

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, June 11, 1984

9:00 a.m. Board of Health:

1. Public Hearing - Proposed revisions to Skagit County Board of Health Rules and Regulations Governing On-Site Sewage Disposal (Chapter 12.04).
2. Update on septage handling practices in Skagit County.

10:30 a.m. Discussion - State Operations Review of Skagit County Mental Health and Substance Abuse Programs - JoAnn Angevine, Community Services Coordinator.

10:45 a.m. Discussion - Board of Equalization Proposed News Release - Skagit County Board of Equalization.

MISCELLANEOUS ITEMS

1:30 p.m. Work Session - Six Year Road Program.

2:30 p.m. Contract for Signature - Animal Control Service Agreement with the City of Mount Vernon.

MISCELLANEOUS ITEMS

3:00 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, June 11, 1984, with Commissioners Norris and Rohrer present. Commissioner Mansfield was absent.

BOARD OF HEALTH:

1. Public Hearing - Proposed revisions to Skagit County Board of Health Rules and Regulations Governing On-Site Sewage Disposal (Chapter 12.04).

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Hearing, as published in the Skagit Valley Herald on June 1, and June 8, 1984.

Tom Karsh, Environmental Health Specialist 111, stated that this major revision to the Skagit County On-Site Sewage Code is required by recent changes to the Rules and Regulations of the Washington State Board of Health, Chapter 248-96, W.A.C. Basically, he noted there are three specific areas being changed.

The first area was with regard to the State's placing the responsibility and liability for repair of failed sewage systems on each County. The

County will require that failed sewage systems be repaired at least to the point of removing any risk to the public's health. Beyond that point, if a property owner cannot afford to bring the system up to regulations, the County will require the property owner to sign a document to be recorded with the County Auditor, stating that the sewage system on the property does not meet regulations. This recorded document would be found in the event of a title search to warn any prospective buyers of the situation.

Don Van Etten, of the Board of Realtors, asked how a property owner would know if they had a drastic failure. Mr. Karsh responded that if the failure is one that requires a permit to correct, then that is when the County gets involved. Very minor repairs to a system are exempt from the County's involvement.

Chairman Norris stated that he would hope the County would work in a cooperative manner with existing systems.

Lou Ankney, of Lou Ankney Septic Service, Sedro Woolley, stated that he is opposed to anything that clouds an owner's title. Chairman Norris asked if it was fair to a buyer to buy property unaware of a failed sewage system. Mr. Ankney stated that there are many areas that the buyer must beware of in purchasing property.

Don Van Etten stated that he agreed with Mr. Ankney that it was unfair to the seller to raise unnecessary red flags.

Mike Mitchell, of Northwest Septic, Mount Vernon, pointed out that the State just wants repairs made according to their regulations. The signing of a document to be recorded with the County Auditor simply places the responsibility on the property owner, if correcting the system according to regulations is not economically feasible.

Chuck Smyth, of Smyth & Associates, Mount Vernon, agreed that the buyer must be protected.

Lou Ankney stated that he felt the proposed revision would discourage people from reporting failed systems. Someone might purchase a home which had not reported a failure, only to find it has a failed system.

Chairman Norris stated that he felt the proposed revision was the best alternative available.

Commissioner Rohrer said he believed the buyer should be made aware of a problem if it exists.

Terry Morris, a septic system installer, said he would approve of such a revision if the system were required to be repaired to regulations at the time of sale to eliminate any health risk. Mr. Karsh stated that health risks will be required to be eliminated at the time the failure is reported. Only after the health risk is eliminated does the owner have the option of signing a document if they cannot afford to repair it up to

regulations. He added that a bank might require a system to be upgraded to regulation before financing, but that would be their choice.

Lou Ankney stated that he was against this revision because it would take more freedom away from the property owner. He suggested that an installer be hired for all repairs of failed systems.

John Thayer, of the Health Department, gave an example of a situation where a buyer was not informed of a failed system before purchasing the property.

Chuck Smyth stated that he doesn't want the responsibility or liability for a failed system once the seller moves away.

Terry Morris stated that he felt this revision would be used for price leverage only. Once the property changed ownerships, he felt very often nothing would be done to correct the failed system.

Mike Mitchell stated that approximately 50 percent of the time a property owner thinks he has a failed system, it is only in need of a minor adjustment or repair.

Chairman Norris requested that the discussion move to the next area of discussion, noting that no conclusions on this first area were made at this time.

Mike Mitchell initiated discussion on a clause in the proposed rules and regulations which states, "all renewal requests will be processed as new on-site sewage disposal system applications and shall meet the location and design standards in effect at that time." Mr. Mitchell suggested the County publicize this revision and send individual letters to permit holders at least 90 days ahead of time. Mr. Karsh stated that it takes a great amount of staff time to inform all permit holders that their permits are about to expire. He stated that the expiration date is printed on the permit itself.

Chairman Norris stated that he understood both sides of this issue. It was concurred that the expiration date on the permit be made very prominent and possibly a grace period be granted for those people renewing permits.

Tom Karsh initiated discussion on the second area of major revision in the Skagit County On-Site Sewage Code:

- a. The proposed On-Site Sewage Code states that all site evaluations shall be performed by or under the direct supervision of the Health Officer, a registered sanitarian, professional engineer, registered soil scientist, or licensed designer. The homeowner can no longer evaluate the soils on the site. Mr. Karsh stated that apparently the homeowner can still physically dig the holes required for soil tests, however.

- b. The design of an on-site sewage system shall be performed by ~~or~~ under the supervision of a professional engineer, registered sanitarian ~~or~~ licensed designer. A resident owner can design his own conventional system, at the discretion of the Health Officer, but only after a licensed person has evaluated the site. Under this proposed regulation, installers are not permitted to submit designs.
- c. A licensed installer ~~or~~ the property owner may install the system. The property owner may only install the system if it is a conventional system.

Tom Karsh pointed out that he felt many installers may want to become designers in the future, since this prohibits installers from designing systems. He stated that the process would become more restrictive and perhaps more expensive.

Mike Mitchell stated that he felt there would not be any increase in cost.

Chuck Smyth stated that he felt it wasn't fair to put the installers out of business

Tom Karsh pointed out that the State is also proposing new standards for becoming a designer.

Chairman Norris stated that he would recommend that installers take the test now and become designers before the State adopts new regulations on that.

Tom Thompson stated he felt these new regulations would add costs to sewage systems.

Mike Mitchell stated that he sees a need for this new rule because site evaluators, designers, and installers are all competent in their own fields.

Lou Ankney stated that installers are at least as able to design as homeowners.

Tom Karsh stated that if less staff time is required, permit fees will be reduced.

Mike Mitchell pointed out that in Snohomish County installers don't design and have plenty of business. He suggested two different levels of installers.

George Wilson, of Guemes Island, stated that he doesn't design enough systems to warrant obtaining a designers license.

Lou Ankney asked if the County was required to meet these rules and regulations proposed by the State. Tom Karsh stated that the County was required to at least meet, if not exceed the proposed regulations.

Chuck Smyth said he would rather leave the process the way it is now, as some installers don't want to be designers.

Tom Karsh suggested expanding the wording to allow installers to act as designers under the same situations as homeowners can act as designers. Many of those present seemed to concur with this suggestion.

Tom Karsh introduced the third major revision area: soil and site requirements in subdivisions. He stated that this proposed revision would allow new developments to possibly use alternate systems, specifically mound fill systems, on minimum 1-acre sites. He stated that this would open up for development land which was previously undevelopable. Mr. Karsh stated the reasons why they have decided to include this type of a system in the regulations.

Lou Ankney stated that he was very much in favor of this revision.

Mike Mitchell objected to the minimum lot size of 1-acre if there is public water. He understood the minimum lot size if there were private wells.

Chairman Norris stated that he supported the 1-acre lot size, as recommended by the staff.

Don Van Etten stated that the average person doesn't want a 1-acre parcel. He stated that 1/2 acre is more sensible to the average homeowner.

Lou Ankney stated that he agreed with Chairman Norris, who supported the 1-acre minimum.

George Wilson stated that he objected to two items: (1) bonding requirements, which are unreasonable, and (2) back to school requirement to become a designer.

The Board asked that this discussion be continued until next Monday, June 18, 1984, at 9:30 a.m.

2. Update on septage handling practices in Skagit County.

In the interest of time, the Board requested that this item also be scheduled for next Monday, June 18, 1984, to follow the above continued item at 9:30 a.m.

DISCUSSION - STATE OPERATIONS REVIEW OF SKAGIT COUNTY MENTAL HEALTH AND
SUBSTANCE ABUSE PROGRAMS - JoAnn Angevine, Community Services
Coordinator.

Regarding the State Operations Review, JoAnn Angevine reported that the State found that the Mental Health and Substance Abuse Plan for 1983 through 1985 biennial had no assessment of previous years. It is up to the Department of Social and Health Services to provide guidelines for that assessment, so it was actually a finding against DSHS.

MISCELLANEOUS ITEMS

JoAnn Angevine, Community Services Coordinator, stated that she is working on the matter with regard to correspondence received from the Department of Social and Health Services concerning amendments to 1983-1985 contracts for the purpose of providing community mental health services.

DISCUSSION - BOARD OF EQUALIZATION PROPOSED NEWS RELEASE - SKAGIT COUNTY
BOARD OF EQUALIZATION.

Dale Mullen of the Board of Equalization, presented a copy of guidelines for preparing an appeal of property assessments. He asked that the Planning Department, Assessor's Office, and Prosecuting Attorney be allowed to review the guidelines before releasing to the public.

MISCELLANEOUS ITEMS

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

1. Commissioner Rohrer motioned to approve Warrants #56606 through #56644 in the amount of \$7,215.00. Chairman Norris seconded the motion. The motion was carried and so ordered. (P/R 11)
2. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, June 4, 1984, and Tuesday, June 5, 1984. Chairman Norris seconded the motion. The motion was carried and so ordered.
3. The Board reviewed the following Petitions for Property Tax Refund:
 - a. C. D. Edmunson, 119 Lawrence, Mount Vernon, Washington 98273, in the amount of \$44.52, for senior citizen exemption. (Petition #844733)
 - b. Transamerica Mortgage Co., P.O. Box 3861, Rincon Annex, San Francisco, CA 94119, in the amount of \$241.54.

Commissioner Rohrer motioned to approve the above listed Petitions for Property Tax Refund, as recommended by the Assessor and

Treasurer. Chairman Norris seconded the motion. The motion was carried and so ordered.

4. Commissioner Rohrer motioned to approve the Taxpayer's Claim for Reduction of Assessments on Destroyed Real or Personal Property for Sadie Buller, Box 56, Marblemount, Washington 98267, in the amount of \$8,630 for tax year 1985, because of flooding. Chairman Norris seconded the motion. The motion was carried and so ordered. (#584)
5. Commissioner Rohrer motioned to deny (as recommended by the Assessor) the Taxpayer's Claim for Reduction of Assessments on Destroyed Real or Personal Property for N. C. Simpson and D. N. Simpson, 4460 S. 156th, Seattle, Washington 98188, for erosion, because the property assessment was reduced last year for this reason. Chairman Norris seconded the motion. The motion was carried and so ordered. (#589)

CONTRACT FOR SIGNATURE - ANIMAL CONTROL SERVICE AGREEMENT WITH THE CITY OF MOUNT VERNON.

Robert Taylor, Commissioners' Assistant, presented for the Board's consideration, an Agreement with the City of Mount Vernon for the City to perform reimbursable enforcement of the Skagit County Dog Control Ordinance. He explained that this Agreement will allow the County to call on the City of Mount Vernon to investigate animal complaints.

Commissioner Rohrer motioned to approve the Agreement with the City of Mount Vernon for enforcement of Skagit County's Dog Control Ordinance. Chairman Norris seconded the motion. The motion was carried and so ordered.

MISCELLANEOUS ITEMS

The following miscellaneous items were addressed:

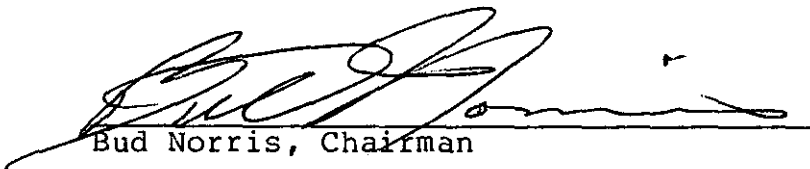
1. Commissioner Rohrer motioned to approve Warrants #34901 through #34990 in the amount of \$100,350.03. Commissioner Norris seconded the motion. The motion was carried and so ordered. (R-22)
2. Duane Kline, Budget and Finance Director, reported that a Department of Labor & Industries audit of payroll records has turned up some areas where the Department of Labor & Industries feels the County owes \$10,000 in back taxes. Mr. Kline reported that the Chief Auditor from the Department of Labor & Industries will be here in approximately one week to negotiate these areas, as Mr. Kline feels the County was correct and does not owe any back taxes.
3. The Board reviewed a correspondence item from the Department of Social and Health Services with regard to the Skagit County Child Support Program. The report showed a net increase of \$231.53 in

reimbursable expenditures for the period July 1, 1981 to June 30, 1983.

ADJOURNMENT

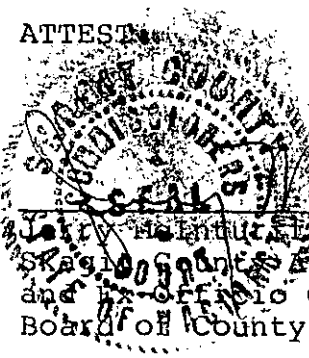
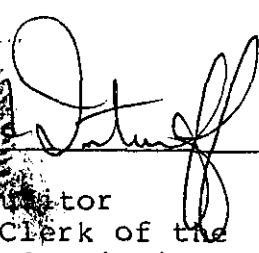
Commissioner Rohrer motioned to adjourn the proceedings. Chairman Norris seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Bud Norris, Chairman

ATTEST:

Jerry Mansfield,
Skagit County Auditor
and ex-officio Clerk of the
Board of County Commissioners

Jerry Mansfield, Commissioner



Dave Rohrer, Commissioner