

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, August 1, 1989

- 9:00 a.m. Update - Grandy Creek Steelhead Hatchery - Wildcat Steelhead Club.
- 2:00 p.m. Wilma M. Stanek Appeal of Hearing Examiner's Decision Regarding Variance Request #V-89-024.

The Skagit County Board of Commissioners met in regular session on Tuesday, August 1, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

UPDATE - GRANDY CREEK STEELHEAD HATCHERY - WILDCAT STEELHEAD CLUB.

Don Collen, president of the Wildcat Steelhead Club, gave information on their plans to rebuild the old Grandy Creek steelhead hatchery. He said that he first heard the suggestion to undertake the project from Jim Johnston, an area biologist from the Game Department. Later, when he was elected president of the Wildcat Steelhead Club, he made the project one of his goals. Mr. Collen said he stated his campaign for refurbishing of the hatchery by meeting with numerous representatives, senators, interested citizens and groups. He later took a trip to Olympia to hand deliver a packet of letters from interested individuals to 52 representatives and senators there.

Mr. Collen stated that on August 7, 1989, he took State Representatives Mary Margaret Haugen and Harriet Spanel, and Helen Summers, Chairperson of the Capital Funding Committee, on a tour of the Northern State and of the Skagit River. The following week he was able to set up a meeting with Curt Smith, Director of the Department of Wildlife.

Present at the meeting with Director Smith, among others, were Pat Doyle, Wildlife biologist, John Kerwin, Department of Wildlife hatcheries manager, Senator Pat McMullen, Representatives Mary Margaret Haugen, Harriet Spanel and Sim Wilson, Representative Betty Sue Morris, Vice-Chairman of the Fisheries and Wildlife Committee, an area biologist, a regional biologist and an anadromous fish specialist. Those present at the meeting toured Grandy Creek, Barnaby Slough and Davis Slough, and met again afterward to further discuss the proposal of the Wildcat Steelhead Club. Mr. Collen stated that the response at that time was very favorable, and he and his club were given assignments to gather information regarding the history of the hatchery. Additionally, instructions were given for installation of meters on Grandy Creek. Mr. Collen said he and Mr. Polly Palmer will be hand-delivering the information they have gathered to Mr. Kerwin and Mr. Smith tomorrow at their Olympia offices.

Mr. Collen reported that Senator Jack Metcalf will be holding a public meeting at the Sedro Woolley Community Center in the near future to hear public testimony on the reopening of the hatchery. Mr. Collen felt that by October 1, his group would know whether or not they can proceed with their plans for the Grandy Creek Hatchery. He stated that his club will be hosting a clean up party and picnic on September 17 at the Grandy Creek Hatchery, and welcomed the attendance of the Board.

Commissioner Vaux suggested Mr. Collen's group pursue federal aid through Senators Brock Adams or Slade Gorton, or Congressman Al Swift. Commissioner Vaux also questioned Mr. Collen regarding tribal claims to the hatchery. Mr. Collen stated that tribes can claim up to 50% of the fish from the hatchery, and that one representative of the tribes was present at the meeting with Mr. Smitch.

Mr. Collen stated that his group has heard a variety of informal cost estimates for refurbishing the hatchery, ranging from 1.5 million for the hatchery and 1.0 million for ozone treatment, to 100,000 to 200,000 for wells. He stated, however, that his group has had numerous offers for donation of work, totaling possibly \$250,000.

The Board then discussed funding, returns of fish and the project presently in place at Barnaby Slough. The Board promised Mr. Collen their support, and volunteered to send a supportive letter to Director Smitch on behalf of the Wildcat Steelhead Club.

MISCELLANEOUS ITEMS.

- A. At the request of Roger Howard, Facilities Manager, Commissioner Wylie motioned to call for bids for purchase and installation of an air conditioning unit for the County's new computer room, to be received and opened Tuesday, August 15, 1989, at 1:30 p.m. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12159)
- B. Commissioner Wylie motioned to call for bids for the purchase and installation of two new gas pak heating and cooling units for the Moen Building, to be received and opened Tuesday, August 15, 1989, at 1:30 p.m. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12160)
- C. Commissioner Wylie motioned to call for bids for roof replacement, including removal of the existing roof and related repair work, at the Public Works Department equipment maintenance shop in Burlington, to be received and opened Tuesday, August 15, 1989, at 1:30 p.m. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12161)

WILMA M. STANEK APPEAL OF HEARING EXAMINER'S DECISION REGARDING VARIANCE REQUEST #V-89-024.

Grace Roeder, Associate Planner, submitted staff photos and assessor's maps of the Plat of Conway and of Section 19, Township 33, Range 4 to the Board.

Commissioner Vaux stated that the Board may exercise any of the following options:

- 1) To uphold the decision of the Hearing Examiner.
- 2) To remand the matter back to the Hearing Examiner for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Ms. Roeder went on to explain that on June 14, 1989, the Hearing Examiner Pro Tem, William Nielsen, held a public hearing to consider the request by Ms. Wilma Stanek for a variance to locate a mobile home below the required flood plain elevation. Ms. Roeder explained that in January of 1989, an existing mobile home located on the site burned, and has been removed. She further explained that although the frontage of the lot is on Fir Island Road, it is too steep to provide access to the property, and so the driveway accesses off of Second Street. Ms. Stanek is now proposing to locate a new mobile home on the same site as the previous home, on the same elevation as Fir Island Road.

Ms. Roeder read from the Skagit County Code concerning variances of the flood plain ordinances, and explained that Ms. Stanek would have to locate her mobile home 5 feet above the ground to comply with the flood plain ordinance. Among the findings of the Planning Department were that the majority of buildings in the neighborhood of the subject property have been elevated, neither state nor federal laws allow Ms. Stanek's request, and Flood Control Manager Don Nelson has refused to approve the request. The Planning Department therefore recommended denial of the request. Ms. Roeder stated that the Hearing Examiner Pro Tem also denied the request, and read from his list of conclusions.

Ms. Roeder read the comments of Ms. Wilma Stanek, as attached to her appeal of July 13, 1989. Ms. Stanek's chief concern appeared to be with the cost of raising the mobile home to the accepted standard, an addition of 5 feet to her foundation. She also refutes Mr. Nelson assessment of the flood dangers surrounding her property.

Finally, Ms. Roeder read from a letter received by Planning Department Director Steve Wood from Charles L. Steele, Chief - National Technological Hazard Division of the Federal Emergency Management Agency, who states that there are "few, if any, circumstances where variances from elevation standards are recommended".

Mrs. Stanek declined to make a statement at this time. Her son, Rocky Stanek, requested a copy of the letter from Mr. Steele referenced by Ms. Roeder. This was granted.

Commissioner Wylie stated she is familiar with the mobile home site and clarified with Ms. Stanek that the mobile home would have to be raised 42 inches to comply. Ms. Stanek reviewed the course of flood waters through the town of Conway.

The Board then discussed with Ms. Roeder and Betsy Stevenson, Acting Planning Department Director, the consequences of Ms. Stanek having no flood insurance on her mobile home, a fact which Ms. Stanek had earlier made clear. Ms. Roeder explained that for a loan to ever be obtained using the mobile home as collateral, flood protection insurance would be required. It would be either very expensive or impossible to obtain flood plain insurance on a structure located below the level of the flood plain. Ms. Stanek stated that she would carry the contract for the loan herself, should she decide to sell her mobile home.

Commissioner Wylie then motioned to remand the matter back to the regular Hearing Examiner for further review of the following points:

- 1) Whether the County is affected by Ms. Stanek's lack of flood plain insurance.
- 2) Whether the fact that the previous mobile home on the property burned can be considered a "special condition or circumstance" supporting the variance request.

Commissioner Vaux seconded the motion. The motion passed unanimously.

MISCELLANEOUS ITEMS.


This item was discussed at this time for the convenience of the audience.

- A. Commissioner Vaux motioned to adopt a resolution calling for a special election to be held on Tuesday, September 19, 1989, within Fire Protection District #12, to determine whether the territory known as the Port of Skagit County should be deannexed from the District. Commissioner Wylie seconded the motion, which was unanimously approved. (Resolution #12162)

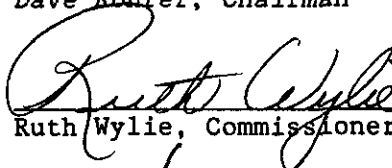
ADJOURNMENT

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