

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, April 11, 1988

8:30 a.m. Work Session - Operations Superintendent and Road Supervisors.

Flag Salute

9:00 a.m. Board of Health:

1. Request by Earl Border for Waiver from Class 4 Regulations.
2. Impact of Omnibus AIDS Legislation on Skagit County Health Department.
3. Guidelines for Repair of On-Site Sewage Systems in Shoreline Areas.

10:00 a.m. Discussion - Skagit Centennial Committee - Tim Boles.

MISCELLANEOUS ITEMS

1:30 p.m. Executive Session - Litigation.

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

The Skagit County Board of Commissioners met in regular session on Monday, April 11, 1988, with Commissioners Walberg and Vaux present. Commissioner Rohrer's absence was excused.

BOARD OF HEALTH:

1. Request by Earl Border for Waiver from Class 4 Regulations.

Ken Willis, Environmental Health Specialist II, introduced Earl Border, who was attempting to sell a 1.5 acre parcel of property on Prairie Road. Mr. Willis explained the future purchasers of the parcel may want to build a house on it and connect to an existing well on the property. Mr. Border and his neighbor, John Frazier, have an agreement which was drawn up in 1981, in which they indicate their plan to share the well. At present only Mr. Frazier is connected.

Mr. Willis outlined the reasons why the existing well site did not meet approval for a Class 4 system: it doesn't meet the requirements for setback from property boundaries and potential sources of contamination (a shed where gasoline and chemicals are stored). He indicated the only way to gain approval of the well site would be to include Saje Lane, a private road, in the protective radius around the well and obtain a legal agreement from the neighbor on the opposite side of that road from the well to prohibit certain practices or construction within the 100-foot radius. Additionally, Mr. Frazier would have to move his chicken house, his calf pen, and sign a

covenant stating he would not store any potentially polluting material in his shed.

Mr. Willis read a letter from Mr. Border requesting the Board of Health waive these requirements. Mr. Border also agreed to hold Skagit County harmless from responsibility as a result of the waiver.

Mr. Willis explained that Mr. Border's property has been connected to the existing well for several years (for stock watering) and thus, he feels his agreement with Mr. Frazier pre-dates the implementation of Skagit County's Class 4 regulations.

Mr. Willis noted the Health Department really doesn't recognize pre-existing status, and it is not the intent of the rules and regulations to allow the Board of Health the opportunity to approve inadequate systems on a case-by-case basis. Mr. Willis stated he has looked at the well, but was unable to obtain a well log from the retired well driller.

At the Board's request, Mr. Willis drew a sketch of the properties and existing well. Mr. Willis noted the well is 50 to 52 feet deep, and is therefore, not geographically well protected. He estimated to locate another well would cost approximately \$2,000.

Mr. Border explained the former owner of his property, Mr. Meyers, and his neighbor, Mr. Frazier, paid for the existing well, which was originally planned to service two home sites. However, no house on Mr. Border's parcel was ever constructed. Mr. Border requested the Board waive the rules and regulations to allow the existing well to remain private, while still serving two residences. He stated he was asking \$14,900 for his parcel, but the prospective buyer backed out.

Mr. Willis recommended the Board deny Mr. Border's request. He felt the appropriate option for Mr. Border is to construct another well in a suitable site so that he either can gain approval for a Class 4 system to serve both properties from the one well or serve each property with a separate, private well beyond Health Department jurisdiction.

Chairman Vaux suggested Mr. Border attempt to obtain an easement from his neighbor across Saje Lane for a protective radius.

Mr. Willis noted Mr. Frazier would also have to grant an easement and move an existing shed. He noted also that some additional expense would be involved in upgrading the existing well to meet Class 4 approval.

Mr. Border noted the chicken shed has been removed.

Commissioner Walberg suggested Mr. Border compare the cost of drilling a new well to the cost of upgrading the existing well.

Following additional discussion, Commissioner Walberg motioned to deny Mr. Border's request for a waiver from Class 4 water regulations. Commissioner Vaux seconded the motion. The motion was carried and so ordered.

In answer to a question from Mr. Border, the Board explained he had the option of selling the property without a well.

2. Impact of Omnibus AIDS Legislation on Skagit County Health Department.

Carolyn Milat, Public Health Director, explained the Omnibus AIDS Legislation of 1988 (SB 6221) was passed by the Washington State Legislature on March 10, 1988, and signed by the Governor on March 23, 1988. The measure is quite comprehensive and establishes state policy in the following areas:

- a. Education of general public, students, employees, and high risk groups;
- b. Testing and counseling;
- c. Regional AIDS service networks;
- d. Confidentiality of information;
- e. Discrimination protections; and
- f. Mandatory public health measures.

Ms. Milat explained six regional AIDS service networks are to be established by October 1, 1988, with one county in each network acting as lead counties. She is a member of the Planning Committee for Region 3. The Legislature appropriated \$6.5 million for this issue. Region 3 is budgeted to receive \$477,860, and of that amount, Skagit County is expected to receive between \$40,000 and \$43,000.

Ms. Milat noted many questions are still unanswered, such as the Health Department's role in testing. She will be attending two meetings this month to obtain further information. She suggested the Board may decide to appoint an AIDS task force. Ms. Milat will keep the Board apprised of upcoming data.

3. Guidelines for Repair of On-Site Sewage Systems in Shoreline Areas.

Tom Karsh, Environmental Health Specialist III, presented a Memorandum of Agreement between the Washington State Department of Ecology (DOE) and the Washington State Department of Social and Health Services (DSHS).

He updated the Board on the history surrounding this matter. Prior to 1984 in Skagit County there were basically no standards of repair for failing on-site

sewage systems. Skagit County currently has standards of repair, however, the standards are difficult and loosely defined. Mr. Karsh noted in questionable repairs, Skagit County requires the property owner to record a statement of substandard repairs to warn prospective buyers of the situation.

This agreement between DOE and DSHS was developed to provide guidance for handling "grossly failing" systems in marine shoreline areas. Mr. Karsh summarized this agreement as setting forth standards for the repair of existing systems which cannot comply with existing State rules and regulations. Mr. Karsh explained this agreement is available for Health Departments to use when necessary.

Mr. Karsh noted he will return before the Board in the near future for specific guidance regarding fees.

DISCUSSION - SKAGIT CENTENNIAL COMMITTEE - Tim Boles.

Tim Boles, Director of the Anacortes Museum and member of the Skagit Centennial Committee for the State of Washington, presented a sample local project grant application, for the Board's review. He explained the State of Washington has two grant programs for Skagit County for up to \$25,000 with no match. He noted the projects have to be capital improvement, educational, etc., with lasting impact to Skagit County. These grant applications are available to local non-profit organizations.

Mr. Boles pointed out, however, that some members of the Skagit Centennial Committee have a conflict of interest as they are also involved with applying for funds for a specific project. Mr. Boles noted that he withdrew his grant application for funding for the Preston in Anacortes, because of the appearance of conflict of interest. Mr. Boles, therefore, requested the Board appoint another committee to review the grant applications.

He explained that the Skagit Centennial Committee has already selected a county-wide slide presentation to be one of the funded projects. Four grant applications remain, from which the new committee will choose one to receive funding.

Mr. Boles presented Local Project Grants - Instructions to Reviewers to be used by the new committee in evaluating the projects.

If the Board wished, Mr. Boles explained, the Board could instruct the new committee to choose two projects to receive funding out of the total of five project applications (including the county-wide slide presentation).

Mr. Boles requested the Board appoint a committee of from five to seven members to review the applications. He agreed to keep the grant applications (which he had sealed without review) until such time as they may be turned over to the appointed review committee.

The Board agreed to appoint a new committee by the end of April, 1988. The review of the grant applications must be completed by early June, 1988.

MISCELLANEOUS ITEMS

1. Tom Sheahan, Director of Emergency Management, read a proclamation designating the week of April 10, through April 16, 1988, as "Earthquake Awareness Week" in Skagit County.

Commissioner Walberg motioned to approve the proclamation for "Earthquake Awareness Week" in Skagit County. Chairman Vaux seconded the motion. The motion was carried and so ordered.

2. Commissioner Walberg motioned to approve Contract Amendment #2 between the Department of Ecology and Skagit County (State Application Identifier #395750602) to extend the completion date from July 1, 1988, to December 31, 1988, in order to better facilitate the design and construction of the closure of the Sauk and Gibraltar Landfills. Chairman Vaux seconded the motion. The motion was carried and so ordered.
3. Chairman Vaux cautioned Tom Sheahan of the possible large crowds into Skagit Valley in the upcoming weekends, due to television coverage of the tulip fields.
4. Jeff Monsen, County Engineer, informed the Board of his findings regarding Kitsap County's warning lights. Mr. Monsen felt the system used in Kitsap County was not applicable to Skagit County's need (regarding the intersection of McLean Road and Best Road).

Chairman Vaux requested Mr. Monsen inform Bob Richards of his findings.

5. The Board approved for signature a Sale of County Land form for the sale of Parcel #073604-4-011-0006 in Section 7, Township 36 North, Range 4 East, W.M. to Olive Routon and Lanny Routon for the sum of \$1,000 plus costs. (Application #1089)
6. Commissioner Walberg motioned to approve the Record of the Proceedings for Monday, April 4, 1988. Chairman Vaux seconded the motion. The motion was carried and so ordered.
7. The Board approved for signature the following Memorandums of Agreement for services to Skagit County:
  - a. Skagit Valley Visitor and Convention Center for the provision of tourism promotion and visitor information services, for the period beginning January 1, 1988, and extending through December 31, 1988. Compensation for these services shall be in the amount of \$12,000.

- b. Skagit Valley Tulip Festival for the planning, organizing and operating the annual Tulip Festival, for the period beginning January 1, 1988, and extending through December 31, 1988. Compensation for these services shall be in the amount of \$10,000.
8. Commissioner Walberg motioned to approve the following Petitions for Property Tax Refund, as recommended by the Assessor and Treasurer:
- a. Thomas R. Jenkins, 2601 16th Street, Anacortes, Washington 98221, in the amount of \$113.45, representing a refund for 1985 taxes effective September 8, 1985, per Department of Revenue Registration #03856-030. (#000386)
  - b. Richard Roskelley, 2213 14th Street, Anacortes, Washington 98221, in the amount of \$184.81, due to senior citizen exemption. (#001788)
  - c. Alf Christensen, c/o William Christensen, P.O. Box 354, Anacortes, Washington 98221, in the amount of \$495.51, due to senior citizen exemption. (#001888)

Chairman Vaux seconded the motion to approve the above listed Petitions for Property Tax Refund. The motion was carried and so ordered.

9. The Board approved for signature the contract between Skagit County and the Skagit Argus for the provision of legal printing for the period beginning July 1, 1988, and ending June 30, 1989. Compensation shall be at a rate of \$3.80 per column inch.
10. In accordance with action previously taken, the Board approved for signature the resolution awarding the bid for 1988-89 County legal printing to the Skagit Argus for their bid of \$3.80 per column inch. (Resolution #11540)
11. The Board approved for signature a letter to the Skagit Valley Herald informing them of the award of bid for County legal printing to the Skagit Argus.
12. Commissioner Walberg motioned to adopt the resolution calling for a public hearing to ammend the Skagit County Code relating to jail standards. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Resolution #11541)

The public hearing is scheduled for 9:00 a.m., on Tuesday, April 26, 1988.

13. Commissioner Walberg motioned to adopt the resolution calling for a public hearing for the purpose of determining whether a resolution shall

be adopted authorizing a supplemental budget in the amount of \$2,000,000 for Fund #405, the Incinerator/Resource Recovery Construction Fund. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Resolution #11542)

The public hearing is scheduled for 9:00 a.m., on Wednesday, April 20, 1988.

14. 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, April 11, 1988, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- a. Vouchers #50451 through #50575 (Warrants #50451 through #50575) in the total amount of \$1,092,393.14. (R-13-88)
- b. Vouchers #802789 through #803225 (Warrants #32262 through #32618) in the total amount of \$456,665.92. (C-13-88)

ADJOURNMENT

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



BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

*W. W. Vaux*

W. W. Vaux, Chairman

*Otto M. Walberg Jr.*

Otto M. Walberg, Jr. Commissioner

ATTEST:

*Megan Cheney*

Megan Cheney, Clerk of the  
Skagit County Board of Commissioners

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Dave Rohrer, Commissioner