

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, March 24, 1986

8:30 a.m. Work Session - Public Works Department Road Supervisors.

Flag Salute

9:00 a.m. Board of Health:

1. Request of Alfred Andersen to waive Section 12.04.070(d)(i) of the Skagit County Code relative to a substantial enlargement of his existing residence at 2053 Mountain View Road.
2. Request of Eugene Robbins to waive Section 12.04.070(d)(i) of the Skagit County Code relative to replacement of a residential structure on his 1 1/2 acre parcel at 971 Bayview-Edison Road.
3. Variance request of Shane Spray to allow creation of an 8.89 acre lot with less than the required depth of native soil for a mound sewage disposal system on his 20 acre parcel near 7th Street and Josh Wilson Road in the Community of Bayview.
4. Variance request of Nancy Dickison to allow a reduced setback to property line and to waive the 100 percent replacement requirement for a sewage disposal system to be constructed on Lot 3 in the Plat of Skagit Beach, Division 3.
5. Update on development of a Class 4 water supply program.

10:30 a.m. Public Works Department - Gene Sampley, Director:

1. Public Hearing - Vacation of Unused Portion of Wood Road, #2440, Right-of-Way.
2. Public Hearing - Opening of Unopened Section of Chilberg Avenue, #4360.
3. Public Hearing - Vacation of Certain Roads in the Plat of the City of North Anacortes.
4. Discussion - Bicycle Path - Bayview-Edison Road.
5. Update Report - Hazardous Materials Response Team.
6. Discussion - F.A.S. Status Report.
7. Call for Public Hearing - Speed Limit Establishment - Whistle Lake Road Vicinity.
8. Call for Public Hearing - Establishment of 35 m.p.h. Speed Limit on Unposted County Roads.
9. Call for Bids - Mineral Park Bridge.

10. Signature - City/County Agreement - Francis Road Right-of-Way Funding.
11. Signature - Contract - Courthouse Restroom Renovation.
12. Signature - Dike District #12 Grant Agreement.
13. Miscellaneous Items.

MISCELLANEOUS ITEMS

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

1. Nub Poppe Rezone #R-86-004.
2. Ronald Eaton Rezone #R-86-005.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Monday, March 24, 1986, with Commissioners Rohrer, Vaux and Walberg present.

BOARD OF HEALTH:

1. Request of Alfred Andersen to waive Section 12.04.070(d)(i) of the Skagit County Code relative to a substantial enlargement of his existing residence at 2053 Mountain View Road.

Tom Karsh, Environmental Health Specialist III, read a letter from Mr. and Mrs. Alfred Andersen requesting a waiver from the Skagit County Code to allow the 638 square foot addition of a recreation room, sewing room and enlargement of an existing bedroom to an existing house on a 10-acre parcel. The current septic system was built in 1968 and is sufficient for a 2-bedroom house. The proposed additional square footage would require a septic system sufficient for a 4-bedroom house.

Mr. Andersen stated that they are not adding people, just more room.

John Thayer, Environmental Health Specialist III, explained that the existing system is 18 years old, which is quite old for the average system.

Mr. Andersen presented additional signatures of adjacent landowners who were not opposed to the addition, as well as well test information.

Mr. Karsh noted that a committee, which was proposed to meet last year, has not yet met to review this portion of the Skagit County Code.

In answer to a question from Commissioner Vaux, Mr. Andersen stated that they would be willing to sign a statement agreeing to comply with regulations recommended by the committee regarding this portion of the Skagit County Code.

Commissioner Vaux motioned to allow the Andersens to proceed with the addition, provided they sign an agreement stating they will comply with regulations recommended by the committee regarding Section 12.04.070(d)(i) of the Skagit County Code. Recommendations by the committee shall be before the Commissioners no later than September 1, 1986. Commissioner Walberg seconded the motion.

As recommended by Mr. Karsh, Commissioner Vaux's motion was amended to require a Notice of Limitation on file, as well as the conditional issuance of the building permit. The motion was carried unanimously.

2. Request of Eugene Robbins to waive Section 12.04.070(d)(i) of the Skagit County Code relative to replacement of a residential structure on his 1 1/2 acre parcel at 971 Bayview-Edison Road.

Tom Karsh, Environmental Health Specialist III, read a letter from Eugene Robbins requesting the waiver. Mr. Robbins proposed to replace an existing older home with a new 2-bedroom, 2,014 square foot home. He requested a waiver to utilize the existing septic system installed in 1960 for a 2-bedroom home. Although there is no record of the type of system installed, Mr. Karsh felt it was an old fill system, which is no longer allowed to be installed in the county. Dye testing and inspection of the site revealed no easily observable failure.

