

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, September 29, 1986

8:30 a.m. Work Session - County Roads - 1987 Budget.

Flag Salute

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

1. Public Hearing - Speed Limit Establishment - Bennett Road, #3000.
2. Public Hearing - Consideration of Road Name Changes:
 - a. Bell Road, #3600
 - b. No-Name Road, #3547
 - c. James McLennon Road, #6421
3. Public Hearing - County Surplus Property Auction.
4. Signature - Change Order for Sheriff's Office Project
5. Update - Resource Recovery Facility Project.
6. Signature - Avigation Easement.
7. Miscellaneous Items.

MISCELLANEOUS ITEMS

11:30 a.m. Discussion - Skagit County Public Defender's Office.

1:30 p.m. Work Session - Maintenance - 1987 Budget.

2:30 p.m. Work Session - Clerk - 1987 Budget.

3:00 p.m. Work Session - Veterans Relief - 1987 Budget.

3:30 p.m. Executive Session - Personnel.

7:30 p.m. Hearing Rooms B & C - Public Hearing - Bow Hill Land Company Rezone Request #R-86-011.

The Skagit County Board of Commissioners met in regular session on Monday, September 29, 1986, with Commissioners Rohrer, Vaux and Walberg present.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Public Hearing - Speed Limit Establishment - Bennett Road, #3000.

Jeff Monsen, Safety Engineer, summarized the Engineer's Report on that portion of Bennett Road between Avon Street and Pulver Road. It was the

recommendation of the Public Works Department that the speed limit be established at 35 m.p.h., as petitioned.

Zell Young, of west Mount Vernon, asked for clarification on the speed limit of unposted roads in Skagit County.

Mr. Monsen informed him that unposted roads in the county are limited to 50 m.p.h., rather than the national speed limit of 55 m.p.h.

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

Commissioner Walberg motioned to adopt the resolution establishing a 35 m.p.h. speed limit on Bennett Road from Avon Street to Pulver Road. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #10984)

2. Public Hearing - Consideration of Road Name Changes:

a. Bell Road, #3600.

Gene Sampley, Director of the Public Works Department, stated that the name Bell Road conflicts with the Sam Bell Road in the same area. The residents have petitioned that the name be changed to the Belleville Road.

Mel Peterson, 910 Old Highway 99 North, Burlington, spoke in favor of the name change because nobody can find the Bell Road.

As there were no other comments, Commissioner Vaux motioned to close the public hearing. Commissioner Walberg seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to change the name of a portion of Bell Road, #3600 to Belleville Road, #6309, as petitioned. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10985)

b. No-Name Road, #3547.

Gene Sampley explained that County road #3547 currently is not named, however is signed Bergstedt Road. The City of Sedro-Woolley Fire Chief, Tom Oakes, and Rural Fire Protection District #8 Fire Chief, Jim Allen, both have requested that the official road name be changed to concur with current road name signing.

Don Bergstedt, 952 Bergstedt Road, Sedro-Woolley, expressed approval.

As there were no other comments, Commissioner Walberg motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Walberg motioned to change No-Name Road, #3547 to Bergstedt Road, #9141. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #10985)

c. James McLennon Road, #6421.

Gene Sampley explained that James McLennon Road, #6421, has been commonly known as Sterling Road.

Penny Mitchell, 1072 Sterling Road, Sedro-Woolley, presented a petition signed by residents in favor of the name change.

As there were no further comments, Commissioner Walberg motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Walberg motioned to change James McLennon Road, #6421, to Sterling Road, #6421. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #10985)

3. Public Hearing - County Surplus Property Auction.

Gene Sampley read the list of property being offered for sale by auction.

As there were no comments, Commissioner Walberg motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Walberg motioned to adopt the resolution authorizing the sale of surplus items by public auction to the highest and best bidder(s), at noon on October 17, 1986, at the County road maintenance complex located on Highway 20 at Alder Street in Burlington. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #10986)

4. Signature - Change Order for Sheriff's Office Project.

John Cheney, architect, reviewed the following items included in the change order:

- a. Deduct camera enclosure on east side of the building.

- b. Add electrical operation and weatherstripping to garage door on east side of the building, in order to be able to open the door from the outside.
- c. Provide lowered plaster ceiling in evidence garage, including related additional items, to protect against unauthorized access.
- d. Substitute plaster wall instead of brick at north entry.
- e. Add wiring for pump and recircuiting of existing wiring encountered at main entrance door.
- f. Delete upper C.M.U. wall at men's locker room.
- g. Add insurance, supervision and handling on above items.

Commissioner Vaux motioned to approve Change Order #6 adding a total of \$6,129.00 to the contract amount for a total contract amount to date of \$866,648.00. Commissioner Walberg seconded the motion. The motion was carried unanimously.

5. Update - Resource Recovery Facility Project.

Gene Sampley explained that the preliminary review of the proposals has been completed. The following three proposers were considered very good and will be reviewed additionally:

- a. Cadoux, Inc.
- b. Thermal Reduction Company, Inc.
- c. Wright Schuchart Harbor Company

Prior to interviewing the above three firms on October 15 and 16, additional information will be requested.

Mr. Sampley summarized the findings of the tour which he and Bill Ness, Solid Waste Engineer, took of various incineration facilities in the country.

Bob Green asked why the Olivine Corp. was eliminated from the selection process.

Mr. Sampley explained that they did not submit the requested information in their proposal.

Discussion followed regarding tipping fees.

6. Signature - Avigation Easement.

This item will be addressed in one week.

7. Miscellaneous Items.

- a. The Board was informed that four firms are being considered in the selection of a firm to supply soils consultant services for Skagit County. The four firms will be interviewed during the week of October 6, 1986.
- b. Roger Howard, Section Manager - Facilities, updated the Board on the progress on the Courthouse roof replacement project.

The Board approved for signature a Certificate of Substantial Completion for this project.

MISCELLANEOUS ITEMS

1. The Board approved for signature an application for ACTION grant funding in the amount of \$35,554 for the Retired Senior Volunteer Program.
2. The Board approved for signature an agreement with the Mount Vernon School District for use of the LaVenture School Gym at the rate of \$50 per night for the Fall Sports Program.

Jon Aarstad, Director of the Parks Recreation and Senior Services Department, explained that he will be meeting with a representative from the school district to discuss fees charged the County for rental of the facilities.

3. The Board was informed that 9,925 people visited the Clear Lake Swimming Facility this summer. Income was \$700 more than expenses.
4. In accordance with action previously taken, the Board approved for signature the following resolutions:
 - a. Resolution conditionally approving Appeal/Waiver #6-86 of Nancy Dickison to waive certain requirements of Skagit County Code 12.04.050 and Washington Administrative Code 248-96-100. (Resolution #10987)
 - b. Resolution denying Thomas Naubert Rezone Request #R-86-013. (Resolution #10988)
 - c. Resolution denying Glen Becker Rezone Request #R-86-014. (Resolution #10989)

- d. Resolution approving expansion request of Lazy Acres Mobile Home Park. (Resolution #10990)
5. Commissioner Walberg motioned to approve the Record of the Proceedings for Wednesday, September 24, 1986. Chairman Rohrer seconded the motion. The motion was carried and so ordered.
6. 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, September 29, 1986, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #0198 through #0225 (Warrants #3065 through #3484) in the total amount of \$546,974.67. (P/23)

DISCUSSION - SKAGIT COUNTY PUBLIC DEFENDER'S OFFICE.

Present for this discussion were Judge Walter Deierlein, Jr., Judge Harry Follman, Court Commissioner Gil Mullen, and Terry Rousseau (Director of Juvenile Probation).

Mike Woodmansee, Budget and Finance Director, explained that Steve Skelton, Hal Sheets and Al Lyon jointly submitted the only proposal received for indigent defense services. Their total three-year cost was approximately \$1.6 million. The County is presently paying \$290,000 for 1986. Through negotiations, they lowered their three-year proposed cost to \$1,266,000, excluding deprivation of parental rights cases. It was the hopes of the Commissioners that the cost for a three-year contract would not exceed \$1 million.

Mr. Woodmansee stated that he has informed Mr. Skelton that the County intends to establish a Public Defender's Office. He explained Whatcom County's Public Defender's Office and how it compared to Skagit County's situation. He presented a proposed time frame for establishing such an office in Skagit County. The proposed office would include five attorneys, four secretaries, \$10,000 for conflicts, \$10,000 for office equipment and \$7,000 for rent, which totals approximately \$297,000 per year.

Judge Deierlein stated that quality people will be essential in determining the success or failure of the matter.

Mr. Woodmansee explained that the public defender will be selected by a committee of three: one Commissioner, one Superior Court Judge, and one local attorney.

Judge Follman stated that possibly the selection of a public defender should wait until after the general election in November.

The Board thanked those present for participating in this discussion.

PUBLIC HEARING - BOW HILL LAND COMPANY REZONE REQUEST #R-86-011.

Gary Gidley, Associate Planner, entered into the record and summarized the staff report and recorded motion of the Planning Commission. He stated that the Bow Hill Land Company was requesting the following reclassification:

1. 56 acres from Residential to Residential Reserve.
2. 10 acres from Residential to Rural.
3. 6 acres from Residential to Commercial/Limited Industrial.

The subject property is located in the southwest quadrant of the Bow Hill Road-Interstate Highway 5 intersection approximately six miles north of Burlington.

Mr. Gidley entered into the record letters in favor of the proposed rezone from the following persons:

1. Fred R. Bates, President, Bates Abrasives, Inc., P.O. Box 255, Burlington
2. Howard Hammer, La Conner
3. W. R. Hoagland, 1422 South 11th, Mount Vernon
4. Robert H. Mullen, 500 North Anacortes Street, Burlington
5. David N. Anderson, 1469 Eagle Drive, Burlington
6. Fred and Joann Ossewarde, 1672 Reef Point Lane, La Conner
7. C. C. McMillan
8. Elmer L. Ericksen, Ericksen and Svendsen Mill Co.
9. Richard C. Green, Thunderbird Lane, Concrete
10. Lester R. Tinker, 1243 Gwen Drive, Burlington
11. Norman H. Dahlstedt, 1306 Highway 237, Mount Vernon

Chairman Rohrer read a letter in favor of the rezone which was received from Faustino Cecotti, President of Commercial Excavating Company, Inc. Chairman Rohrer also noted that several Notices of Public Hearing were returned undeliverable.

Charles Twede, attorney for Bow Hill Land Company, felt the Planning Commission was swayed by the prior action of the previous Board of Commissioners. He noted that the property has been zoned Residential since 1966. Bow Hill Land Company is now asking for a less dense zoning than Residential. The owner has purchased sewer hookups which would be unfeasible for use with five-acre tracts. Mr. Twede also spoke with regard to the topography of the site. They are proposing a 150-foot greenbelt buffer zone along the westerly boundary of the parcel. Mr. Twede knew of no way in which the adjacent property owners would be adversely affected by the rezone. He felt he was not receiving any feedback from the Bow Hill Neighborhood Association with regard to negotiations. He stated that if his clients received 12 acres Commercial/Limited Industrial, they would be satisfied with zoning the remaining acreage Rural.

Ivan Gilbertson, of Camano Island, one of the owners of the subject property, stated that they have water shares at the rate of three hookups per acre, with no limitation on the amount of sewage.

Art Voorde Poorte, 756 Worline Road, Bow, stated that he owns property on Bow Hill and also downhill from there. He expressed concern regarding drainage onto his farmland below.

Dr. John Cowan, 1617 Bow Hill Road, Bow, stated that he lives north of the property and is concerned about the type of Commercial/Limited Industrial use which might develop. He favored a quiet, odorless Commercial/Limited Industrial use of a portion of the property.

Herb Sargo, 1605 Bow Hill Road, Bow, felt that some of Mr. Twede's information was not accurate. He adamantly opposed any type of Commercial/Limited Industrial zoning at this location. He noted that once the rezone was granted, it would be impossible to selectively choose what develops on that site. He noted that the letters received in favor of the rezone were from citizens not living in the Bow Hill area. Mr. Sargo urged the Board not to allow the applicants to profit from the neighbors' dissatisfaction.

Bob Anderson, 203 West Holly, Bellingham, stated that he is a land use planner representing the Bow Hill Neighborhood Association consisting of more than 300 people. He spoke on the need for a planned unit development in this area as well as a maintained buffer zone. He also expressed concern regarding ingress and egress relative to Bow Hill Road. Mr. Anderson noted that the Association is dropping their previously requested conditions. At this time the exact acreage of the property being requested Commercial/Limited Industrial is in dispute. He suggested the Board follow the Planning Commission's recommendation to zone 6 acres Commercial/Limited Industrial, and the

remaining 66 acres Rural as a compromise. He stated that Skagit County has a subordinate easement over the Frontage Road, which is owned by the State.

Jim McLaughlin, 278 Barrel Springs Road, stated that he is the President of the Bow Hill Neighborhood Association. The Association is working to prevent the domino theory on Bow Hill. He felt they have tried to reach a compromise with Bow Hill Land Company. The Association supports 5-acre tract zoning on Bow Hill because they support a rural lifestyle. Mr. McLaughlin supported the Planning Commission's recommendation for 6 acres Commercial/Limited Industrial and the remainder Rural.

Paul Taylor, 600 Cedar Drive, noted that just because the property was zoned Residential in 1966 does not make it right then or now. He favored the recommendation of the Planning Commission.

Delbert Ryan, 539 Hobson Road, Bow, stated that several months ago he proposed 10 acres be reclassified Commercial/Limited Industrial.

Gene Garland, 651 Hobson Road, Bow, did not approve of any reclassification to Commercial/Limited Industrial; however, in an effort to compromise, Mr. Garland favored the Planning Commission's recommendation.

Shirline Swanson, 651 Hobson Road, expressed concern with the odor from the peat bog in the area. She also was concerned with the noise that comes from the freeway and Skagit Speedway.

Bea Carnahan, 577 Garth Lane, opposed businesses which would pollute the Samish River. She also spoke about the noise from the freeway and poor soil conditions.

Del Freden expressed concern regarding the added traffic which would result from the rezone. He favored 5-acre Rural zoning and less intense Commercial/Limited Industrial development.

Mike Bridgman, 1448 Bow Hill Road, favored the Planning Commission's recommendation.

Christine Sargo, 1605 Bow Hill Road, expressed concern with the amount of acreage being proposed for Commercial/Limited Industrial zoning, as well as the type of business which would occupy the property.

Mr. Twede stated that no more sewer hookups are available from Water District #12 for development of that area. He made the following proposals:

1. 56 acres Residential Reserve
10 acres Rural
6 acres Commercial/Limited Industrial

OR

2. Approximately 12 acres Commercial/Limited Industrial
60 acres Rural

John Sandell, 835 Ershig Road, Bow, stated that the Samish River has been neglected in this discussion. He felt there are many impacts to be concerned with. Various acreages have been discussed for Commercial/Limited Industrial, ranging from 6 acres to 10.10 acres (Mr. Twede's latest proposal). Mr. Sandell recommended the Board accept the Planning Commission's recommendation for both zoning and the Comprehensive Plan.

Linda Storbakken, 437 Colony Road, Bow, expressed concern about the additional noise and traffic which would result.

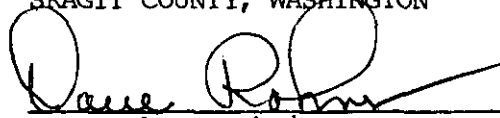
As there were no additional comments, Commissioner Walberg motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to continue deliberation on this matter until 10:00 a.m., Monday, October 6, 1986, in the Commissioners' Hearing Room, 2nd Floor, Skagit County Administration Building. Commissioner Walberg 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.

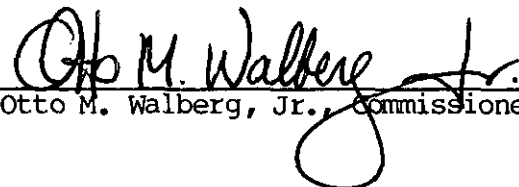
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman

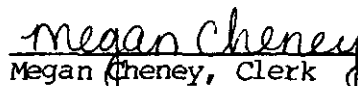


W. W. Vaux, Commissioner



Otto M. Walberg, Jr., Commissioner


ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners