

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, January 19, 1988

Flag Salute

9:00 a.m. Board of Health:

Continuation of Variance Request of Floyd Schopf to Waive the Rules and Regulations of the Skagit County Board of Health Governing Class 4 Water Supplies (Chapter 12.48 of the Skagit County Code) for Pending Short Plat #29-87, Situated in the Highway 9 and Big Rock Area.

- 10:00 a.m. 1. Presentation - 1988 Tulip Festival Poster - Jim Koetje.
2. Resolution - Authorizing Request for Proposals - Data Processing Review.

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

1. Discussion - Department of Emergency Management Excess Property.
2. Discussion - Similk Beach Drainage.
3. Call for Bids - Gunderson Road Reconstruction.
4. Signature - City/County Agreement for Bridge End Protection Project.
5. Update - Resource Recovery Project.
6. Miscellaneous Items.

MISCELLANEOUS ITEMS

2:00 p.m. Consideration of Appeal of Hearing Examiner Decision on the Preliminary Plat of Sunrise Ridge.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Tuesday, January 19, 1988, with Commissioners Vaux, Walberg and Rohrer present.

BOARD OF HEALTH:

Continuation of Variance Request of Floyd Schopf to Waive the Rules and Regulations of the Skagit County Board of Health Governing Class 4 Water Supplies (Chapter 12.48 of the Skagit County Code) for Pending Short Plat #29-87 Situated in the Highway 9 and Big Rock Area.

Ken Willis, Environmental Health Specialist II, briefly reviewed his presentation of January 11, 1988, regarding the appeal of Floyd Schopf through Semrau & Associates for a waiver of the Rules and Regulations of the Skagit

County Board of Health Governing Class 4 Water Supplies (Chapter 12.48 of the Skagit County Code) for pending Short Plat #29-87. Mr. Willis explained that Mr. Schopf incurred a considerable expense with the short plat, prior to being informed by Skagit County that the existing water systems were substandard, and thus the short plat could not be approved. Mr. Willis advised the Board against granting the waiver request.

With regard to the extension of Public Utility District #1 water line out to the Big Rock area, Mr. Willis stated that Greg Peterka, of P.U.D. #1, informed him that currently the P.U.D. has no plans to extend the water line to that area.

Mr. Willis explained various situations which caused the water systems to be substandard according to the County's regulations.

John Thayer, Environmental Health Specialist III, noted that the store located on the property wasn't licensed prior to 1986 as a convenience store.

Bruce Lisser, professional licensed surveyor of Semrau & Associates, reviewed the circumstances from the property owner's point of view. Mr. Lisser explained that the County led them to believe there would be no problem with the existing water systems. He noted that sites are available near the parcel for an approved water system. Also, he proposed a note be included on the face of the short plat stating the convenience store could not be expanded without Class 4 water system approval or hookup to P.U.D. #1 water supply.

Don Semrau, of Semrau & Associates, noted that the applicants currently bring their drinking water to the site for daily use.

Mr. Willis noted the Health Department may soon require Randy Audette (owner of the store) to post a notice advising the public not to drink water there. Mr. Willis, however, recommended Mr. Schopf be required to install a Class 4 water system.

Tom Karsh, Environmental Health Specialist III, explained there was obviously a breakdown in communication with the Department of Planning and Community Development.

Mr. Lisser noted if the water system problem had been addressed earlier by the County, the applicant would not have proceeded with the short plat and would not have incurred these expenses.

Commissioner Rohrer motioned to grant the requested waiver of the Rules and Regulations of the Skagit County Board of Health Governing Class 4 Water Supplies, with the condition that an approved source of water be supplied within three to five years and a sign be posted advising the public not to drink water there.

Mr. Schopf stated he would appreciate being allowed five years to find an

approved water source.

Commissioner Walberg suggested water be supplied from the dug well located on proposed Lot 3 behind the fire hall.

Mr. Audette stated someday he would like to add a deli, etc., onto his store.

Mr. Willis stated the well located on proposed Lot 3 is a shallow, dug well, which is more susceptible to contamination. He noted that the Health Department doesn't approve dug wells.

Discussion followed.

Mr. Semrau estimated it would cost approximately \$10,000 to \$20,000 to complete the short plat requirements.

Commissioner Rohrer's motion died for lack of a second.

Chairman Vaux motioned to require Mr. Schopf to post a \$5,000 bond within 30 months, and to install an approved Class 4 water system within 60 months.

Steve Wood, Director of the Department of Planning and Community Development, recommended Mr. Schopf refrain from selling proposed Lots 3 and 4 at this time.

Mr. Vaux amended his motion to include the condition that proposed Lot 3 remain unsold in case an approved Class 4 water system could not be located elsewhere.

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

1. PRESENTATION - 1988 TULIP FESTIVAL POSTER - JIM KOETJE.

Jim Koetje introduced Don Gordon, this year's Tulip Festival Chairman.

Mr. Koetje and Mr. Gordon presented the Board with the first numbered copy of the 1988 Tulip Festival Poster, and thanked the Board for their continued support.

Jim Turke, Tulip Festival Coordinator, informed the Board of various activities planned for the festival.

2. RESOLUTION - AUTHORIZING REQUEST FOR PROPOSALS - DATA PROCESSING REVIEW.

Mike Woodmansee, Budget and Finance Director, presented a letter to the Board signed by members of the Skagit County Data Processing Review Committee with regard to this matter.

Mr. Woodmansee explained \$60,000 has been budgeted in 1988 for this study. Although this sounds high, Mr. Woodmansee noted Skagit County currently pays \$204,000 to Snohomish County for use of their computer system, plus an additional \$40,000 to \$150,000 each year on computers unrelated to Snohomish County.

Ruth Wylie, Skagit County Treasurer, stated the last time the County considered such a study was five years ago. She agreed it is time to update and coordinate each department's needs and capabilities.

Commissioner Rohrer motioned to adopt the resolution authorizing a Request for Proposals for consultant services for review of Skagit County's data processing systems. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #11453)

MISCELLANEOUS ITEMS

Jon Aarstad, Director of the Parks and Recreation Department, introduced Barbara Lawrence, Skagit County's new Fair Manager.

Mr. Aarstad informed the Board of a press conference to be held in the Commissioners' Hearing Room on Thursday, January 21, 1988, at 3:30 p.m.

PUBLIC WORKS DEPARTMENT - Jay Ensley, Acting Director:

Prior to beginning the actual Public Works Department agenda, the following miscellaneous items were addressed:

6. Miscellaneous Items.

- a. Jay Ensley introduced Susan Boyle, Engineering Technician III, who recently joined the staff of the Public Works Department.
- b. Bill Vaux announced that the position of Public Works Director has been filled by Jay Ensley.

1. Discussion - Department of Emergency Management Excess Property.

Commissioner Rohrer motioned to surplus a utility trailer to the Skagit County Search and Rescue Council. Commissioner Walberg seconded the motion. The motion was carried unanimously.

2. Discussion - Similk Beach Drainage.

Don Nelson, Flood Control Engineer, was present for further discussion of the

proposed drainage project in the Similk Beach golf course vicinity. Mr. Nelson proposed Skagit County fund \$9,274 out of the River Improvement Fund, while \$3,500 would be funded by Mr. Morgan, owner of the golf course. Mr. Nelson explained the problem, and located the proposed pumping solution on a vicinity map. Mr. Morgan has offered to furnish the pump (\$3,500), as well as pay the power bill caused by the pump.

Commissioner Rohrer asked who would be responsible for maintenance of the pump.

Discussion followed.

The Board asked Mr. Nelson to formulate an agreement with Mr. Morgan for his payment of the power bill as well as maintenance of the pump. Additionally, the Board requested a provision in the agreement which allowed County access to the pump, should Mr. Morgan ever relinquish title to the property.

3. Call for Bids - Gunderson Road Reconstruction.

Commissioner Walberg motioned to adopt the resolution calling for bids for reconstruction of 0.78 miles of Gunderson Road. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #11454)

Bids will be received and publicly opened at 1:30 p.m., Tuesday, February 9, 1988.

The Board also approved for signature the construction plans for the Gunderson Road project.

4. Signature - City/County Agreement for Bridge End Protection Project.

Commissioner Rohrer motioned to enter into a City/County Agreement with the Washington State Department of Transportation for bridge end protection at 13 separate bridge locations in Skagit County. Total cost of this project is \$8,000, and the County will be responsible for \$800, while federal funds will pay \$7,200. Commissioner Walberg seconded the motion. The motion was carried unanimously.

5. Update - Resource Recovery Project.

Jay Ensley and Bill Ness, Solid Waste Engineer, updated the Board on the resource recovery project.

Mr. Ness reviewed various change order requests, and Mr. Ensley presented the landscape design for the Board's review.

6. Miscellaneous Items.

There were no miscellaneous Public Works Department items at this time.

MISCELLANEOUS ITEMS

1. Tim Holloran, Senior Services Director, introduced Jan Ryberg, Coordinator of the Burlington Senior Services Center, and Karen Christenson, Office Assistant III, both new employees to the County.
2. The Board approved for signature the following contracts with Northwest Regional Council, Northwest Washington Area Agency on Aging:
 - a. Contract #88-3150-20 for Skagit County Senior Employment; Grant Award: \$4,582.
 - b. Contract #88-3110-06 for Skagit Information and Assistance/Case Management; Grant Award: \$120,738.
 - c. Contract #88-3190-15 for Skagit County Senior Volunteer Services; Grant Award: \$4,000.
 - d. Contract #88-3170-22 for Skagit County Senior Nutrition Services; Grant Award: \$141,671.

The project period covered by the above listed contracts is January 1, 1988, through December 31, 1988.

3. Commissioner Walberg motioned to schedule Rezone #R-88-001 of Tim Woiwood at 9:00 a.m., Tuesday, January 26, 1988. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
4. Commissioner Walberg motioned to approve the Record of the Proceedings for Monday, January 11, 1988, and Tuesday, January 12, 1988. Commissioner Rohrer seconded the motion. The motion was carried and so ordered.
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, January 19, 1988, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Voucher #73001 through #73046 (Warrant #73001 through #73046) in the total amount of \$9,915.00. (PR-01-88)

CONSIDERATION OF APPEAL OF HEARING EXAMINER DECISION ON THE PRELIMINARY PLAT OF SUNRISE RIDGE.

Grace Roeder, Associate Planner, submitted the entire file and staff photos for the record. Ms. Roeder reported that the Hearing Examiner on December 18, 1987, approved the application for Preliminary Plat of Sunrise Ridge, located approximately 1/4 mile east of Thilberg Road on the north side of Swan Road in Section 20, Township 34 North, Range 4 East, W.M., in Skagit County. The preliminary plat consisted of the subdivision of a parcel of approximately 9.3 acres into 9 lots for residential use. It was proposed that 2 1-acre lots, and 7 17,000-square foot lots be created by this action.

Keith Bridge, 1942 Swan Road, Mount Vernon, appealed the Hearing Examiner's decision based on leapfrog development, failure of the Hearing Examiner to visit the site, and the Hearing Examiner's apparent partiality toward the proponent.

Ms. Roeder noted that the Hearing Examiner did drive through the site, but did not meet with the proponents or the opponents.

Mr. Bridge's appeal of the Hearing Examiner's decision was to request the parcels be increased to 1-acre in size.

Eugene Swanson, proponent, stated he didn't feel the Hearing Examiner showed partiality.

Nancy Ellis, daughter of the proponent, read a letter explaining how they had followed rules and regulations in proposing this preliminary plat.

Mr. Bridge stated there was an error in a letter from Larry West, Associate Geologist from Sweet-Edwards/EMCON, Inc., and Mr. Bridge presented a letter dated January 11, 1988, correcting that error, with regard to septic tank densities.

Mr. Bridge noted he is not against the proposal, only the density of the proposal. He felt the Hearing Examiner did not fulfill what he said he would do--meet both opponents and proponents on the property. Mr. Bridge also felt this proposal was not agreeable with land use policies. He felt the drainage was not adequately addressed. He asked the Board to hold their own public hearing to address modification of the proposal to a lessor density.

Larry West, of Sweet-Edwards/EMCON, Inc., was present. He explained when the density of septic tanks is increased, then the contamination to groundwater increases also. Mr. West noted he had done no additional soils investigation on the site other than evaluation of the soil logs.

Mr. Bridge presented the Board with a letter from John R. Smith and Phillis A. Smith, authorizing Mr. Bridge to speak in their behalf. Mr. Bridge and Mr. and Mrs. Smith own two residences in the area which are on P.U.D. water.

Mike Stewart felt the Comprehensive Plan was not a regulatory policy. The proponents have been working closely with the County to meet County regulations. For the proponents to start over would be very expensive.

Don Semrau, of Semrau & Associates (the proponent's engineer), explained the smallest lots were 17,000 square feet, while the other parcels were approximately 1/2 acre in size. He felt the surface water would not impact surrounding properties.

Dale Thompson, was present representing Chris Thompson, who owned a lot to the west. He urged the Board to uphold the Hearing Examiner's decision.

John Boynton concurred and urged the Board to uphold the Hearing Examiner's decision.

Robert Peterson felt Mr. Swanson would set a precedent for the area.

Bob Pearmain owned property adjacent to the west up until last year. He felt the proposed north ditch would help people to the west.

Walt Pfahl, 1938 Swan Road, stated he lives on the west side of the proposed development. He expressed concern regarding contamination of groundwater and the effect that would have on property values.

Mr. Semrau noted that the Hearing Examiner did require a 50-foot buffer along Swan Road.

Victor Huddle supported the proposed development. He stated he doesn't experience flood waters.

Mike Sloan, 1976 Swan Road, noted that the Hearing Examiner had agreed to look at the project in person with both the proponents and opponents present, but he never did. He felt the County was setting a precedent. He stated he was never notified of the hearing.

Commissioner Rohrer motioned to hold a Board of Commissioners' hearing on the Preliminary Plat of Sunrise Ridge.

Commissioner Walberg felt the Hearing Examiner's information was adequate for his decision. Mr. Walberg stated the surface water was not a major consideration in his opinion. He noted the applicant has met, if not exceeded, the requirements, and the Board would most likely come to the same decision the Hearing Examiner had.

Commissioner Rohrer stated he wanted to visit the site in person before making a decision.

It was pointed out that in order to visit the site, the Board would have to elect to hold their own public hearing on the matter.

Chairman Vaux pointed out it wasn't often that the Board had the opportunity to approve a residential plat with P.U.D. water. Chairman Vaux seconded Commissioner Rohrer's motion to hold a public hearing on the matter, including a site visit, and the public hearing was scheduled at 1:30 p.m., Tuesday, February 9, 1988 in the Commissioners' Hearing Room. The motion was carried unanimously.

MISCELLANEOUS ITEMS

1. In accordance with action previously taken, the Board approved for signature the resolution denying Shoreline Substantial Development/Conditional Use Permit Application #7-87 of Skagit System Cooperative. (Resolution #11455)
2. 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, January 19, 1988, 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 #50014 through #50020 (Warants #50014 through #50020) in the total amount of \$4,950.91. (#R-3-88)
- b. Vouchers #712251 through #712851 (Warrants #29804 through #30164) in the total amount of \$434,405.81. (#C-02-88)

ADJOURNMENT

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



ATTEST:

Megan Cheney
Megan Cheney, Clerk of the
Skagit County Board of Commissioners

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

W. W. Vaux
W. W. Vaux, Chairman

Otto M. Walberg, Jr.
Otto M. Walberg, Jr. Commissioner

Dave Rohrer
Dave Rohrer, Commissioner