Commissioner Walberg motioned to approve the request of Eugene Robbins to waive that portion of the Skagit County Code being requested, subject to the execution of a Notice of Limitation and agreement to comply with the committee's decision regarding this section of the Skagit County Code. Commissioner Vaux seconded the motion. The motion was carried unanimously.

3. Variance request of Shane Spray to allow creation of an 8.89 acre lot with less than the required depth of native soil for a mound sewage disposal system on his 20 acre parcel near 7th Street and Josh Wilson Road in the Community of Bayview.

Tom Karsh, Environmental Health Specialist III, read a letter from Shane Spray requesting a variance from the depth of soil requirement for the creation of an 8.89 acre lot in a short plat. The other two lots in the proposed short plat have adequate soil. Mr. Karsh noted that the State Health Department will eventually be reducing the vertical soil depth requirement for mound systems from 24 inches to as little as 15 inches.

Mr. Spray stated that he has been waiting since about October, 1985, for the State to enact this change.

Commissioner Vaux motioned to grant the variance request of Shane Spray, subject to full compliance with the forthcoming changes by the State.

Chairman Rohrer seconded the motion. The motion was carried and so ordered with votes from Chairman Rohrer and Commissioner Vaux. Commissioner Walberg voted against the motion.

4. Variance request of Nancy Dickison to allow a reduced setback to property line and to waive the 100 percent replacement requirement for a sewage disposal system to be constructed on Lot 3 in the Plat of Skagit Beach, Division 3.

Tom Karsh, Environmental Health Specialist III, read the letter requesting a variance from State and County regulations to allow a 3-bedroom home to be constructed on Lot 3 in the Plat of Skagit Beach, Division 3. A property setback variance along the eastern boundary of said property, and a waiver of the drainfield reserve area requirement would afford enough drainfield area for such a home. Should the Board approve this variance request, Mr. Karsh recommended the following conditions be imposed:

- a. Owner shall obtain State Department of Social and Health Services concurrence of approval.
- b. A sand filter fill sewage system shall be required for this site.
- c. Owner shall obtain written approval from property owners adjacent to the drainfield setback reduction areas. This approval document must be approved as to form and content by the Health Officer.

The Board felt the property owner should negotiate with the adjacent property owners for an easement or purchase of a small parcel in order to allow a septic system suitable for more than a 1-bedroom house.

Commissioner Walberg motioned to continue this matter to the next Board of Health meeting to allow time for the property owner to attempt negotiations with the neighbors. Commissioner Vaux seconded the motion. The motion was carried unanimously.

5. Update on development of a Class 4 water supply program.

Ken Willis, Environmental Health Specialist II, presented the proposed plan of operation between the State and the County for implementation of a Class 4 water supply program at the County level. He proposed to continue on the original plan of establishing local regulations in this regard, including the formation of an advisory committee.

The Board approved of this plan.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Public Hearing - Vacation of Unused Portion of Wood Road, #2440, Right-of-Way.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on March 11, and March 18, 1986.

Gene Sampley recommended the County trade an unused portion of right-of-way in exchange for a deed of actual right-of-way for the Wood Road plus \$302.50 from William Gouchenour, the petitioner of this road vacation.

Commissioner Vaux motioned to close the public hearing.

Diane Berg asked where this portion of Wood Road was in relation to Colony Mountain Drive.

Mr. Sampley located the road on a map and explained that it was approximately one mile from Colony Mountain Drive.

Commissioner Walberg seconded the motion to close the public hearing. The motion was carried unanimously.

Commissioner Vaux motioned to authorize the Public Works Department to negotiate the vacation of that portion of the Wood Road in the County's best interest. Commissioner Walberg seconded the motion. The motion was carried unanimously.

2. Opening of Unopened Section of Chilberg Avenue, #4360.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on March 11, and March 18, 1986.

Gene Sampley stated that property owners within 1/4 mile of this section of Chilberg Avenue were not notified of this public hearing, as required. He, therefore, recommended the Board take testimony today from those present, and also continue the public hearing to allow time for proper notification.

Mr. Sampley stated that Donald Sanford had requested authorization to open this section of the right-of-way in order to construct a 20-foot by 100-foot driveway. The Public Works Department had no objection to the request, subject to the following conditions:

- a. That the unimproved section be improved as a single access driveway.
- b. That permission to utilize the section is granted on the basis that there is no maintenance obligation on the part of the County.

- c. That a drainage plan be submitted to Don Nelson of the Public Works Department for review.

Don Sanford stated that he had several letters from people favoring the action requested.

