

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, March 25, 1985

Flag Salute

9:00 a.m. Board of Health:

1. State Board of Health Emergency Regulations Pertaining to Sulfiting Agents: Impact on Skagit County Health Department Food Program.
2. Update on Legislation of Public Health Concern.

10:00 a.m. Bid Opening - 1985-86 County Legal Printing.

MISCELLANEOUS ITEMS

10:30 a.m. Award Presentation - Ten-Year Service Award, Warren Schumacher, Skagit County Alcohol Administrative Board.

11:00 a.m. Consideration of Skagit County Nuclear Free Zone Resolution.

1:30 p.m. Planning Commission Referred Items:

1. Lynn Davis Hoy Rezone Request #R-85-003.
2. Landry Corkery Timber Open Space Request #14-85.
3. James Sullivan Open Space Request #24-85.
4. Robin Eddy Timber Open Space Contract Amendment Request.
5. Edgar Fox Open Space Request #4-85.
6. Edwin Rhodes Open Space Request #19-85.
7. Mike Chevalier Timber Open Space Request #25-85.
8. John Tatham Timber Open Space Request #34-85.
9. Homer Hughes Timber Open Space Request #35-85.
10. Doug Coxson Open Space Request #43-85.
11. Stephen Brisbane Timber Open Space Request #45-85.

3:00 p.m. Executive Session - Personnel, Labor Negotiations.

The Skagit County Board of Commissioners met in regular session on Monday, March 25, 1985, with Commissioners Vaux, Walberg and Rohrer present.

BOARD OF HEALTH:

1. State Board of Health Emergency Regulations Pertaining to Sulfiting Agents: Impact on Skagit County Health Department Food Program.

John Thayer, Environmental Health Specialist III, reported that the Washington State Board of Health at their March 13, 1985, meeting, determined that emergency regulations were in order for banning the use

of sulfiting agents in retail food establishments and requiring public notification if commercially prepared products containing these chemicals were to be sold in establishments. Mr. Thayer stated that other food additives not documented to cause allergic reactions are commercially available. He explained the Health Department's implementation of emergency action, and reported that cooperation from the restaurant industry has been excellent.

2. Update on Legislation of Public Health Concern.

John Thayer gave an update on legislation being watched closely by the Skagit County Health Department as follows:

- a. Substitute Senate Bill #4308: Mr. Thayer stated that this bill, if approved, would transfer the Department of Social and Health Services - Office of Environmental Health Programs, Epidemiology and Laboratory Services to the Department of Ecology. This bill passed the Senate 57 to 0, and has been referred to the House Environmental Affairs Committee. He suggested the Board contact their local legislators to reaffirm their concerns with regard to this bill.
- b. Substitute Senate Bill #3498: Mr. Thayer explained that this bill would charge the State Board of Health with updating laws pertaining to water contact sports facilities to address the water slides, wave pools and other facilities in use today. The bill recently passed the Senate 45 to 2, and has been referred to the House Social and Health Services Committee. Mr. Thayer stated that he will be in Olympia Wednesday to testify in favor of this bill. The Board instructed Mr. Thayer to draft a letter in support for their signatures.
- c. House Bill #225: Mr. Thayer stated that this bill would allow the Department of Ecology to levy civil penalties of up to \$20,000 per day for violations of the Solid Waste Act. This bill is in the House Rules Committee awaiting its third reading. The Washington State Association of Counties and local public health officials strongly oppose this legislation, as these fines could be levied against local governments who maintain their own sanitary landfills.
- d. Second Substitute House Bill #975: Mr. Thayer reported that this bill would preempt local government authority to approve, deny or otherwise regulate disposal and incineration facilities that handle hazardous waste. It would assign the ruling authority to the Department of Ecology. Noting that the bill would preempt local control over certain solid waste facilities, Mr. Thayer suggested that the Board review the bill with the Public Works Department and Planning Department prior to conveying their opinion of the bill to our local legislators.

The Board thanked Mr. Thayer for his presentations.

BID OPENING - 1985-86 COUNTY LEGAL PRINTING.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board, read the Notice of Call for Bids, as published in the Skagit Valley Herald on February 15, 1985.

The following bids were received:

1. Skagit Valley Herald
1000 East College Way
P.O. Box 578
Mount Vernon, WA 98273

Bid: \$3.95 per column inch for first and subsequent insertions

2. The Skagit Argus
413 Gates Street
P.O. Box 739
Mount Vernon, WA 98273

Bid: \$3.80 per column inch for first and subsequent insertions.

- c. Concrete Herald
P.O. Box 407
Concrete, WA 98237

Bid: \$3.60 per column inch for first insertion.
\$2.80 per column inch for subsequent insertions.

Dan Berentson, Publisher of The Skagit Argus, presented for the Board's review a rate and column width comparison between the Skagit Valley Herald and The Skagit Argus. He stated that 1975 was the last time The Skagit Argus was the legal newspaper in Skagit County. Mr. Berentson listed the reasons why the Board should award the bid to The Skagit Argus, i.e. most economical for the County, most economical for the readers, and currently The Skagit Argus is considered the legal paper for the City of Mount Vernon and most local attorneys. He noted that their circulation has more than doubled since 1978. In a column width comparison, he pointed out that the rates for The Skagit Argus were 33 percent lower than the Skagit Valley Herald.

Robert Aguilar, of the Skagit Valley Herald, stated that they have 16,553 net paid subscribers.

The Board will review the bids received and announce their decision at 10:00 a.m., Monday, April 1, 1985.

MISCELLANEOUS ITEMS

Robert Taylor, Administrative Officer, presented the following miscellaneous items:

1. Commissioner Rohrer motioned to approve Warrants #1510 through #1659 in the amount of \$62,807.98. Commissioner Walberg seconded the motion. The motion was carried unanimously. (C-13)
2. Commissioner Walberg motioned to approve the Record of the Proceedings for Monday, March 18, 1985. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
3. Commissioner Rohrer motioned to approve the Record of the Proceedings for Tuesday, March 19, 1985. Commissioner Walberg seconded the motion. The motion was carried unanimously.
4. Commissioner Walberg motioned to approve the Petition for Property Tax Refund for Marion K. Nelson, 1932 Cleveland Avenue, Mount Vernon, Washington 98273, in the amount of \$13.09, because of manifest error. Commissioner Rohrer seconded the motion as recommended by the Assessor and Treasurer. The motion was carried unanimously. (#850355)
5. Commissioner Rohrer motioned to approve the Petition for Property Tax Refund for Leola McAdow, 1818 LaVenture, Mount Vernon, Washington 98273, in the amount of \$395.87, because of senior citizen exemption. Commissioner Walberg seconded the motion as recommended by the Assessor and Treasurer. The motion was carried unanimously. (#850378)
6. Commissioner Rohrer motioned to approve the Petition for Property Tax Refund for Grace D. Strickler, 2707 Dundee Place, Anacortes, Washington 98221, in the amount of \$84.72, because of senior citizen exemption. Commissioner Walberg seconded the motion as recommended by the Assessor and Treasurer. The motion was carried unanimously. (#850348)
7. Commissioner Walberg motioned to adopt the resolution appointing Viola Jones, 1727 Holmstrom Road, Mount Vernon, Washington 98273, to a three-year term as a board member to the Mental Health Board effective March 25, 1985. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10410)

AWARD PRESENTATION - TEN-YEAR SERVICE AWARD, WARREN SCHUMACHER, SKAGIT COUNTY ALCOHOL ADMINISTRATIVE BOARD.

The Board presented Reverend Warren Schumacher with a plaque in appreciation of his dedicated service as a member of the Skagit County Alcohol Administrative Board for the past ten years.

MISCELLANEOUS ITEMS

Following a reconsideration of a Petition for Property Tax Refund for Christine Wilson, which the Board denied last week, Commissioner Rohrer motioned to reverse the Board's decision and approve the Petition in the amount of \$1.88 because of property destroyed by fire. Commissioner Walberg seconded the motion.

Chairman Vaux pointed out that the Board's reversed decision was made at the recommendation of the Assessor and Treasurer, and suggested the Board should request help from the Legislature in implementing a minimum amount to be refunded.

The motion to approve the Petition for Property Tax Refund for Christine Wilson was carried unanimously. (#850289)

CONSIDERATION OF SKAGIT COUNTY NUCLEAR FREE ZONE RESOLUTION.

Tope Ryan read the proposed ordinance which was presented by Skagit Citizens for Nuclear Disarmament for consideration by the Board. The proposed ordinance would designate Skagit County a "Nuclear Free Zone" and would establish penalties for violation thereof.

Chairman Vaux asked if there are any businesses in Skagit County which manufacture nuclear weapon components.

Mr. Ryan responded that he didn't know of any such businesses, but hadn't thoroughly checked into the matter.

Those present agreed that they would not prevent a manufacturer who produced nuclear weapons in another area from manufacturing non-nuclear products in Skagit County.

Art Brown, representing PACCAR Technical Center, questioned whether "components" was actually mentioned in the ballot issue. He stated that PACCAR has a defense systems division, which might be used at some time in the future for the manufacture of nuclear weapon components. He also pointed out that businesses considering locating in Skagit County might be wary of such an ordinance.

Jim Pizzuto, of Sedro Woolley, read portions of several Skagit Citizens for Nuclear Disarmament newsletters, and expressed his opinion against designating Skagit County a Nuclear Free Zone. He pointed out that placing "Nuclear Free Zone" signs throughout the County would be extremely expensive. Mr. Pizzuto also felt such a designation would undermine our defense.

Grace Hubbard, of La Conner, stated that she was the author of the portions of the newsletter read by Mr. Pizzuto. She stated that Skagit Citizens for Nuclear Disarmament are certainly not against a strong defense.

Jim Scott, of Mount Vernon, asked for a copy of the proposed resolution.

Chairman Vaux also questioned whether "components" was mentioned in the ballot issue on which the people voted. He read the County's proposed resolution for the record.

Barbara Evans Cram felt the manufacture of nuclear weapons components was equivalent to the manufacture of nuclear weapons.

Jim Scott, of Mount Vernon, felt that if the component theory was carried far enough, we may be denying many businesses in Skagit County the opportunity to operate.

Debbie Aldrich felt that many companies would be especially interested in locating in a Nuclear Free Zone.

In answer to a question posed by Chairman Vaux, Art Brown stated that the same circuit board could possibly be used in the manufacture of both a computer and a nuclear weapon.

Tope Ryan suggested that the wording "parts intended for use in a nuclear weapon" could replace "components."

Commissioner Rohrer stated that he would not support the proposed resolution as it is presently worded.

Commissioner Walberg explained the segments he proposed be eliminated from the submitted proposed ordinance. He questioned how enforceable such a resolution would actually be.

Becky Love, of Mount Vernon, stated that Vancouver, B.C., has a Nuclear Free Zone resolution, and suggested she obtain a copy of that for the wording in question.

Mr. Pizzuto felt we should not "tie our hands behind our backs" by passing such a resolution.

Doris Robbins, of Edison, felt the resolution should reflect the spirit of the people who voted for the proposition.

Becky Love felt some wording could be worked out to the satisfaction of PACCAR.

Debbie Aldrich stated that if Washington State doesn't speak up, it will become known as the nuclear dump state.

Jim Scott pointed out that declaring Skagit County a Nuclear Free Zone might be detrimental to future employment.

Robbie Robertson also pointed out that even the refineries are in some way connected to the manufacture of nuclear weapons.

The Board continued this discussion until 11:00 a.m., Monday, April 8, 1985. The Skagit County Prosecuting Attorney will be contacted prior to April 8 for comment.

PLANNING COMMISSION REFERRED ITEMS:

1. Lynn Davis Hoy Rezone Request #R-85-003.

Steve Wood, Zoning Administrator, stated that this was a request to rezone a parcel located at 171 Old Highway 99 North (Alger) from Residential Reserve to Public Use to allow conversion of an existing house to a church and meeting hall. He explained that the Planning Commission had no recommendation on this item, due to the fact that only five members were present and their decision to approve was not unanimous.

Commissioner Walberg motioned to remand the item back to the Planning Commission for a recommendation.

Dee Donaldson, representing Mrs. Hoy, requested the Board hold their own public hearing on the matter, due to the time factor involved with a pending sale.

Barbara Crossen presented letters from the following people asking the Board to hold their own public hearing on the matter:

- a. Robert A. Crossen
- b. S. A. Maron
- c. Rev. Thomas Willert
- d. Betty Willert

Also submitted, but not for the Board's consideration at this time, were letters from the following people stating their opinion of the requested rezoning:

- a. Barbara J. Crossen
- b. Joe R. and Lorena D. Corbell
- c. Donna Hinds

Mrs. McGlucas asked why more Planning Commission members were not present at the last meeting.

Chairman Vaux stated that it was something that doesn't happen very frequently and he explained that the Planning Commission members are unpaid.

Barbara Crossen, coordinator for the Alger Food Bank, stated that time is imperative because they have nowhere to store their food except in neighboring homes.

Leo Olson asked why the process would have to take so long.

The motion to remand the matter back to the Planning Commission died for lack of a second.

Chairman Vaux motioned to schedule a public hearing before the Board on Monday, April 8. Commissioner Walberg seconded the motion and included the time of 2:00 p.m. and the location of Hearing Rooms B and C of the Skagit County Administration Building. Chairman Vaux and Commissioner Rohrer voted in favor of the motion. Commissioner Walberg voted against the motion. The motion was carried and so ordered.

Margaret Heidi, of the Planning Department, presented the follow items in an order other than was listed in the agenda:

2. Landry Corkery Timber Open Space Request #14-85.
3. James Sullivan Open Space Request #24-85.
10. Doug Coxson Open Space Request #43-85.

Commissioner Walberg motioned that the above listed requests be remanded back to the Planning Commission for a recommendation, due to the presence of only five Planning Commission members at the last meeting and the absence of a unanimous recommendation. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

5. Edgar Fox Open Space Request #4-85.
6. Edwin Rhodes Open Space Request #19-85.

Margaret Heidi explained that these requests were denied by the Planning Commission because they did not meet the requirements of open space. These requests should have been timber open space requests.

Commissioner Walberg motioned to send Open Space Request #4-85 and Open Space Request #19-85 back to the Planning Commission to be considered as timber open space requests. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

4. Robin Eddy Timber Open Space Contract Amendment Request.

The Planning Commission recommended that this amendment request to allow the applicant to refrain from posting an open space sign on Butler Creek Road be denied because without a sign, the public would not know the property is in open space.

Commissioner Walberg motioned to deny the Robin Eddy Timber Open Space Contract #88-82 Amendment, as recommended by the Planning Commission. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10411)

Margaret Heidi presented the Board with the criteria to be used in evaluating timber open space requests.

7. Mike Chevalier Timber Open Space Request #25-85.

The Planning Commission recommended the approval of this request involving a nine-acre parcel on the Wilbur Road north of La Conner.

Commissioner Walberg motioned to approve the Mike Chevalier Timber Open Space Request #25-85, as recommended by the Planning Commission. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10412)

9. Homer Hughes Timber Open Space Request #35-85.

8. John Tatham Timber Open Space Request #34-85.

Margaret Heidi explained that these requests were for the addition of one-acre parcels onto previously designated timber open space property, and were recommended for approval by the Planning Commission.

Commissioner Walberg motioned to approve Timber Open Space Request #35-85 and Timber Open Space Request #34-85, as recommended by the Planning Commission. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (#35-85: Resolution #10413) (#34-85: Resolution #10414)

11. Stephen Brisbane Timber Open Space Request #45-85.

The Planning Commission recommended approval of this request to place a 60-acre parcel east of Chuckanut Drive near the Oyster Creek Inn Restaurant in timber open space.

Commissioner Walberg motioned to approve the Stephen Brisbane Timber Open Space Request #45-85, as recommended by the Planning Commission. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10415)

MISCELLANEOUS ITEMS

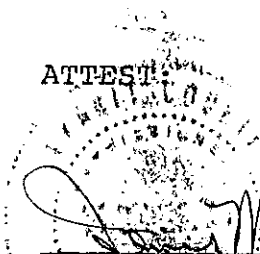
1. Margaret Heidi suggested that the Planning Department, rather than the Assessor's Office, handle all open space and timber open space applications, so the zoning can be checked at the time the application is made. The Board agreed that the suggested arrangement would be the best.
2. The Board approved for signature a grant application for the restoration of Lakes Erie and Campbell, as recommended by Bob Schofield, Director of the Planning Department.

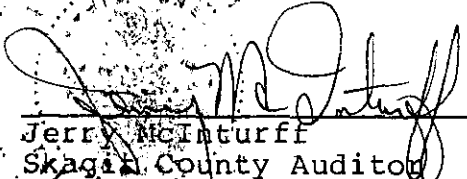
ADJOURNMENT

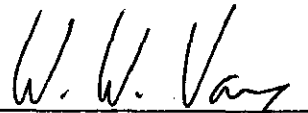
Commissioner Walberg motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

ATTEST:




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



W. W. Vaux, Chairman



Otto M. Walberg, Jr., Commissioner



Dave Rohrer, Commissioner