

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, December 15, 1987.

- 9:00 a.m. Executive Session - Litigation.
Flag Salute
- 10:00 a.m. Consideration of Appeal of Hearing Examiner Decision on the Bob Burnett Variance Request #V-87-032.
- 11:00 a.m. Signature - Developmental Disabilities Contract - JoAnn Angevine, Human Services Coordinator.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Tuesday, December 15, 1987, with Commissioners Walberg, Vaux and Rohrer present.

CONSIDERATION OF APPEAL OF HEARING EXAMINER DECISION ON THE BOB BURNETT VARIANCE REQUEST #V-87-032.

William Nielsen, attorney for Rodney Lavine, 324 Highway 9, Sedro-Woolley, noted that he witnessed the three proponents (Robert Burnett, Sr., Robert Burnett, Jr., and Randy Lavine) come out of a meeting with Commissioner Rohrer. Mr. Nielsen requested Commissioner Rohrer refrain from participating in the decision regarding this appeal, due to appearance of fairness.

Commissioner Rohrer stated the three proponents were his friends, he could have anyone in his office he chose to have, and he would not refrain from participating in this decision.

Chairman Walberg stated Mr. Nielsen's comments were duly noted.

Grace Roeder, Associate Planner, submitted the following items into the record: entire file, Assessor's map of the area, site plan as submitted by the applicant, and photos taken by the staff. Ms. Roeder gave a brief history of the property, beginning with the Conditional Use Permit issued to Mr. Burnett, Jr., in 1981 to allow his pregnant daughter and son-in-law to place a mobile home on their 3.84-acre parcel, which already contained a home. In November of 1987, Mr. Burnett, Jr., requested a variance to divide the property into two parcels, because his daughter and son-in-law desired their own property separate from Mr. Burnett, Jr.'s property. The Department of Planning and Community Development staff recommended denial of the variance. The proponents were, therefore, appealing the Hearing Examiner's decision of denial. Ms. Roeder read the appeal, and outlined the four conditions by which a variance can be approved.

Mr. Burnett, Jr., 322 Highway 9, Sedro-Woolley, stated he has spoken with his neighbors regarding the variance, and the only person who is opposed is Rodney

Lavine, who lives next door.

Randy Lavine, 320 Highway 9, Sedro-Woolley, stated he has a loan contingency based on this house. He stated his brother, Rodney Lavine, is opposing the variance.

Mr. Nielsen explained the original Conditional Use Permit was to allow a temporary house on the property. He stated he felt the Conditional Use Permit was issued illegally in the first place.

Robert Burnett, Sr., 2092 Bridgewater Road, Sedro-Woolley, stated the home site is the highest possible use of the property.

Commissioner Rohrer stated he was in the Public Works Department when the proponents entered his office uninvited. He stated he told the proponents he couldn't speak with them regarding the appeal. Commissioner Rohrer apologized to Mr. Nielsen.

Commissioner Vaux motioned to remand this matter back to the Hearing Examiner for further consideration. Commissioner Rohrer seconded the motion.

Chairman Walberg pointed out that the proposal did not meet any of the four criteria needed to grant a variance. He also noted that there was nothing specific for the Hearing Examiner to reconsider.

Commissioners Rohrer and Vaux voted to remand Variance #V-87-032 back to the Hearing Examiner for further consideration. Chairman Walberg voted against the motion. The motion was carried and so ordered.

SIGNATURE - DEVELOPMENTAL DISABILITIES CONTRACT - JoAnn Angevine, Human Services Coordinator.

The Board approved for signature Department of Social and Health Services (D.S.H.S.) Contract Amendment #2490-62269(1) for developmental disabilities services through S.P.A.R.C., Skagitron and Chinook Enterprises. This contract shall be in effect January 1, 1988, through June 30, 1989, and the total funding through D.S.H.S. is increased by \$489,093 from \$150,274 to a new total of \$639,367.

MISCELLANEOUS ITEMS

1. The Board approved for signature Department of Social and Health Services (D.S.H.S.) Contract Amendment #2200-60665(2) for mental health services. This contract shall be in effect January 1, 1988, through June 30, 1989, and the total funding through D.S.H.S. is increased by \$778,509, and shall not exceed \$1,026,784.

2. Commissioner Rohrer motioned to adopt the resolution authorizing a budget line item change in the amount of \$17,000 to modify the Coroner's, Hearing Examiner's and Juvenile Probation's budgets for 1987 to reflect expenditure increases and decreases not expected when the 1987 budget was adopted. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #11420)
3. The Board approved for signature the following Professional Services Agreements for basketball services:
 - a. Tom Jensen, 1905 East Division, Apt. A, Mount Vernon.
 - b. Alan Williams, 307 South 11th, Mount Vernon.

Compensation shall be at the rate of \$12.50 per game for slowbreak/high school league, \$15.00 per game for custer league, and \$10.00 per game for youth league. These contracts shall be effective December 14, 1987, through March 31, 1988.

4. Commissioner Rohrer motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. Edith Ashe, P.O. Box 6, Concrete, Washington 98237, in the amount of \$77.72, due to senior citizen exemption. (#012487)
 - b. Russell Sheriff, Quartermaster, Post #933, P.O. Box 187, Mount Vernon, Washington 98273, in the amount of \$28.18, due to exemption per Department of Revenue. (#012587)
 - c. Gary Grotzke, 2104 Bassett Road, Sedro-Woolley, Washington 98284, in the amount of \$99.13, as ordered by the Board of Equalization. (#012687)

Commissioner Vaux seconded the motion. The motion was carried unanimously.

5. 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, December 15, 1987, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:


- a. Warrant #28948 in the amount of \$7,248.55. (C-50-87)

- b. Vouchers #71982 through #72033 in the total amount of \$12,115.00.
(PR-22-87)

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





Megan Cheney, Clerk
Skagit County Board of Commissioners