Arnold and Esther Pearson had several concerns regarding sewer easement, drainage, and possible future vacation of the right-of-way.

Mr. Sanford stated that he was willing to pursue vacation, however, he was previously informed by Don Nelson that the entire 30-foot width would revert back to the Sanford property as a result of vacation.

Commissioner Vaux motioned to continue this public hearing until 10:30 a.m., Tuesday, April 14, 1986. Commissioner Walberg seconded the motion. The motion was carried unanimously.

3. Public Hearing - Vacation of Certain Roads in the Plat of the City of North Anacortes.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on March 11, and March 18, 1986.

Gene Sampley explained that the submitted petition requested the vacation of a portion of Chestnut Street and the alleyway in Block 29, Plat of the City of North Anacortes. The Public Works Department recommended vacation, subject to the payment of costs of vacation and the property. Mr. Sampley noted that the Planning Department has expressed a concern with vacations which might leave properties in the future without access, should they be sold.

Commissioner Vaux motioned to close the public hearing. Commissioner Walberg seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to grant the vacation of a portion of Chestnut Street and the alleyway in Block 29, Plat of the City of North Anacortes, subject to the payment of costs of vacation and the property, as recommended by the Public Works Department. Commissioner Walberg seconded the motion. The motion was carried unanimously.

4. Discussion - Bicycle Path - Bayview-Edison Road.

Robin LaRue, Section Manager - Design and Construction, updated the Board on the proposed construction of a bicycle path along a portion of Bayview-Edison Road. He explained that the Department of Ecology is granting \$80,000 for the construction, while the Public Works Department will be providing the design and administration of the project. Mr. LaRue noted that the Game Department has expressed concern regarding their wildlife reserve area. The Game

Department, therefore, would prefer the bicycle path be on the east side of the road.

Terry Stevens, Director of the Padilla Bay Interpretive Center, elaborated on the project and answered specific questions from the Board.

5. Update Report - Hazardous Materials Response Team.

Tom Sheahan, Director of the Department of Emergency Services, informed the Board that he and Dennis Hofstad will be the co-chairman of the Hazardous Materials Committee. He updated the Board on the development of the committee's plans, and explained that they will focus on the containment and control of hazardous materials, rather than on cleanup. Mr. Sheahan agreed to keep the Board informed as more information develops.

6. Discussion - F.A.S. Status Report.

Gene Sampley presented the Board with copies of the Washington State Department of Transportation Federal Aid Secondary (F.A.S.) program status report. He briefly explained the report.

7. Call for Public Hearing - Establishment of 35 m.p.h. Speed Limit on Unposted County Roads.

Commissioner Vaux motioned to adopt the resolution calling for public hearings regarding the establishment of speed limits on Whistle Lake Road, #1451; Haddon Road, #1790; "O" Avenue, #1421; and Allen Spradley Road, #1840. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10780)

The public hearings are scheduled for 10:30 a.m., Monday, April 14, 1986.

8. Call for Public Hearing - Establishment of 35 m.p.h. Speed Limit on Unposted County Roads.

Commissioner Walberg motioned to adopt the resolution calling for the establishment of a 35 m.p.h. speed limit on all County roads unless otherwise established and posted. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #10781)

The public hearing is scheduled at 10:30 a.m., Monday, April 28, 1986.

9. Call for Bids - Mineral Park Bridge.

Commissioner Vaux motioned as follows: (1) to approve the request of the Public Works Department of a 2-week advertisement period instead of the normal 3-week period for this project; and (2) to adopt the resolution calling for bids for replacement of the Mineral Park Bridge. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10782)

Bids will be received and publicly opened at 1:30 p.m., Tuesday, April 8, 1986.

10. Signature - City/County Agreement - Francis Road Right-of-Way Funding.

The Board approved for signature Supplement #1 to the Washington State Department of Transportation City/County Agreement for \$2,000 in funding for right-of-way acquisition along the Francis Road.

11. Signature - Contract - Courthouse Restroom Renovation.

The Board approved for signature the Contract between Skagit County and Purchase Enterprises, Corp., of Mukilteo, Washington, for the Skagit County Courthouse restroom renovation project.

12. Signature - Dike District #12 Grant Agreement.

The Board approved for signature an Agreement with Diking District #12 for the pass through of Department of Ecology funds for the \$65,000 flood control project.

13. Miscellaneous Items.

- a. In accordance with action previously taken, the Board approved for signature the Order Granting Application for Franchise for Noble Lee, et al, renewal of #10432.
- b. Gene Sampley informed the Board of an oversight which occurred with regard to the vacation of an alleyway in Hamstrom's Addition to Grassmere. No cost of the vacation was discussed, although the Assessor's Office in 1983 valued the property at \$0.37 per square foot. The petitioner is aware of that valuation.

Commissioner Walberg will question the Assessor's Office as to how that cost can be justified.

- c. Gene Sampley informed the Board that Skagit River Steel & Pipe

Supply has expressed a desire to discontinue their contract with Skagit County for recycling at Inman Landfill. They feel the cost of insurance is making the project too expensive to continue, although they hope to accept recyclable material from the site.

- d. Commissioner Vaux motioned to adopt the resolution approving a rock rip-rap grant for 60 cubic yards of rock to Bob McCauley for the repair of the rock rip-rap on the right bank of the Skagit River in Section 14, Township 35 North, Range 6 East, W.M. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10783)

MISCELLANEOUS ITEMS

1. Commissioner Vaux motioned to approve the following Taxpayer's Claims for Reduction of Assessments on Destroyed Real or Personal Property, as recommended by the Skagit County Assessor:

- a. Branko Jurkovich, 3120 West 3rd Street, Anacortes, Washington 98221, in the amount of \$18,060.00 for tax year 1987, due to deterioration. (#693)
- b. J. H. Sheldrup, 1617 10 Street W., Kirkland, Washington 98033, in the amount of \$19,750.00 for tax year 1987, due to demolition. (#694)
- c. Richard M. Jordan, 1386 Avon Allen Road, Mount Vernon, Washington 98273, in the amount of \$9,910.00 for tax year 1987, due to demolition. (#696)

Commissioner Walberg seconded the motion to approve the above claims. The motion was carried unanimously.

2. Commissioner Vaux motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:

- a. Goldie I. Estep, 62D N. 21st, Mount Vernon, Washington 98273, in the amount of \$229.55 plus interest in the amount of \$18.37, due to senior citizen exemption. (#001886)
- b. Olline R. Hayes, 304 West State, Sedro Woolley, Washington 98284, in the amount of \$364.26 plus interest in the amount of \$63.92, due to disability exemption. (#001986)
- c. Pauline Nolan, 1306 8th Street, Anacortes, Washington 98221, in the amount of \$265.64, due to senior citizen exemption. (#001686)

- d. Julia R. Bolden, c/o John Bolden, 437 Bennett, Sedro Woolley, Washington 98284, in the amount of \$135.48, due to senior citizen exemption. (#001486)
3. Commissioner Vaux motioned to approve the following Record of the Proceedings:
 - a. Monday, March 17, 1986
 - b. Tuesday, March 18, 1986
 - c. Thursday, March 20, 1986

Commissioner Walberg seconded the motion. The motion was carried unanimously

4. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, March 24, 1986, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- a. Vouchers #01668 through #02190 (Warrants #11039 through #11389) in the amount of \$394,720.93. (C-14)
- b. Vouchers #40388 through #40465 (Warrants #40388 through #40465) in the amount of \$149,041.12. (R-7)

PLANNING COMMISSION REFERRED ITEMS:

1. Nub Poppe Rezone #R-86-004.

As there was an insufficient majority vote from the Planning Commission to constitute a recommendation to the Board, Commissioner Vaux motioned to schedule a public hearing regarding the request to reclassify approximately 12 acres from Agriculture to Residential for 7:30 p.m., Tuesday, April 15, 1986, in Hearing Rooms B and C of the County Administration Building. Commissioner Walberg seconded the motion. The motion was carried unanimously.

2. Ronald Eaton Rezone #R-86-005.

Steve Wood, Assistant Director of the Department of Planning and Community Development, presented the staff findings. He stated that the Planning Commission recommended approval of the request to reclassify approximately

4.55 acres from Public Use to Commercial. A tractor and equipment sales business is proposed for the parcel.


Joe Soler was present, but had no comment.

Commissioner Walberg motioned to approve Rezone Request #R-86-005, as recommended. Commissioner Vaux seconded the motion. The motion was carried unanimously.

ADJOURNMENT

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

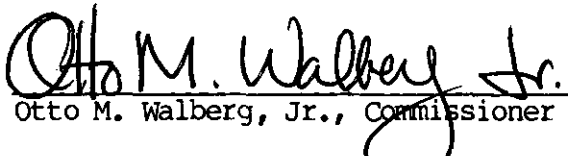
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman

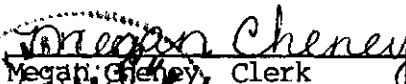


W. W. Vaux, Commissioner



Otto M. Walberg, Jr., Commissioner

ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners

