

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Wednesday, February 8, 1989

Flag Salute

7:00 p.m. Continuation of Public Hearing - Fire Hydrant Maintenance.

The Skagit County Board of Commissioners met in regular session on Wednesday, February 8, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

MISCELLANEOUS ITEMS

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, February 8, 1989, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Manual Warrant #MW901-41355 in the total amount of \$1,043.93. (C-6-89)

CONTINUATION OF PUBLIC HEARING - FIRE HYDRANT MAINTENANCE.

Chairman Rohrer explained this was a continued public hearing to discuss fire hydrant maintenance responsibility in the unincorporated areas of Skagit County.

Jim Kirkpatrick, General Manager of Skagit Public Utility District #1 (PUD #1) asked exactly what the Skagit County Fire Commissioners Association was requesting. He asked if the residents of the cities should have to pay for maintenance of fire hydrants in the unincorporated areas of the county. The cities seem to want to continue their own maintenance of hydrants within city limits. Mr. Kirkpatrick stated that according to three attorneys' interpretation of RCW 80.28.250, the Utilities and Transportation Commission does not exercise authority over public utility districts. Mr. Kirkpatrick stated PUD #1 is willing to maintain the hydrants for a fee to recover costs.

Dan Cain, Skagit County Fire Marshal, asked if there are any other jurisdictions where the water purveyor does not maintain the hydrants.

Mr. Kirkpatrick stated there are a few jurisdictions.

Art Lang, Fire District #11 Commissioner, asked what type of a fee would be charged.

Mr. Kirkpatrick stated that hasn't yet been explored. Mr. Kirkpatrick presented the Board with a copy of a PUD #1 agreement with fire departments. (Exhibit #6)

Mr. Lang explained his district currently pays \$4.50 per hydrant per month to the City of Anacortes for maintenance of five hydrants.

Ken Slater, Fire District #3 Commissioner, asked who owns the hydrants.

Mr. Kirkpatrick read excerpts from the above-mentioned agreement, outlining the responsibility of fire departments for the cost of maintenance. He stated the fire hydrants belong to the fire departments.

Brian Waite, Fire District #4 Commissioner, asked if PUD #1 will buy back the hydrants.

Mr. Kirkpatrick again explained the PUD's position.

Don Maloy, Fire District #13 Commissioner, stated they are only asking the Board to adopt an ordinance to address hydrants in the unincorporated areas of Skagit County.

Pete Walker, representing the Skagit County Fire Commissioners Association, stated RCW Title 52 does not command fire districts to maintain the hydrants. Fire districts don't have the means to do it. Mr. Walker explained the Legislature passed a law to allow the Board of Commissioners to pass an ordinance mandating the water purveyors to maintain the hydrants. Mr. Walker presented an informational packet which he reviewed. (Exhibit #7) He reviewed in detail the joint recommendation regarding fire hydrants by the Washington State Association of Water Districts and the Washington Fire Commissioner Association. Mr. Walker concluded by stating the volunteer firemen do a lot of maintenance for free.

Jim Costanti, representing the Blanchard-Edison Water Association, explained the relationship between the water association and Fire District #5 is great. The residents pay for the hydrants, and the fire district maintains and repairs them and fights the fires because they receive the tax money to do so. Mr. Costanti expressed opposition to any ordinance which would make the water district responsible for maintenance of the hydrants.

Dave Ford, Director of Public Works for the City of Anacortes, agreed the maintenance of hydrants outside of city limits should be paid for by the fire districts. Residents of the City of Anacortes are paying for a \$2 million bond issue which improved the water system. He explained the City doesn't charge for the water used from the five hydrants outside the city limits to fight fires. The petitioner pays for the hydrant initially; the hydrant then belongs to the City, and the City maintains it as needed for a fee of \$4.50 per month to the fire district. Mr. Ford stated the City would prefer to own, operate and maintain hydrants within the city limits themselves. He explained the City does not charge the districts for repair of damaged hydrants. Also,

Mr. Ford stated the City does not intend to remove the hydrants if the district doesn't pay the maintenance fee.

It was also noted that the City of Anacortes operates under the Fidalgo Island Water Utility Coordinating Plan.

Discussion ensued.

Mr. Ford explained the fee schedule used by the City of Anacortes.

Martin Corin, President of the Del Mar Homeowners' Association, explained the fire district services 14 hydrants within the Del Mar Community. He felt the first order of business is to have working hydrants. Mr. Corin supported adoption of a definitive ordinance outlining responsibilities.

Lyle Wesen, representing the Blanchard-Edison Water Association, explained their system wasn't designed for the maintenance of many fire hydrants. He expressed concern regarding liability.

Walt Schuh, Fire District #5 Commissioner, explained the small water districts don't employ personnel to maintain hydrants.

Commissioner Vaux explained he was primarily concerned with safety.

Discussion ensued.

In answer to a question from Commissioner Vaux, Jim Allen, Fire District #8 Commissioner, stated not all hydrants are standard.

Discussion followed regarding ownership of hydrants.

Commissioner Vaux noted that someone will have to pay for maintenance.

Mr. Walker explained in his district the fire district volunteers the maintenance.

Commissioner Vaux stated he felt the water purveyor should be maintaining the hydrants from the standpoint of conformity. With regard to fees, he felt that matter should be flexible.

Chairman Vaux suggested scheduling a work session to additionally consider this matter.

Commissioner Wylie felt the Board should draft a proposed ordinance with assistance from the County Prosecutor, and submit the draft to the various fire districts for comment. Commissioner Wylie stated she recognized the fragile situation of small water districts.

Commissioner Vaux suggested setting a deadline of September 1, 1989, to accomplish the following: Establish maintenance responsibilities on water

purveyors, negotiate responsibilities associated with the maintenance, and negotiate the costs of those areas of maintenance. Commissioner Vaux noted that the intent would be to have an ordinance in effect by September 1, 1989.

Mr. Walker asked the Board to consider the volunteer labor currently supplied by the fire districts.

Emmet Owens, Fire District #11 Commissioner, suggested mandating each fire district to negotiate a written agreement regarding who should be responsible for which areas.

Hearing no further comments, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion. The motion was carried unanimously.

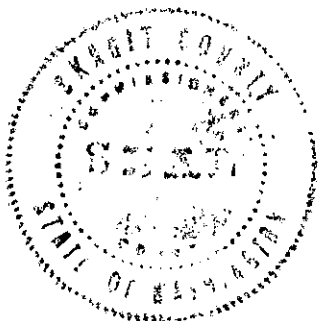
Commissioner Vaux motioned to set a September 1, 1989, deadline to do the following:

1. Establish maintenance responsibilities of hydrants on water purveyors;
2. Negotiate the responsibilities associated with the maintenance; and
3. Negotiate the costs of those areas of maintenance.

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

**ADJOURNMENT**

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried unanimously.



BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

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Dave Rohrer, Chairman

ATTEST:

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Megan Cheney, Clerk  
Skagit County Board of Commissioners

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Ruth Wylie, Commissioner

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W. W. Vaux, Commissioner