

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Wednesday, December 28, 1988

Flag Salute

- 9:00 a.m. Consideration of Appeal of the Hearing Examiner's Decision Denying Shoreline Variance Request #10-88 of Ken Renner.
- 10:00 a.m. 1. Public Hearing - Supplemental Budget - Parks and Recreation Fund.
2. Public Hearing - Supplemental Budget - Current Expense Fund.
3. Signature - Nutrition Meal Preparation Contract.
4. Signature - SCOA Senior Ride Provision Contract.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Wednesday, December 28, 1988, with Commissioners W. W. Vaux and Ruth Wylie present. Commissioner Dave Rohrer's absence was excused.

CONSIDERATION OF APPEAL OF THE HEARING EXAMINER'S DECISION DENYING SHORELINE VARIANCE REQUEST #10-88 OF KEN RENNER.

Since Commissioner Rohrer was absent, Chairman Vaux offered the Renners the option to delay this appeal until Commissioner Rohrer could be present.

James Renner, son of Kenneth Renner, applicant, stated they wished to continue with the appeal at this time.

Chairman Vaux explained the Board's three options, and Mr. Renner stated they wished the Board to remand this matter back to the Hearing Examiner for further consideration.

Betsy Stevenson, Assistant Director of the Department of Planning and Community Development, presented photos and reviewed this appeal. Shoreline Substantial Development/Variance Request #10-88 was a request to allow construction of a boathouse and ramp within the required shoreline setback area approximately 8 feet from the ordinary high water mark of Lake Cavanaugh. The easement was located within Lot 59 of Lake Cavanaugh Subdivision #3. The easement would allow boat access to their island in Lake Cavanaugh. Ms. Stevenson explained the Hearing Examiner denied the request as proposed, but approved a Shoreline Substantial Development Permit to allow the construction of a boathouse and marine railway launch system with modified conditions. Following a request for reconsideration, the Hearing Examiner reaffirmed the decision.

James Renner explained that in July of 1988, they met with the Department of Planning and Community Development, and decided to apply for a Shoreline Variance, with the understanding that if it wasn't approved, they would be

granted a permit for an 11-foot wide by 45-foot long by 15-foot high boathouse located 50 feet landward of the ordinary high water mark, and 8 feet north of the south property line, with a rail launch system, as previously approved. Mr. Renner reviewed the reasons they felt their basic property rights were denied by the unreasonable conditions imposed upon them by the Hearing Examiner's decision. He felt that if they hadn't applied for the Shoreline Variance, they would have been allowed to build their boathouse as originally proposed.

In answer to a question from Chairman Vaux, Mr. Renner explained that members of the Renner family are the sole owners of the island.

In answer to a question from the Board, Ms. Stevenson stated that as long as they had met the height and setback requirements, they could have constructed a boathouse as originally proposed, prior to the Hearing Examiner's decision.

Glen and Heather Moses, owners of the property on which the easement is located, were present. Mr. Moses was opposed to the size of the proposed boathouse, as he felt it would impede their view. Also, according to Mr. Renner's interpretation of the easement contract, Mr. and Mrs. Moses would be responsible for 85 percent of the taxes on the proposed boathouse. Mr. Moses felt a boathouse could be constructed of a minimal size to afford relief and allow the storage of one boat.

Leonard Cancler, owner of the lot south of the easement, stated he has owned his lot since 1969, and always used the public launch. Mr. Cancler didn't consider this request a variance or incremental change.

Mr. Renner refuted a number of Mr. Moses' statements. Mr. Renner requested that if the Shoreline Variance is denied, they be allowed to construct their boathouse within the County statutes as originally proposed.

Chairman Vaux motioned to call for a public hearing at 1:30 p.m., Wednesday, January 18, 1989, to consider this matter. Commissioner Wylie seconded the motion. The motion was carried and so ordered.

Mr. Vaux announced that it was the intent of the Board to continue the public hearing to the site on the following day, Thursday, January 19, 1989.

1. PUBLIC HEARING - SUPPLEMENTAL BUDGET - PARKS AND RECREATION FUND.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on December 20, and December 27, 1988.

Hearing no comments, Commissioner Wylie motioned to close the public hearing. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Wylie motioned to adopt the resolution authorizing a supplemental budget in the amount of \$1,525 for the Parks and Recreation Fund #114 in order

to pay for costs associated with Parks and Recreation programs. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Resolution #11886)

2. PUBLIC HEARING - SUPPLEMENTAL BUDGET - CURRENT EXPENSE FUND.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on December 20, and December 27, 1988.

Hearing no comments, Commissioner Wylie motioned to close the public hearing. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Wylie motioned to adopt the resolution authorizing a supplemental budget in the amount of \$776,000 for the Current Expense Fund #001 in order to pay for a variety of incidental costs and interfund transfers. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Resolution #11887)

3. SIGNATURE - NUTRITION MEAL PREPARATION CONTRACT.

- a. The Board approved for signature the Agreement between Skagit County Senior Services and Island Hospital for the preparation and delivery of senior meals to the Anacortes Senior Center, effective January 2, 1989, through December 31, 1989.
- b. The Board approved for signature the Agreement between Skagit County Senior Services and United General Hospital for the preparation and delivery of senior meals to the Burlington Community Center, Sedro-Woolley Senior Center, Mount Vernon Senior Center and Mount Vernon Manor, effective January 2, 1989, through December 31, 1989.

4. SIGNATURE - SCOA SENIOR RIDE PROVISION CONTRACT.

Bruce Coghill, Skagit Council on Aging (SCOA) Transportation Director, was present for this item.

The Board approved for signature the Contract for the Provision of Senior Transportation Services by SCOA, beginning January 1, 1989, and ending December 31, 1989. Skagit County will pay SCOA an amount of \$10,000 during the period in which this Agreement is in effect. SCOA will pay 15 percent of the Concrete Senior Center Coordinator's salary for the provision of transportation supervision in the upriver area.

MISCELLANEOUS ITEMS

1. The Board approved for signature Amendment #1 to the Retired Senior

Volunteer Program Grant #440-0593/09. This Amendment corrects the grantee's name from Skagit County Parks, Recreation and Senior Services to Skagit County Senior Services.

2. The Board approved for signature Contract Amendment #3 to Referendum 39 Sold Waste Grant #395750602, to extend the project completion date for the closure of the Sauk and Gibraltar Landfills from December 31, 1988, to December 31, 1989.
3. Charles Decker, of C and D Salvage, presented a letter and photos to the Board with regard to recycling. He explained that if the County took over the recycling program, he could pay the County \$20,000 per year instead of the current program of the County paying him \$3,600 per month.

Chairman Vaux pointed out that no final decisions have been made yet.

Mr. Decker pointed out that the bailer at the incinerator is not operating, and recyclable steel is being dumped in the pit. He stated he is not blaming the County, but blaming the contractor.

Don Bockelman noted it is the magnetic separator, rather than the bailer, which is not working.

Mr. Decker agreed that the contractor should change the magnetic separator and enlarge the shoot to correct the problem.

The Board thanked Mr. Decker for his presentation.

4. Commissioner Vaux motioned to approve Amendment #1 and Appendix A of the Memorandum of Agreement between Washington State University Cooperative Extension and Skagit County. Commissioner Wylie seconded the motion. The motion was carried and so ordered.

Amendment #1 changes the billing procedures of the Agreement, and Appendix A sets the County's portion of the salaries for 1989.

5. The Board approved for signature the Contract for Professional Services between the Office of Assigned Council and Donald Bisagna for representation of Lloyd Bray in Superior Court for the purpose of arguing a motion for a new trial (Superior Court Cause #87-1-00104-0). This Contract will commence on December 14, 1988, and continue until completion of proceedings in this matter. Compensation shall be in the amount of \$500.
6. Chairman Vaux motioned to approve the Record of the Proceedings for Monday, December 12, 1988; Tuesday, December 13, 1988; Wednesday, December 14, 1988; Monday, December 19, 1988; and Tuesday, December 20, 1988. Commissioner Wylie seconded the motion. The motion was carried and so ordered.

7. Chairman Vaux motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Acting Treasurer:
 - a. U.S. Bank of Washington, Trustee for Efthimios Demopoulos, P.O. Box 720, Seattle, WA 98111, in the amount of \$294.02, due to taxes paid on property which was sold to an exempt party. (#014588)
 - b. Skagit Island Realty, 621 West Division, Mount Vernon, WA 98273, in the amount of \$17.93, due to double assessment. (#014788)
 - c. Tora Voie, 2214 Highway 9, Mount Vernon, WA 98273, in the amount of \$364.55, due to senior citizen exemption. (#014688)

Commissioner Wylie seconded the motion. The motion was carried and so ordered.

8. Chairman Vaux motioned to adopt the resolution re-appointing Peg Rees-Putnam, 509-1 Orchard Place, Burlington, WA 98233, as a member of the Skagit County Developmental Disabilities Administrative Board, effective October 21, 1988, through October 20, 1991. Commissioner Wylie seconded the motion. The motion was carried and so ordered. (Resolution #11889)
9. Chairman Vaux motioned to adopt the resolution appointing Laurie Gere, 502 Commercial Avenue, Anacortes, WA 98221, as a member of the Skagit County Developmental Disabilities Administrative Board, effective January 1, 1989, through December 31, 1991. Commissioner Wylie seconded the motion. The motion was carried and so ordered. (Resolution #11890)
10. Chairman Vaux motioned to adopt the resolution re-appointing Pat West, 1411 Woodland Place, Mount Vernon, WA 98273, as a member of the Skagit County Mental Health Advisory Board, effective September 2, 1988, through September 1, 1991. Commissioner Wylie seconded the motion. The motion was carried and so ordered. (Resolution #11891)
11. Chairman Vaux motioned to adopt the resolution appointing Mary Ellyn Miles, 1630 Peterson Road, Burlington, WA 98233, as a member of the Skagit County Substance Abuse Administrative Board, effective December 19, 1988, through December 18, 1991. Commissioner Wylie seconded the motion. The motion was carried and so ordered. (Resolution #11892)
12. Chairman Vaux motioned to adopt the resolution re-appointing Viola Jones, 1727 Holmstrom Road, Mount Vernon, WA 98273, as a member of the Skagit County Substance Abuse Administrative Board, effective September 2, 1988, through September 1, 1991. Commissioner Wylie seconded the motion. The motion was carried and so ordered. (Resolution #11893)
13. In accordance with action previously taken, the Board approved for signature the Ordinance amending Chapter 15.20 of the Skagit County Code

(Flood Damage Prevention Ordinance), to incorporate new State regulations that were approved June 3, 1988, under WAC 173-158. (Ordinance #11888)

14. The Board approved for signature a Dance License for the Idle Hour Tavern, 706 Old 99, Burlington, WA 98233, effective January 1, 1989, through December 31, 1989. (Dance License #504)

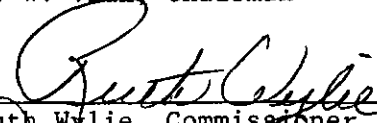
ADJOURNMENT

Commissioner Wylie 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



Ruth Wylie, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners