

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, April 12, 1988

Flag Salute

- 9:00 a.m. Consideration of Appeal of Hearing Examiner's Decision on Shoreline Substantial Development Conditional Use Variance Request #1-88.
- 10:00 a.m. Proclamation - Victims' Rights Week - April 17 through 23, 1988.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Tuesday, April 12, 1988, with Commissioners Vaux and Walberg present. Commissioner Rohrer's absence was excused.

CONSIDERATION OF APPEAL OF HEARING EXAMINER'S DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT CONDITIONAL USE VARIANCE REQUEST #1-88.

Oscar Graham, Assistant Planner, explained Suzanne Paulus filed an appeal to the Board of Commissioners of the Hearing Examiner's decision to approve a Shoreline Conditional Use Permit for a public access and observation area and other shoreline improvements located at the Padilla Bay National Estuarine Research Reserve, 1043 Bayview-Edison Road.

Ms. Paulus, 1061 Bayview-Edison Road, stated she felt sections in the Skagit County Shoreline Management Master Program specifically prohibited structures built on estuaries. She also felt this plan would put too many people down on the beach.

Ruby Watson, 1065 Bayview-Edison Road, stated she and her husband live between Bayview State Park and the estuary. She was opposed to the litter and fires already being caused by visitors to Bayview State Park. Ms. Watson did not feel another access to the beach was necessary. She felt the money could be more wisely spent elsewhere.

Mr. Watson stated he never put up signs stating "No Trespassing," on his beach property.

Chairman Vaux asked Terry Stevens, Director of the Padilla Bay National Estuarine Research Reserve, what provisions for crowd control had been planned.

Mr. Stevens explained they were primarily concerned with visitors' safety. This facility would provide a hands-on experience to visitors. He noted it

was not their practice to trespass on private beach property. Mr. Stevens explained the access area will consist of a screened observation deck, which will actually enhance the area. A stairway to the beach has been designed to be retractible and/or gated. He noted they intend to sign the area to control noise and also to define boundaries.

Chairman Vaux felt there needs to be something other than signs to keep people off privately owned beach property.

Mr. Stevens noted a physical barrier would require a long, long fence. He suggested during the summer months possibly the Estuary could patrol the boundaries several times per day.

Chairman Vaux favored the patrol idea.

Ms. Paulus noted it is possible to scamper down the bank. She questioned how the noise would be controlled. She favored the idea of a physical barrier, and explained it wouldn't necessarily need to go far out into the tidelands to be effective. Ms. Paulus requested all intentions be written down and also depicted on the plans.

Mr. Stevens explained some of the items just discussed were conditions of the Shoreline Conditional Use Permit. He explained the gates could be installed at a variety of locations. He stated he would be willing to provide a signage plan, which will also attempt to control noise. With regard to screening of the observation area, he noted he is investigating several options used by other estuaries.

Ms. Watson stated she felt the tunnel under the road will be a magnet for all kinds of overnight activities.

Mr. Stevens stated the tunnel could also be gated off at either end or both ends. No smoking or fires are permitted on estuary trails.

Ms. Paulus favored people standing on the platform area, rather than walking on the beach.

In response to a question by Chairman Vaux regarding the Shoreline Management Act, Mr. Graham explained this particular beach is not a fragile and sensitive area.

Ms. Paulus again stated if it is an estuary, then no structures are allowed to be constructed.

Mr. Stevens stated the estuary is not a recreational area, but an educational interpretive facility. He estimated 2,000 to 4,000 people will use the platform per year.

Chairman Vaux stated it will be the estuary's responsibility to protect the

private property owners.

Mr. Stevens noted they are especially concerned about protecting property owners' rights. The project won't even be started until such time as they are sure they will have the resources to complete it.

Ms. Watson warned about the strong storms which occasionally hit at that location.

Ms. Paulus requested a public hearing be held to allow public comment from other Bayview residents.

Mr. Stevens reviewed his attempts to discuss this matter with area residents. He stated they are willing to do anything they have the budget to allow.

Commissioner Walberg noted that the Hearing Examiner (Bob Schofield), as the past Director of the Department of Planning and Community Development, is sensitive to citizens' concerns. He felt most of the problem visitors would come from the park, rather than from the estuary. Technically, this project meets the requirements, and the Hearing Examiner incorporated the appropriate conditions in his approval of this request. Commissioner Walberg also favored gates for the tunnel under the road.

Chairman Vaux requested all specific security and crowd control measures be denoted on a draft plan, including signage, patrols, gates, etc.

Commissioner Walberg motioned to uphold the Hearing Examiner's decision to approve Shoreline Conditional Use Permit #1-88 for a public access and observation area at the Padilla Bay National Estuarine Research Reserve. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Chairman Vaux assured Ms. Paulus, Ms. Watson and Mr. Watson that they would be informed of the draft plan.

**PROCLAMATION - VICTIMS' RIGHTS WEEK - APRIL 17 THROUGH 23, 1988.**

The following individuals were present for this item: Mike Rickert, Skagit County Prosecuting Attorney; Gretchen Paque, Victim/Witness Coordinator; Ed Cahill, Part-time Victim/Witness Coordinator; and Sandy Maskell.

Commissioner Walberg read aloud the Skagit County Board of Commissioners' Proclamation designating April 17 through 23, 1988, as National Victims' Rights Week in Skagit County.

The Board was informed of a balloon release planned for Monday, April 18, 1988, at noon in front of the Courthouse.

Gretchen introduced Sandy Maskell, who is one committee member who is helping with the balloon lift.

MISCELLANEOUS ITEMS

1. Commissioner Walberg motioned to approve an out-of-state travel request for Steve Wood, Director of Planning and Community Development, to attend a seminar entitled "Indian Tribes as Sovereign Governments," in Sundance, Utah, in May, 1988. Chairman Vaux seconded the motion. The motion was carried and so ordered.
2. The Board accepted the recommendation of the interview committee to retain Leonard and Boudinot, Inc., for the provision of engineering services for the Burlington Edison Regional Playfields project.
3. A brief discussion was held with Jon Aarstad, Director of the Parks and Recreation Department, and Barbara Lawrence, Fair Manager, regarding the possible purchase of used bleachers from the Oak Harbor Rodeo Grounds. Ten sets of the 11-year old bleachers are available to Skagit County. Purchase price for ten sets (seating for 2,500 people) is \$6,000, and purchase price for five sets (seating for 1,250 people) is \$3,000. It was noted that new bleachers to seat 2,500 people would cost \$78,250 plus taxes and delivery costs.

Chairman Vaux and Commissioner Walberg agreed to travel to Oak Harbor on Wednesday, April 13, 1988, to inspect the bleachers prior to purchase.

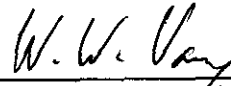
4. Commissioner Walberg motioned to schedule the following Planning Commission referred item for 10:00 a.m., on Tuesday, April 19, 1988: Rezone and Comprehensive Plan Amendment Application #R-88-02 for Burlington Edison School District. Chairman Vaux seconded the motion. The motion was carried and so ordered.
5. The Board approved for signature an agreement between the Skagit County Health Department and Christa Campbell, registered dietician, for services performed at the rate of \$13.25 per hour for service time. The total sum of compensation shall not exceed \$1,200 annually, without County approval.
6. The Board approved for signature an ACTION supplement grant to provide additional funding in the amount of \$1,092 for the Retired Senior Volunteer Program.
7. The Board approved for signature Letters of Understanding to the following collective bargaining agreements for amendment to the Health and Welfare sections:

- a. Teamsters Local Union #788 (Skagit County Courthouse Employees) Agreement dated January 1, 1988, through December 31, 1990.
- b. American Federation of State, County and Municipal Employees AFL-CIO Local #176-JP (Skagit County Juvenile Probation Employees) Agreement dated January 1, 1988, through December 31, 1990.

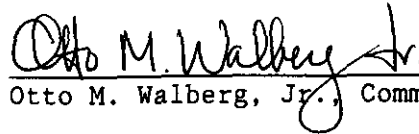
ADJOURNMENT

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

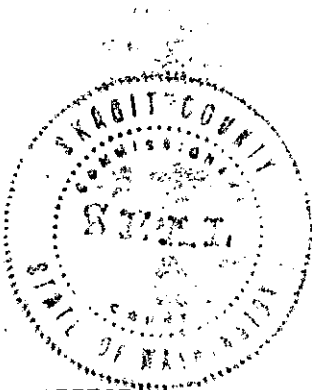


W. W. Vaux, Chairman

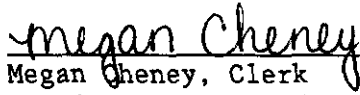


Otto M. Walberg, Jr., Commissioner

Dave Rohrer, Commissioner



ATTEST:



Megan Cheney, Clerk  
Skagit County Board of Commissioners