

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, August '6, 1984

9:00 a.m. Public Hearing - Supplemental Budget - Marijuana
Eradication Grant.

MISCELLANEOUS ITEMS

9:30 a.m. Discussion - Hours of Operation in the Auditor's Office -
Jerry McInturff, County Auditor.

10:00 a.m. Public Hearing - Special Use Permit Application No. SP-83-
019 of the W.L.D. Glacier Energy Company for the Damnation
Creek Small Hydroelectric Project.

11:30 a.m. Discussion - Microfilming of Superior Court Records -
Phyllis Coole-McKeehen, County Clerk.

2:00 p.m. Executive Session - Litigation, Personnel and Land
Acquisition.

The Skagit County Board of Commissioners met in regular session on
Monday, August 6, 1984, with Commissioners Norris, Mansfield, and Rohrer
present.

PUBLIC HEARING - SUPPLEMENTAL BUDGET - MARIJUANA ERADICATION GRANT.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-
Officio Clerk of the Board of Commissioners, read the Notice of Hearing
as published in the Skagit Valley Herald on July 27, and August 3, 1984.

Following a brief discussion of the \$1,500 federal grant for the
Marijuana Eradication Program, Commissioner Mansfield motioned to close
the public hearing. Commissioner Rohrer seconded the motion. The motion
was carried unanimously.

Commissioner Mansfield motioned to adopt the resolution authorizing the
supplemental budget of \$1,500 for the Current Expense Fund to be added to
the Sheriff's Office budget for the Marijuana Eradication Program.
Commissioner Rohrer seconded the motion. The motion was carried
unanimously. (Resolution #10155)

MISCELLANEOUS ITEMS

Robert Taylor, Administrative Officer, presented the following items:

1. Commissioner Rohrer motioned to approve the Record of the Proceedings
for Tuesday, July 31, 1984. Chairman Norris seconded the motion.
The motion was carried and so ordered.

2. The Board reviewed the following Taxpayer's Claims for Reduction of Assessments on Destroyed Real or Personal Property:
 - a. A. D. Swayne, 976 Scott Road, Bow, Washington, in the amount of \$1,320 for tax year 1985, because a cabin was destroyed in order to build a new home. (#596)
 - b. Virgil Rex, 1311 Avon Allen Road, Mount Vernon, Washington 98273, in the amount of \$920 for tax year 1985, because a barn was torn down. (#597)

Commissioner Mansfield motioned to approve the above listed Taxpayer's Claims, as recommended by the Assessor. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

DISCUSSION - HOURS OF OPERATION IN THE AUDITOR'S OFFICE - Jerry McInturff, County Auditor.

Jerry McInturff, Skagit County Auditor, explained his proposal of extending the hours of certain divisions of the Auditor's Office on Fridays until 6:00 p.m. in order to better accommodate the public. He explained that the divisions to remain open late would include Voter Registration, Marriage Licenses, and Vehicle Registration.

The Board discussed the possibility of extending this practice to other departments, if it proved to be successful with the Auditor's Office. The Board requested Jerry McInturff discuss this with his employees and report back to the Board.

PUBLIC HEARING - SPECIAL USE PERMIT APPLICATION NO. SP-83-019 OF THE W.L.D. GLACIER ENERGY COMPANY FOR THE DAMNATION CREEK SMALL HYDROELECTRIC PROJECT.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board, read the Notice of Hearing, as published in the Skagit Valley Herald on July 27, 1984.

Steve Wood, of the Permit Center, described the proposed project, the Hearing Examiner's previous decision, and the Hearing Examiner's reconsideration of the proposal. He also read a memo from Betsy Dwire, Shorelines Manager, to Bob Schofield, Hearing Examiner, in which she defined "shorelines" as they pertain to the proposed project. Ms. Dwire suggested the following options open to the applicant:

1. The applicant could request a designation change from Natural Shoreline to a more appropriate designation.
2. The Shoreline Master Program could be amended to permit small hydroelectric projects.

Philip A. Serka, 805 Dupont Street, Bellingham, attorney for Bill Devine, applicant, stated that in 1981 Skagit County staff informed Mr. Devine that this project was not classified under the Shoreline Master Program. He stated that Whatcom County has exempted this project from a Shoreline Permit, because Mr. Devine obtained a special use or right-of-way grant, rather than a lease or easement of the Federal lands.

Mr. Serka submitted the following items to be made a part of the record:

1. A copy of a letter from Whatcom County Department of Public Works dated July 25, 1983, stating that Whatcom County does not have any permit requirements for the Damnation Creek project since it is located entirely upon Federally owned land and is not subject to a private lease or easement.
2. An Affidavit signed by William Devine stating that the only construction activity which will take place within 200 feet of Damnation Creek in Skagit County is the construction of a tailrace, which is estimated to cost less than \$1,000, and is therefore exempt from the Shoreline Act.
3. A copy of a letter from the Skagit County Board of Commissioners dated August 15, 1983, stating that Skagit County does not have a real concern with the acquisition of right-of-way as proposed.
4. A copy of a letter from Washington State Department of Game approving the stream flows.

Mr. Serka explained that the project has been approved by every local, state and federal agency except Skagit County. The project has been found to be compatible with the Ross Lake Recreation Area, and there are no fish to be found in Damnation Creek. Mr. Serka concluded by saying that in 1981 Mr. Devine began his project according to the rules Skagit County set, and now he feels the rules have been changed.

Bill Devine, P.O. Box 68, Maple Falls, Washington 98266, owner of W.L.D. Glacier Energy Company, gave an overview of the process of obtaining approval for this project. He stated that he began the project with the Federal Government in 1980.

In answer to a question from Commissioner Rohrer, Mr. Devine stated that the diversion would not completely cut off the stream flow of Damnation Creek.

Mr. Devine submitted as part of the record a slide showing the area of the proposed project.

At the Board's request, Steve Wood reviewed the summary of events listed in the Notice of Appeal of Denial as Exhibit A.

Bill Devine stated that Terry Stevens, formerly of the Planning Department, made a site visit, as did the Department of Ecology, and stated that a Shoreline Permit would not be required.

The summary of events showed that on January 3, 1984, Otto Walberg, of the Planning Department, sent a letter stating that Skagit County would not process the Special Use Permit application because "It is our position that environmental review under the National Environmental Policy Act (NEPA) will take precedence over review by our agency..."

Discussion followed regarding the time required for changing the designation from Natural to Conservancy. Bob Schofield, Hearing Examiner, cited two instances he recalled in which this was done. He stated that the applicant would need to petition the County to review the designation. The review would take approximately 120 days, with a Shoreline Permit being processed concurrently.

Mr. Schofield reviewed the reasons for his decision to deny the Special Use Permit request for the Damnation Creek project. He stated that he never considered the merits of the project because the roadblocks (shoreline designation) seemed insurmountable.

Commissioner Mansfield noted that he would like to see the merits of the project considered. Commissioner Mansfield motioned to continue the public hearing until 10:30 a.m., Tuesday, August 14, 1984, in order to give the Prosecuting Attorney's Office time to review the matter. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

DISCUSSION - MICROFILMING OF SUPERIOR COURT RECORDS - Phyllis Coole-McKeehen, County Clerk.

Phyllis Coole-McKeehen gave an overview of the research previously done on this subject. She stated that in 1982, they received a bid from the State Archives for the cost of microfilming and developing the film. This bid did not include indexing and verifying the film.

To the best of her calculations, she has determined that there are at least 4 million papers in Superior Court's case files needing to be filmed. This figure does not include papers with printing on both sides, or the roll books, which would need a special camera because the pages are larger.

She outlined the four factors to be considered in choosing equipment: staff, equipment, equipment maintenance, and supplies. She explained the difference between planetary and rotary cameras, and microfiche, roll film, and computerized roll film. She stated that microfiche would probably be the most cost efficient because of staff time necessary.

Bell & Howell Microfilming has submitted a proposal of approximately \$290,000 to microfiche Superior Court's case files from 1870 through the

end of 1983. Bell & Howell would use a trained staff of 12 people for one full year working in a County office to accomplish this. It was pointed out that these people would be deputized. Other companies which have not submitted proposals include 3-M and Kodak.

The estimated cost for roll film would be \$267,000, but this savings would later be offset by more staff time needed in the future.

Phyllis Coole-McKeehen emphasized that at this point she would prefer microfiche for her department. She could not speak for the needs of other departments.

The Board requested that she meet with Robert Taylor, Mike Woodmansee, and other department supervisors to discuss the options further before meeting with the Board again.

Al Willis pointed out two areas to be considered: (1) conversion of the records, and (2) maintenance of microfilmed records.

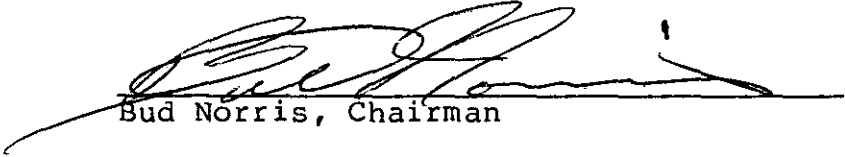
The Board and Ms. Coole-McKeehen agreed that a centralized filming system for all departments would be most cost effective, with each department having readers and a printer.

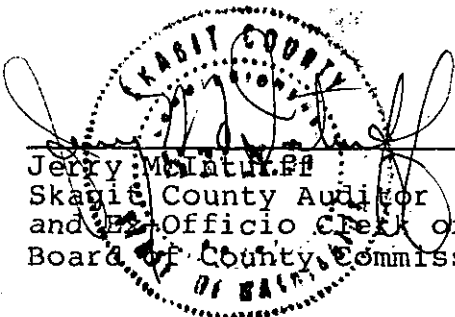
ADJOURNMENT


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

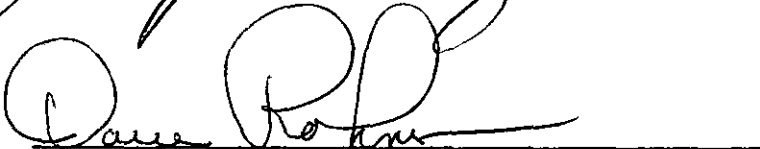
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

ATTEST:


Bud Norris, Chairman


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


Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner