

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, November 3, 1987

Flag Salute

10:30 a.m. Consideration of Appeal of Hearing Examiner Decision on Preliminary Plat of Schmidt Valley Ranch.

MISCELLANEOUS ITEMS

1:30 p.m. Bid Opening - One (1) New Passenger Van and One (1) New Passenger Sedan.

MISCELLANEOUS ITEMS

2:00 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Tuesday, November 3, 1987, with Commissioners Walberg, Vaux and Rohrer present.

CONSIDERATION OF APPEAL OF HEARING EXAMINER DECISION ON PRELIMINARY PLAT OF SCHMIDT VALLEY RANCH.

Dave Hough, Senior Planner, presented photos of the proposed site for the Preliminary Plat of Schmidt Valley Ranch, located approximately 4 miles west of Concrete, at the northeast corner of Ingersoll Road and Gallagher Road.

The Commissioners were in receipt of the following items:

1. Notice of Appeal of the Preliminary Plat of Schmidt Valley Ranch;
2. Skagit County Hearing Examiner's Findings of Fact and Decision - Reconsideration;
3. Request for Re-Consideration of the Preliminary Plat of Schmidt Valley Ranch;
4. Skagit County Hearing Examiner's Findings of Fact and Entry of Order;
5. Skagit County Department of Planning and Community Development's Staff Findings; and
6. Copy of the proposed preliminary plat.

Mr. Hough explained that on October 5, 1987, the Hearing Examiner denied the request for reconsideration and reaffirmed his previous order approving the Preliminary Plat of Schmidt Valley Ranch.

Hugh Ridgway, attorney for Thomas Spencer, James W. (Bill) Johnson, Tom Hooper, W. D. Ross, Malloy Rowland, Robert Coffell and Terry Davis, appellants, drew a map of the vicinity. Mr. Ridgway felt the County Public Works Department and Hearing Examiner were considering this preliminary plat as if it were a short plat rather than a long plat. He stated that the decision of the Hearing Examiner to approve the preliminary plat is contrary to the law and it fails to require the applicant to comply with Chapter 14.12 of the Ordinances of Skagit County relating to platting.

Specifically, Mr. Ridgway had a number of concerns. He noted that the only entry into the proposed plat is from Highway 20 north on Gallagher Road for approximately one-quarter mile. Gallagher Road is a narrow, single lane County road. The County Code states that all County roads leading to a plat will be required to be constructed to County road standards.

With regard to Ingersoll Road, the Public Works Department has requested the developer of this proposed preliminary plat make 40 percent of the required County road improvements. Also, two lots are proposed to be serviced by a private easement, which additionally does not meet County requirements, stated Mr. Ridgway.

Mr. Ridgway felt the Hearing Examiner was establishing a precedent with this preliminary plat. He noted that there is also a water system northwesterly of the proposed plat. He was concerned that the waterlines have not yet been located and designated on the face of the plat.

Mr. Ridgway pointed out that drainage from the logged hillside currently flows onto Thomas Spencer's property to the east. Mr. Spencer may be able to solve his problem by blocking the CCC Road and forcing drainage down on the proposed lots of the preliminary plat.

Mr. Ridgway stated that due to these many discrepancies, the Preliminary Plat of Schmidt Valley Ranch should never have received approval from the Hearing Examiner.

Thomas Spencer, 695-B Alger Road, (property owner to the east of the proposed preliminary plat) drew a diagram of the current drainage problem. He explained that previous to the logging of the hillside, when the CCC Road was built approximately 50 years ago, the road was insloped, and thus carried the water to a planned destination. However, that drainage pattern was changed when the hillside was logged.

In response to a question from Commissioner Rohrer, it was determined that the Old CCC Road was abandoned by the State.

Bill Schmidt, 689 Gallagher Road, stated for the record that Tom Hooper, who was listed as one of the appellants, was not opposed to the preliminary plat.

Mr. Ridgway agreed.

Mr. Schmidt explained that his property is zoned for divisions as small as 1-acre and 2 1/2-acre parcels. However, with his proposed preliminary plat, the smallest lot will be 2 1/2 acres. He noted that no one would dedicate property to the County to allow the widening of Gallagher Road. The Public Works Department instructed him to pay 40 percent of the improvements needed to the road. Mr. Schmidt explained how he has already constructed safety improvements to the intersection of Gallagher Road and Ingersoll Road.

With regard to water rights, Mr. Schmidt stated he is trying to work with the Department of Ecology to improve the existing water system. He stated that he worked with the County on the design of the two easements.

Louis Regua, of Skagit Surveyors, stated that in mid-June they submitted the preliminary plat of Schmidt Valley Ranch. He reviewed the process leading up to this appeal to the Board of Commissioners. Mr. Regua explained that documentation from the Soil Conservation Service and the Department of Natural Resources was presented to the Hearing Examiner on August 19, 1987. He noted that the developer (Mr. Schmidt) has tried to do everything the experts have suggested he do.

In answer to a question from Chairman Walberg, Mr. Regua explained that the waterline easements are described very vaguely and it is questionable as to whether the lines are actually located as described.

Chairman Walberg responded that the waterlines would be designated on the plat as described in easements, rather than as built.

Discussion followed regarding drainage and the water system.

Mr. Ridgway noted that Mr. Schmidt is interested in improving the water system because he is proposing a long plat. Mr. Ridgway also pointed out that, due to the current zoning of the property, it will be possible for new owners to additionally subdivide the new lots created by this plat.

Following additional discussion, it was determined that eight residences are currently served by the water system.

Robert Coffell, 686 Gallagher Road, explained the existing water system. He noted that the water system has been very maintenance free so far. Mr. Coffell felt the shoulders of Gallagher Road between Challenger Road and Ingersoll Road are unsafe.

Bill Johnson, 766 Wilde Road, requested the Board look at the site and hold their own public hearing. He asked who would take responsibility for the road being constructed to less than County standard.

Commissioner Rohrer asked if the adjacent property owners would sell right-of-way to the County for improvement to the road.

Several persons present stated that they would consider such an arrangement.

Commissioner Rohrer recalled that he oiled the road years ago to keep from having to grade the road frequently.

Mr. Schmidt stated he shouldn't be held responsible for improving a County road.

Mr. Regua pointed out that the Hearing Examiner ruled that Gallagher Road up to the point where it is adjacent to Mr. Schmidt's property is the County's responsibility to improve.

Mr. Ridgway asked that the potential traffic flow be given consideration.

Mr. Regua stated that the experts have ruled that the traffic impact would be negligible at this time.

Commissioner Rohrer motioned to schedule this matter as a public hearing before the Board of Commissioners.

Commissioner Vaux felt if the County gives permission for additional lots, then the County needs to provide for the necessary County road improvements. Commissioner Vaux stated that he sensed a neighborhood dispute being carried with this preliminary plat. He noted that the Hearing Examiner has twice reviewed this matter and twice ruled on the matter according to the law.

Chairman Walberg stated that the applicant is working on improvements required prior to approval of the preliminary plat. The County will improve that portion of Gallagher Road between Ingersoll and Challenger Roads.

Commissioner Rohrer's motion to hold a public hearing died for lack of a second.

Commissioner Vaux motioned to deny the appeal of the Hearing Examiner's decision to approve the Preliminary Plat of Schmidt Valley Ranch. Commissioner Walberg seconded the motion. The motion was carried with votes from Chairman Walberg and Commissioner Vaux. Commissioner Rohrer voted against the motion.

MISCELLANEOUS ITEMS

The Board approved for signature the Cooperative Education Agreement between Skagit Valley College and Skagit County for employment of student interns from January 4, 1988, through May 31, 1988. The students will receive payment in the amount of \$1,000 for two quarters for expenses.

BID OPENING - ONE (1) NEW PASSENGER VAN AND ONE (1) NEW PASSENGER SEDAN.

Chairman Walberg waived the reading of the Notice of Call for Bids, as published in the Skagit Argus on October 20 and 27, 1987.

The following bids were received and publicly opened:

One New Passenger Van:

1. Lynn's Cascade Chrysler
1353 Auto Boulevard
Mount Vernon, WA 98273

Bid deposit enclosed.

Manufacturer:	Plymouth
Model:	Voyager
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$16,765.28

2. Foothills Pontiac-Buick-Toyota
1358 Auto Boulevard
Mount Vernon, WA 98273

Bid deposit enclosed.

a. Manufacturer:	Toyota
Model:	5122 Model Deluxe
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$15,662.73

b. Manufacturer:	Toyota
Model:	5132 Model LE
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$17,820.27

3. Vern Sims Ford
116 Ferry
Sedro-Woolley, WA 98284

Bid deposit enclosed.

Manufacturer:	Ford Motor Company
Model:	Aerostar
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$14,966.57

4. Blade Chevrolet, Inc.
1100 Freeway Drive
Mount Vernon, WA 98273

Bid deposit enclosed.

Manufacturer:	Chevrolet
Model:	Astro C.L.
Model Year:	1987
Total Out-of-Pocket Cost to Skagit County:	\$14,453.37

One New Passenger Sedan:

1. Lynn's Cascade Chrysler
1353 Auto Boulevard
Mount Vernon, WA 98273

Bid deposit enclosed.

Manufacturer:	Plymouth
Model:	Reliant L.E.
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$ 9,594.91

2. Foothills Pontiac-Buick-Toyota
1358 Auto Boulevard
Mount Vernon, WA 98273

Bid deposit enclosed.

Manufacturer:	Toyota
Model:	Camry
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$13,134.35

3. Vern Sims Ford
116 Ferry
Sedro-Woolley, WA 98284

Bid deposit enclosed.

a. Manufacturer:	Mercury
Model:	Topaz "LS"
Model Year:	1988
Total Out-of-Pocket Cost to Skagit County:	\$10,302.16

b. Manufacturer: Ford
Model: Tempo All Wheel Drive
Model Year: 1987
Total Out-of-Pocket Cost to
Skagit County: \$10,406.34

4. Blade Chevrolet, Inc.
1100 Freeway Drive
Mount Vernon, WA 98273

Bid deposit enclosed.
Manufacturer: Chevrolet
Model: Cavalier
Model Year: 1987
Total Out-of-Pocket Cost to Skagit County: \$ 8,965.00

The Public Works Department will review the bids prior to making a recommendation to the Board for award of the bids.

MISCELLANEOUS ITEMS

1. Jay Ensley, Acting Director of the Public Works Department, introduced Linda Kawashima, Records Clerk.

Ms. Kawashima informed the Board that she had previously been employed by the U. S. Forest Service and the Mount Vernon Police Department.

The Board welcomed Ms. Kawashima to Skagit County.

2. Commissioner Vaux motioned to award the bid for one new passenger van to Blade Chevrolet, Inc., for their 1987 Astro C.L. for a total cost of \$14,453.37. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
3. Commissioner Vaux motioned to award the bid for one new passenger sedan to Blade Chevrolet, Inc., for their 1987 Cavalier for a total cost of \$8,965.00. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

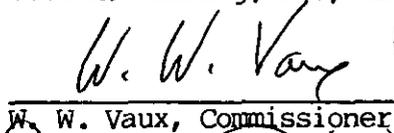
ADJOURNMENT

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

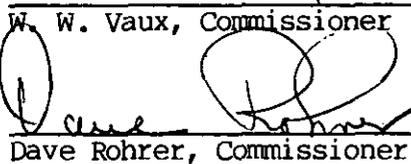
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Otto M. Walberg, Jr., Chairman



W. W. Vaux, Commissioner



Dave Rohrer, Commissioner



ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners