

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, May 9, 1989

- 11:00 a.m. Public Works Department:
1. Resolution - Bid Award - Recycling Skagit County Solid Waste Facilities.
 2. Miscellaneous.
- 1:30 p.m.
1. Proclamation - Foster Care Month.
 2. Signature - Library Services Agreement.
 3. Miscellaneous Items.
- 2:00 p.m. Consideration of Appeal Submitted by E.C. Comings, Jr., of Hearing Examiner Decision Approving Variance Request #V89-002 of Kenneth Holland.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Tuesday, May 9, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W.W. Vaux present.

PUBLIC WORKS DEPARTMENT - JAY ENSLEY, DIRECTOR:

1. Resolution - Bid Award - Recycling Skagit County Solid Waste Facilities.

In accordance with action previously taken, the Board signed the resolution awarding recycling of solid waste at all Skagit County Solid Waste Facilities to C&D Salvage and Recycling for the bid price of \$5,200.00 per month, and waiving the absence of a bid bond as a minor irregularity. (Resolution #12034)

2. Miscellaneous Items.

- A. Jay Ensley advised that a communication has been received from Whatcom County, agreeing to Skagit County's counterproposal of \$80,000 for a surplus garbage compactor at the Inman Landfill. Mr. Ensley stated he would be making a recommendation to the Board to accept this offer on May 18, 1989.
- B. Bill Ness, Environmental/Solid Waste Engineer, stated that following conversations with Bob Ruby of the Skagit Council of Governments and with the Department of Ecology, he has been directed to proceed with hazardous waste planning. He stated that he will coordinate with the Skagit Council of Governments to prepare a request for proposals ready for a hazardous waste planning consultant.

Mr. Ness explained that hazardous waste planning involves those wastes not currently regulated by the State, i.e., household hazardous wastes, pesticides, and commercial hazardous wastes totaling less than 220 pounds

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per month. He discussed public education as a considerable part of hazardous waste planning.

- C. Bill Ness and Jay Ensley discussed the closure of Butler Pit. They stated that the pit must be pumped prior to closure, and that one contractor is willing to do the pumping for \$2,000. The pit must be formally and physically closed by November of 1989 or it will come under the non-conforming facility regulations and require extensive monitoring and closure.

The Board then discussed septage disposal. In addition, the Board discussed the following items regarding the incinerator:

- a) Accepted materials.
- b) Use of the landfill for unacceptable materials.
- c) Separation of materials within loads bound for the incinerator.

- D. Bill Ness reported that during the last round of testing of bottom ash from the incinerator, the fine ash was separated from the coarse ash for testing purposes. This is because current technology has not developed a shredder for rendering coarse ash to fine ash for testing purposes. The lead content of the samples is therefore increased because of the difference in concentration between coarse and fine ash samples. Mr. Ness recommended writing a letter to accompany test samples pointing out the disparity in lead levels. The Board agreed with Mrs. Ness's suggestion.

- E. As of this date, May 9, 1989, the Board, by unanimous vote, did approve for signature the following warrants and vouchers:

- a) Vouchers #903790 through #904179A (Warrants #43857 through # 44149) in the amount of \$537,209.40 (C-20-89).

Proclamation - Foster Care Month.

Midge Taylor, a member of the foster parent recruitment task force, stated that their goal is to recruit 30 more foster families in Skagit County. Presently there are 168 children in foster care homes in Skagit County, with all receiving counseling services.

City of Mount Vernon Mayor Raymond Reep, who was dressed as Superman, attended the meeting to support the theme of the D.S.H.S. campaign to recruit foster parents, "Superman Had Foster Parents". Commissioner Wylie read the proclamation and motioned to proclaim May 1 through May 31, 1989, Foster Care Month in Skagit County. Commissioner Vaux seconded the motion, which passed unanimously.

Signature - Library Services Agreement.

The Board approved for signature an Interlocal Cooperative Agreement with the Cities of Mount Vernon, Anacortes, Burlington, Sedro Woolley, LaConner and

Concrete to provide a total sum of \$75,000 to assist in providing library services to unincorporated Skagit County, to be distributed based on library book collection and circulation of each municipal library, except LaConner and Concrete, which receive \$3,000 each. Representatives from the Cities of Sedro Woolley, Mount Vernon, and LaConner were present to accept their allotments.

Miscellaneous Items

- A. Commissioner Vaux read a proclamation and motioned to name May 13, 1989, as Glen Rickert Day in Skagit County, to honor the retiring Athletic Director for Burlington High School. Commissioner Wylie seconded the motion. The motion was carried unanimously.
- B. In accordance with action previously taken, the Board approved for signature a resolution denying the appeal by Mr. Gary Moberg of the Hearing Examiners decision to deny Mr. Moberg's permit application #4-88 for shoreline substantial development. (Resolution #12035)
- C. The Board approved for signature a contract amendment between Skagit County Human Services and the Department of Social and Health Services, adding \$9,500.00 in Federal Block Grant Funds for mental health services specifically to fund training events delivered by staff of Skagit Community Mental Health Center to various American Indian Tribes throughout, the State.

Consideration of Appeal Submitted by E.C. Comings, Jr., of Hearing Examiner Decision Approving Variance Request #V89-002 of Kenneth Holland.

Grace Roeder, Associate Planner, submitted for the Board's information an Assessor's map and the entire file regarding the variance request of Mr. Kenneth Holland, including photographs of the building constructed by Mr. Holland.

She instructed the Board that the following decisions may be considered:

- a) To uphold the decision of the Hearing Examiner.
- b) To remand the matter back to the Hearing Examiner for further consideration.
- c) To hold a Public Hearing on the matter.

She further instructed the Board that consideration may only be given to materials the Hearing Examiner has already seen, and that other items are inadmissible.

Ms. Roeder read a letter of appeal from Mr. E.C. Comings dated April 14, 1989, stating his reasons for the appeal and asking that the Board conduct a Public hearing to consider objections to the variance. Ms. Roeder stated that approval was given to Mr. Holland to construct a 36 X 60 foot shop building on his adjacent property, waiving the requirement to locate a primary structure (residence) on the same property. The building was to be used as a place for making repairs to fishing boats and related equipment. Ms. Roeder summarized

the Findings of Fact of the Hearing Examiner, as well as the Staff Findings of the Planning and Community Development Department. Letters in opposition to the variance request, which were reviewed by the Hearing Examiner, were submitted to the Board.

The applicant, Mr. Ken Holland, then listed his efforts to appease his neighbors regarding construction of the building. He refuted claims that fishermen's yards tend to be cluttered and unkempt. He pointed to his 10-year residency in the neighborhood as proof of his reliability, and stated his intentions for the building.

Mr. E.C. Comings made a statement objecting to the location of the building on the lot not containing Mr. Holland's primary living area, and stated his belief that this would set a trend toward a change in the residential zoning of the area.

Steve Wood, Director of Planning and Community Development, explained the reason for the section of code dealing with this issue. He answered questions from the Board regarding the height restrictions of out buildings.

Roy Perry, a neighbor of Mr. Holland's, explained that his main objection is the potential for increased manufacturing activities at the shop building, and questioned any recourse for neighbors should this occur.

Steve Wood explained that enforcement procedures can be taken if commercial activities begin or if violations of the health code occur.

Discussion then ensued on the size of the building in relation to the needs of Mr. Holland.


Ben McGregor, 1430 Jura Way, stated that the building being constructed by Mr. Holland is of a much higher quality than other structures in the area, and that Mr. Holland's home is well maintained, leading him to believe Mr. Holland's new structure would be equally well kept.

There being no further comment, Commissioner Vaux stated that any structure would have been allowed on the lot, had Mr. Holland's house been located there; therefore, he motioned to uphold the decision of the Hearing Examiner to allow Mr. Holland's variance. Commissioner Wylie seconded the motion. The motion carried unanimously.

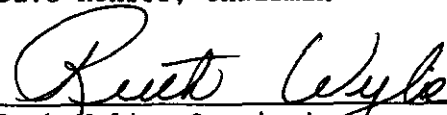
ADJOURNMENT

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

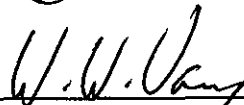
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman



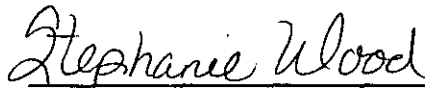
Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners