skagit Playfield fencing materials to Northwest Fence Co. They were the lowest bidder of \$3,594.50, and their proposed materials to construct a chain link outfield and line fence at the Skagit Playfield/Park Complex met the specifications.

Commissioner Rohrer motioned to award the bid to Northwest Fence Co. for \$3,594.50. Chairman Norris seconded the motion. The motion was carried and so ordered.

PLANNING DEPARTMENT - Robert Schofield, Director:

1. Planning Commission referred items:

a. James Zielinski Rezone Request #R-84-003.

Otto Walberg, of the Planning Department, stated that this rezone request was to reclassify approximately 20 acres in the La Conner

area from Forestry to Rural for the purpose of creating four 5-acre parcels.

Commissioner Rohrer motioned to adopt the resolution approving the rezone request of James Zielinski, as recommended by the Planning Commission. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10041)

b. Mark Houser Rezone Request #R-84-007.

Otto Walberg, of the Planning Department, reported that this rezone was to reclassify approximately 40 acres from Agriculture Reserve to Rural in order to allow the applicant to divide the parcel into four 10-acre tracts. The subject property is located on the South Skagit Highway approximately 3/4 of a mile west of its intersection with Walberg Road. The Planning Commission recommended approval based on the compliance with the South Central District Comprehensive Plan Map designation of Rural.

Commissioner Rohrer motioned to adopt the resolution approving the Mark Houser Rezone Request #R-84-007. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10042)

c. Samish Meat Packers Rezone Request #R-84-009.

Otto Walberg, of the Planning Department, reported that this rezone was to reclassify approximately 6 acres from Residential to Commercial/Limited Industrial. The Planning Commission recommended approval of the rezone based on the fact that a scrivener's error resulted in the omission of the pre-existing commercial facility on the revised zoning map adopted in October of 1983.

Commissioner Rohrer motioned to adopt the resolution approving the Samish Meat Packers Rezone Request #R-84-009. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10043)

d. William Christensen Shoreline Substantial Development Request #3-84.

Betsy Dwire, of the Planning Department, reported that the applicant was applying for a Shoreline Substantial Development/Conditional Use/Variance Request #3-84 in order to expand an existing motel and apartment complex by adding eight units as a second story to the existing structure. The subject property is located at 1389 Highway 20, Anacortes (Lake Campbell Motel and Apartments). The Planning Commission recommended approval of the request based on the conditions that the applicant obtain all necessary permits from the Skagit County Permit Center prior to construction, and that the

applicant adhere to all applicable regulations of the Skagit County Shoreline Master Program.

Commissioner Rohrer motioned to adopt the resolution approving the William Christensen Shoreline Substantial Development Permit #3-84. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10044)

e. Lopez Salmon Shoreline Substantial Development Request #8-84.

Betsy Dwire, of the Planning Department, reported on this Shoreline Substantial Development/Conditional Use/Variance Request #8-84 of Lopez Sound Salmon for the development of two net pen facilities to raise salmon for commercial sales. The subject properties are located in Deepwater Bay on the southeast end of Cypress Island. The Planning Commission recommended approval of the permit, subject to a list of conditions contained in the resolution.

In response to a question from Chairman Norris, Dr. Bill, the applicant, assured the Board that the nets would be well anchored to prevent them from moving. He noted that a permit will also have to be obtained from the Department of Fisheries, who will also check out their set up.

Commissioner Rohrer motioned to approve the Shoreline Substantial Development Permit #8-84 of Lopez Sound Salmon. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10045)

f. Evarts Whipple Open Space Request #7-85.

This item will be addressed following Item "g."

g. Tom Stakkeland Timber Open Space Request #12-85.

Bob Schofield, Director of the Planning Department, reported on the proposed Timber Open Space Application #12-85 of Tom Stakkeland for a 15.03 acre parcel located between Mud Lake Road and the Babcock Road. The Planning Commission recommended approval of this request.

Chairman Norris suggested that the open space limitations should be reviewed to prevent Residential zoning from becoming Open Space. Mr. Schofield stated that at this time the criteria is extremely strict, and he feels they are very selective in approving these requests.

Commissioner Rohrer motioned to approve Timber Open Space Taxation Request #12-85 of Tom Stakkeland. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10046)

- f. Evarts Whipple Open Space Request #7-85. (Resolution #10047)
- h. Thomas Solberg Timber Open Space Request #25-85. (Resolution #10048)
- i. Robert Giles Timber Open Space Request #27-85. (Resolution #10049)
- j. Richard Hurley Timber Open Space Request #51-85. (Resolution #10050)

Bob Schofield reported that the above listed Timber Open Space Taxation Requests did not meet the criteria for approval. The Planning Commission, therefore, recommended denial of these requests.

Commissioner Rohrer made motions to deny Timber Open Space Taxation Requests #7-85, #25-85, #27-85, and #51-85.

2. Discussion - Policy on Temporary Flower and Fruit Stands.

Bob Schofield reported that they are now dealing with vans, trucks, etc., operating along the side of the road selling flowers, produce, etc. If these operations are not in the same location for 30 days or more, if they don't have a permanent location, and if they aren't in the right-of-way, then they aren't required to obtain a permit. He asked if the Board thought there should be any changes in this policy.

The Board decided to continue to apply the policy as it is presently known.

3. Miscellaneous items.

Bob Schofield, presented the following items:

- a. With the new SEPA legislation as passed by the Legislature, Mr. Schofield reported that his department would like to adopt a checklist to be used. The Board asked Mr. Schofield to prepare a resolution for a public hearing on the item to be presented to the Board at a later date.
- b. Mr. Schofield reported that he plans to send at least the clerk of the Board of Equalization to a training session.

MISCELLANEOUS ITEMS

Duane Kline, Budget and Finance Director, presented the following:

- 1. Commissioner Rohrer motioned to approve Warrants #1921 through #2096 in the amount of \$99,400.26. Chairman Norris seconded the motion. The motion was carried and so ordered. (C-20)

2. The Board approved for signature a letter to Mrs. Nancy Beals, Chairman of the Developmental Disabilities Administrative Board, advising of the \$2,000 in Federal Revenue Sharing Funds the agency will be receiving to be applied to the transportation service provided by Skagit Council on Aging to the County's handicapped citizens.
3. Duane Kline contacted Commissioner Mansfield about the resolution authorizing the Skagit County Prosecuting Attorney to oppose the pending petition by Puget Sound Power and Light Company for a rate increase to pay for the abandoned nuclear plant. Commissioner Mansfield was in favor of adopting the resolution.


Commissioner Rohrer motioned to adopt the resolution authorizing the Skagit County Prosecuting Attorney to oppose the pending petition by Puget Sound Power and Light Company for a rate increase to pay for the abandoned nuclear plant, and further authorize the Prosecutor to take all legal steps necessary to oppose that proposed rate increase. Chairman Norris seconded the motion. The motion was carried unanimously. (Resolution #10051)

ADJOURNMENT

Commissioner Rohrer motioned to adjourn the proceedings. Chairman Norris seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

ATTEST:



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


Bud Norris, Chairman

Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner