

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, October 19, 1987

Flag Salute

- 9:00 a.m. 1. Planning Commission Referred Item - Rezone Request #R-87-007 of Fred Chrysler.
2. Consideration of Preliminary Plat of Sterling View.

MISCELLANEOUS ITEMS

10:00 a.m. Proclamation - Skagit County Business Women's Week.

10:30 a.m. Public Works Department - Jay Ensley, Acting Director:

1. Continuation of Discussion - 1988 Solid Waste Rates.
2. Public Hearing - Speed Limit Establishment on Ershig Road.
3. Public Hearing - Seaway Hollow Road Establishment.
4. Call for Bid - Old 99 North Guardrail, et al.
5. Signature - Ordinance on Adding Countywide 35 m.p.h. Speed Limit to County Code.
6. Discussion - Burlington Septage and Leachate Facility.
7. Update on Resource Recovery Project.
8. Miscellaneous Items.

MISCELLANEOUS ITEMS

1:30 p.m. Executive Session - Personnel and Labor Negotiations.

The Skagit County Board of Commissioners met in regular session on Monday, October 19, 1987, with Commissioners Walberg, Vaux and Rohrer present.

1. PLANNING COMMISSION REFERRED ITEM - REZONE REQUEST #R-87-007 OF FRED CHRYSLER.

Gary Gidley, Associate Planner, reviewed the staff findings on the proposed rezone to reclassify approximately 6.5 acres from Agriculture to Residential. The subject property is located at the northeast corner of Avon-Allen and Dunbar Roads. Mr. Gidley reported that the Planning Commission recommended denial of the request based on 14 findings.

Kathleen Chrysler stated that she could understand why the Planning Commission recommended denial of the reclassification to Residential zoning, which would allow the construction of 20 homes on the 6.5-acre parcel. She explained that she only wanted the option of building an additional three homes on the parcel, which currently has one house. She explained the frustrations she had experienced in trying to obtain the rezone. Mrs. Chrysler felt the Department of Planning and Community Development had required septic suitability testing

for the rezone (in the amount of \$365), which she later found out was not absolutely necessary in order to obtain the rezone. She also noted that the 1.5-acre lots she had proposed are compatible with the existing surrounding property along Dunbar Road.

Commissioner Rohrer stated that the Department of Planning and Community Development was intended to serve the people. He felt this matter should be discussed with the Department of Planning and Community Development.

Commissioner Rohrer motioned to schedule a public hearing before the Board regarding this rezone.

Commissioner Vaux asked if septic suitability tests were required prior to the rezone.

Steve Wood, Acting Director of the Department of Planning and Community Development, explained that they usually recommend the tests be performed prior to coming before the Planning Commission. Septic suitability is a very important consideration.

Commissioner Vaux asked if the Department of Planning and Community Development staff explain various options to people applying for a rezone, etc.

Mr. Wood stated that the staff tries to explain all options.

Commissioner Rohrer felt the Department of Planning and Community Development staff should explain all of the options in writing.

Earl Angevine, attorney, explained that Mr. and Mrs. Chrysler were unaware that there were zoning classifications of lesser density than Residential. He felt the rezone was denied because the zoning they applied for was incompatible with the existing surrounding area. Mr. Angevine suggested the rezone process be initiated from the beginning, seeking a more appropriate density for the property.

Commissioner Vaux agreed.

Commissioner Rohrer suggested the new rezone fee be waived.

Chairman Walberg disagreed. He felt the Department of Planning and Community Development is very competent and advises the public of all actions accordingly. He felt it would be very difficult to obtain any type of residential rezone for that parcel.

Discussion followed regarding the possibility of an agricultural lot size variance, however Mr. Wood concluded that such an option would not be appropriate in this case.

Ted Reep commended the Department of Planning and Community Development and staff for attempting to preserve agricultural land, however, he felt that this 6.5-acre parcel could not be farmed sufficiently to support a family.

Since Commissioner Rohrer's motion lacked a second, Commissioner Rohrer withdrew his motion.

Commissioner Vaux motioned to deny Rezone Request #R-87-007 to reclassify approximately 6.5 acres from Agriculture to Residential. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to reimburse the Chryslers for the \$365 expended for septic suitability testing and \$300 rezone application fee. Commissioner Rohrer seconded the motion.

Mrs. Ann Reep noted that the Chryslers have an opportunity to sell the existing house and 1.5 acres of property.

Commissioner Walberg noted that the remaining five acres could not be built upon without proper procedure and approval from the County. Commissioner Walberg asked if the Department of Planning and Community Development requires soil testing prior to application for rezone.

Mr. Wood stated that he did not know exactly what was advised to the Chryslers, however, the staff usually recommends soil tests be conducted.

Mr. Gidley stated that he did not recall if he said "highly recommended" or "required."

Commissioner Walberg stated that he was not inclined to refund the \$365 expended for soil testing, because it was probably a wise expenditure.

Commissioners Vaux and Rohrer voted to reimburse the Chryslers in the amount of \$365 for soil testing and \$300 for the rezone application. Chairman Walberg voted against the motion. The motion was carried and so ordered.

2. CONSIDERATION OF PRELIMINARY PLAT OF STERLING VIEW.

Steve Wood, Acting Director of the Department of Planning and Community Development, presented the Preliminary Plat of Sterling View, a 29-lot, 18.5-acre subdivision located approximately one mile east of Burlington, between District Line and Jordan Roads. Mr. Wood explained that on August 17, 1987, Superior Court Judge Walter Deierlein remanded to the Commissioners the preliminary plat. Based on that finding, the Department of Planning and Community Development recommended the Board approve the Preliminary Plat of Sterling View, subject to six conditions.

Commissioner Rohrer motioned to approve the Preliminary Plat of Sterling View, subject to the six conditions, as recommended by the Department of Planning and Community Development. Commissioner Vaux seconded the motion. The motion was carried unanimously.

MISCELLANEOUS ITEMS

1. In accordance with action previously taken, the Board approved for signature the resolution approving Skagit County Rezone Request #R-87-006. (Resolution #11359)
2. In accordance with action previously taken, the Board approved for signature the resolution approving Ray Wine Rezone Request #R-87-005. (Resolution #11360)
3. In accordance with action previously taken, the Board approved for signature the resolution approving Jerry Walton Rezone Request Modification #77-003. (Resolution #11361)
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, October 19, 1987, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #71623 through #71666 (Warrants #71623 through #71666) in the total amount of \$9,815.00. (PR-18-87)

PROCLAMATION - SKAGIT COUNTY BUSINESS WOMEN'S WEEK.

Commissioner Vaux motioned to proclaim the week of October 18 through 24, 1987, as Skagit County Business Women's Week, and invite all citizens to join in a salute to the working women in Skagit County and to participate in the various activities, programs, associations and groups which support and encourage women in the work force throughout the county. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

PUBLIC WORKS DEPARTMENT - Jay Ensley, Acting Director:

1. Continuation of Discussion - 1988 Solid Waste Rates.

Discussion ensued regarding the compactor boxes and the vast number of quarters that is required to operate the boxes.

Commissioner Vaux motioned to approve the 1988 solid waste rates, as proposed by the Public Works Department. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

2. Public Hearing - Speed Limit Establishment on Ershig Road.

Chairman Walberg waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on October 6, and October 13, 1987.

Jay Ensley, Acting Director of the Public Works Department, presented the Engineer's Report.

Ed Hawes, Traffic Engineering Technician, noted that two petitions were received regarding the speed limit on Ershig Road:

1. A petition was received requesting the speed limit between State Highway 11 (Chuckanut Drive) and Field Road remain at 35 m.p.h.
2. A petition was received requesting the current speed limit between Chuckanut Drive and Field Road be increased.

Mr. Hawes reviewed the Engineer's Report. He noted that the 85th percentile speed for northbound traffic at mid point of the study session was 54 m.p.h., while the 85th percentile for southbound traffic was 50 m.p.h. The average speed for northbound traffic was 44 m.p.h., while the average speed for southbound traffic was 42 m.p.h. Mr. Hawes recommended the speed limit of the study section be increased from 35 m.p.h. to 40 m.p.h., because he felt 40 m.p.h. was a more realistic flow of speed along the study section.

Rusty Regan, 827 Ershig Road, Bow, stated that a minimum of 20 children live along that section of Ershig Road.

Denise Hollister 832 Ershig Road, Bow, noted that there is also a day care facility on Ershig Road.

Mr. Regan also stated that nine cats and dogs have been hit in the last four years. Also loose cattle and massive farm machinery make traveling at a high rate of speed dangerous.

Ms. Hollister noted that two of her dogs were killed on the road. The shoulders are not suitable for bicycling, however, numerous bicyclers use the Ershig Road.

Norma Bryson, 802 Ershig Road, Bow, stated that she has three children, and she felt it seemed more appropriate to decrease the speed limit from Field Road north.

Gail Smith, 771 Ershig Road, Bow, felt the section in question should remain

at 35 m.p.h. He felt the 35 m.p.h. speed limit should be continued until the railroad tracks. He noted that increasing the speed limit would result in increasing the amount of traffic.

John Sandell, 847 Ershig Road, Bow, concurred with previous testimony. He agreed that an increase in the speed limit would cause more motorists to travel Ershig Road.

Ms. Hollister explained that because this public hearing was scheduled during the day, a number of other area residents were unable to attend.

Commissioner Vaux noted that Ms. Bryson and Mr. Sandell had both talked to him about the timing of the public hearing.

Seeing no further public comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to overturn the recommendation of the Public Works Department and allow the speed limit on Ershig Road, from Chuckanut Drive to Field Road, to remain at 35 m.p.h. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

3. Public Hearing - Seaway Hollow Road Establishment.

Chairman Walberg waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on October 6, and October 13, 1987.

Jay Ensley presented the Engineer's Report. He noted that a petition for establishment of Seaway Hollow Road was received from Gerald Tuttle, et al., on behalf of Seaway Hollow Association. The original plat was vacated in 1947, and the road within the plat was vacated also at that time. In 1956, Skagit County received a 40-foot deed for right-of-way. The road as it exists today is 12 to 15 feet in width. The County recently discontinued maintenance, pending the establishment of the road.

Mr. Ensley explained that if the road is established, the Public Works Department recommends additional right-of-way be acquired at the end of the road to provide for a cul-de-sac, and also that the petitioner pay the cost of the public hearing in the amount of \$63.70. Regarding the end of the road, additional right-of-way would be required for the cul-de-sac.

Mr. Tuttle noted that the right-of-way which would be required for the cul-de-sac was currently owned by the Seaway Hollow Association, and they were willing to deed the necessary property to the County.

Mr. Ensley stated that right-of-way 90 feet in diameter would be required for the 70-foot diameter cul-de-sac.

Mr. Tuttle explained that one individual property owner who would be affected is in Australia.

Mr. Ensley recommended Seaway Hollow Road be established as deeded, with the additional right-of-way required for the cul-de-sac, and subject to the petitioner's payment of the costs of the public hearing (\$63.70).

Discussion followed regarding postal service on the road.

Mr. Tuttle requested that the large trees within Seaway Hollow Road be allowed to remain, although there is only 17 feet between the trees.

Mr. Ensley noted that if the road is established, the Public Works Department will post delineators on the trees and appropriate signing for the road.

Seeing no further comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to establish Seaway Hollow Road on Guemes Island as a County road, as recommended by the Public Works Department, with the condition that the petitioners pay for the cost of the public hearing and Skagit County provide the petitioners with a legal description for the right-of-way requested for the cul-de-sac. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

4. Call for Bid - Old 99 North Guardrail, et al.

Commissioner Vaux motioned to adopt the resolution calling for bid for installation of approximately 6,585 lineal feet of beam guardrail in various locations in Skagit County. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #11362)

Bids will be received and publicly opened at 1:30 p.m. on November 10, 1987.

5. Signature - Ordinance on Adding Countywide 35 m.p.h. Speed Limit to County Code.

In accordance with action previously taken, the Board approved for signature the ordinance amending the Skagit County Code to include a 35 m.p.h. speed limit on unposted County roads. (Ordinance #11363)

6. Discussion - Burlington Septage and Leachate Facility.

Bill Ness, Solid Waste Engineer, presented the final accounting of the

Burlington Wastewater Treatment Plant modifications. To date, \$335,409.45 has been spent on the project.

Mr. Ness explained the need to purchase a meter for installation in the septage leachate line to measure flow and totalize it over a given period. The cost of the needed equipment is \$1,800 excluding sales tax. The City of Burlington staff has indicated that if the County purchases the flow meter, the City will install it.

The Board approved the purchase of the flow meter, as described by Mr. Ness.

7. Update on Resource Recovery Project.

Jay Ensley informed the Board that the kilns arrived late Saturday night in Seattle. Trucks were expected to be hauling the equipment to Skagit County Tuesday morning. Mr. Ensley proceeded to update the Board on the various portions of the project.

Bob Bingham, of R. W. Beck and Associates, presented a list of procurement packages submitted. He noted that they are very pleased with how the project is progressing.

8. Miscellaneous Items.

- a. Jay Ensley informed the Board that the Guemes Ferry was expected to resume its regular schedule on Wednesday, October 21, 1987, instead of Tuesday, October 20, 1987, as originally anticipated.
- b. Since two Public Works Department vehicles were sold at the recent County surplus auction, the Public Works Department asked permission to call for bid for two replacement vehicles, which were included in the 1988 budget.

The Board approved of the request.

Commissioners Walberg and Vaux were present for the following items:

MISCELLANEOUS ITEMS

1. 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, October 19, 1987, the Board, by a majority vote, did

approve for payment those vouchers included in the above-mentioned list and further described as follows: Voucher #MW023-27372 (Warrant #27372) in the total amount of \$706.84. (C-41-87)


2. Commissioner Vaux motioned to adopt the resolution calling for bids for purchase of one new passenger van and one new four-door sedan for the Public Works Department. Chairman Walberg seconded the motion. The motion was carried and so ordered. (Resolution #11364)

Bids will be received and publicly opened at 1:30 p.m. November 3, 1987.

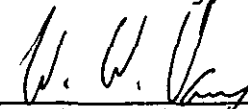
ADJOURNMENT

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

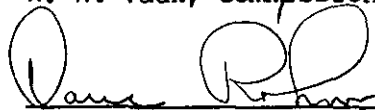
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Otto M. Walberg, Jr., Chairman

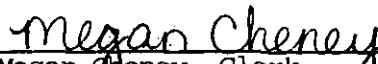


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner





Megan Cheney, Clerk
Skagit County Board of Commissioners