

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, May 17, 1988

Flag Salute

10:00 a.m. Planning Commission Referred Items:

1. Washington State Patrol Rezone #R-88-003.
2. Brown and McMillen Preliminary Plat #P-88-004.

MISCELLANEOUS ITEMS

11:00 a.m. Discussion - Vannon Wave Incident - Department of Emergency Management - Tom Sheahan, Director.

The Skagit County Board of Commissioners met in regular session on Tuesday, May 17, 1988, with Commissioners Vaux and Walberg present. Commissioner Rohrer's absence was excused.

PLANNING COMMISSION REFERRED ITEMS:

1. Washington State Patrol Rezone #R-88-003.

Gary Christensen, Associate Planner, presented the following items: staff findings, the Planning Commission's recorded motion, an aerial photo, staff photos, a photo of the model presented to the Planning Commission, and a site plan.

Mr. Christensen explained the Washington State Patrol requested a rezone and Comprehensive Plan amendment to reclassify approximately 1.5 acres from Agriculture to Public Use. The property is located northwest of Burlington, adjacent to and west of Interstate 5, and adjacent to and northeast of Chuckanut Drive. The Planning Commission unanimously recommended approval of this request.

Harold Page, architect representing the Washington State Patrol, explained this new location of the Washington State Patrol would have a positive impact on Mount Vernon traffic flows and would also provide easy access to the public.

Commissioner Walberg motioned to accept the recommendation of the Planning Commission to approve Washington State Patrol Rezone and Comprehensive Plan Amendment Request #R-88-003. Chairman Vaux seconded the motion. The motion was carried and so ordered.

2. Brown and McMillen Preliminary Plat #P-88-004.

Al Brown and Gary McMillen, of Brown and McMillen Real Estate, and John Leonard, engineer and surveyor of Leonard and Boudinot, Inc., were present for this item.

Gary Christensen, Associate Planner, presented the following items: staff findings, Planning Commission's recorded motion, an aerial photo, and staff photos.

Mr. Christensen explained the Preliminary Plat #P-88-004 of Brown and McMillen Division I would allow the division of 7.9 acres into 19 single-family residential lots. The property is located approximately one-quarter of a mile northeast of Burlington, south of Highway 20, and adjacent to and west of LaFayette Road. The Planning Commission unanimously recommended approval of the preliminary plat, subject to eight conditions.

Mr. Christensen additionally informed the Board that since the Planning Commission's hearing, the Flood Control Engineer had approved the 25-year drainage plan.

Discussion followed regarding Condition #8 proposed by the Planning Commission, which required a covenant be prepared and recorded with the final plat which states in effect that mobile homes or modular homes are not permitted in said plat, unless previously allowed by County permit.

Commissioner Walberg acknowledged that the developer could place a covenant on the plat, but the County would not be in a position to enforce that covenant, and therefore, the covenant should not be required as a condition of approval of the preliminary plat.

Chairman Vaux concurred with Commissioner Walberg.

Steve Wood, Director of the Department of Planning and Community Development, explained that the Planning Commission recommended the condition because there were neighbors who expressed their desire that mobile or modular homes not be allowed in the development. Therefore, the Planning Commission members felt this was the only way they could guarantee that no mobile or modular homes would be located in the development. Mr. Wood noted that these proposed conditions were approved by John Moffat, Chief Civil Deputy, of the Prosecutor's Office.

Al Brown noted there is a mobile home court in the neighborhood, which area residents did not want to see repeated in a new development.

Based on Mr. Moffat's approval of the eight conditions recommended by the Planning Commission, Commissioner Walberg motioned to approve Preliminary Plat #P-88-004 of Brown and McMillen Division I, subject to the following conditions:

1. That the final plat meet all requirements of Skagit County Code 14.12, the County Subdivision Ordinance; the regulations of Skagit County Code 14.04, the County Zoning Ordinance; and the provisions of Skagit County Code 15.20, the County Flood Damage Prevention Ordinance.
2. That all necessary road improvements shall be constructed to the satisfaction of the County Public Works Director prior to final plat approval or that assurance is given to the County by bond or other secure method that the installation of the required road improvements will be carried out in accordance to installation requirements.
3. That the following statement appears on the face of the final mylar: "Buyer should be aware that this subdivision is located in the floodplain and significant elevation may be required for the lowest habitable floor (including basement) of residential structures."
4. That all necessary fire hydrant requirements and their location(s) meet with the approval of the County Fire Marshal.
5. That maintenance for any street lighting be the responsibility of the owners of the property and be kept in good repair, and that such private maintenance agreement (covenant) be submitted to the Department of Planning and Community Development for review, and upon acceptance, simultaneously recorded with the final plat; or that a maintenance contract for such work be made between the applicant and another party, and that a copy of such agreement be submitted to the Department of Planning and Community Development for review.
6. That the drainage plan be revised and resubmitted to the Department of Planning and Community Development and meet with the approval of the Flood Control Engineer.
7. That no direct vehicular access be given from Lot 1 to LaFayette Road; and, that should the existing mobile home be removed from Lot 19 at any future time, that no direct vehicular access be given from said lot to LaFayette Road; and, that should such vehicular access for above described lots be changed or proposed, that the access be configured to be no further than 20 feet at any given point from the west property line of said lots.
8. That a covenant be prepared which states in effect that mobile homes or modular homes are not permitted in said plat, unless previously allowed by County permit, and that a copy of such covenant be submitted to the Planning Department for review, and upon approval, simultaneously recorded with the final plat.

Chairman Vaux seconded the motion to approve the Preliminary Plat of Brown and McMillen Division I. The motion was carried and so ordered.

MISCELLANEOUS ITEMS

1. Commissioner Walberg motioned to waive the variance fees requested by the Department of Planning and Community Development from Fire Protection District #4 for their proposed construction of a new fire hall on Gunderson Road. Chairman Vaux seconded the motion. The motion was carried and so ordered.
2. Chairman Vaux motioned to adopt the resolution reappointing John Vaux, 221 Claremont Place, Mount Vernon, Washington 98273, as a member of the Civil Service Commission effective December 2, 1987. Said appointment will expire on December 1, 1993. Commissioner Walberg seconded the motion. The motion was carried and so ordered. (Resolution #11580)
3. The Board approved for signature an amendment to Contract #2490-62269 between Skagit County and Chinook Enterprises. This amendment provides Chinook Enterprises with a sum not to exceed \$150,000 for the period beginning January 1, 1988, and continuing through December 31, 1988. This amendment provides for the group supported employment for up to 12 to 14 additional clients during the period beginning May 1, 1988, and continuing through December 31, 1988, for a total client enrollment of up to 28 clients.

DISCUSSION - VANNON WAVE INCIDENT - Department of Emergency Management - Tom Sheahan, Director.

Prior to discussion of the Vannon Wave incident, the Board took this opportunity to present Certificates of Commendation to Tom Sheahan, Director of Emergency Management, and Dan Cain, Fire Marshal, for their oil spill emergency response demonstrated throughout the past few months. The Board thanked Mr. Sheahan and Mr. Cain for their outstanding coordination of the oil spill cleanup incidents.

Mr. Sheahan presented the Board with a copy of a letter to John Moffat, Chief Civil Deputy, in the Prosecutor's Office, with regard to the Vannon Wave oil spill incident.

Mr. Sheahan explained that the legal representatives for the owners of the Vannon Wave Vessel have refused to pay the full amount of \$2,205.60 (reduced from approximately \$2,700 or \$2,800 by the Board of Commissioners) for disposal of oiled rock and gravel at Inman Landfill. They have only agreed to pay \$800 for the disposal. Additionally, they are also refusing to pay an invoice for the salary and benefit costs for Mr. Sheahan and Mr. Cain for their extra hours spent working on this incident.

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Mr. Sheahan noted that John Moffat could not be present at this meeting, however, he would pursue this matter if directed by the Board.

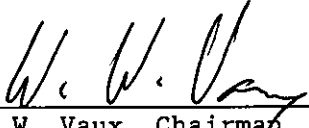
The Board indicated that they wanted Mr. Moffat to pursue collection of the payments due Skagit County regarding the Vannon Wave incident.

ADJOURNMENT

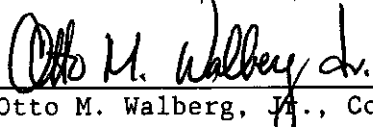
Commissioner Walberg motioned to adjourn the proceedings. Chairman Vaux seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





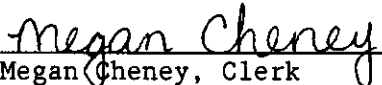
W. W. Vaux, Chairman



Otto M. Walberg, Jr., Commissioner

Dave Rohrer, Commissioner

ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners