

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, October 2, 1989

- 10:00 a.m. Discussion - Dorothy L. Tenderholt Request for Special Use Permit to Allow Operation of a Chiropractic Clinic in a Residential Zone.
- 10:15 a.m. Discussion - Mount Vernon Senior Center Custodial Services.
- 10:30 a.m. Public Works Department - Mark Spahr, Director:
- 1) Continuation of Public Hearing - 1990 Solid Waste Disposal Rates.
 - 2) Signature - Establish C.R.P. for Helmick Road.
 - 3) Signature - Final Order of Vacation for County Right-of-Way - Map of Fidalgo City.
 - 4) Signature - Final Order of Vacation - Andis Road State Turnback.
 - 5) Discussion - Skagit County Comprehensive Recycling Plan.
 - 6) Miscellaneous.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Monday, October 2, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

DISCUSSION - DOROTHY L. TENDERHOLT REQUEST FOR SPECIAL USE PERMIT TO ALLOW OPERATION OF A CHIROPRACTIC CLINIC IN A RESIDENTIAL ZONE.

Grace Roeder, Associate Planner, gave information, as requested by Commissioner Vaux, on a special use permit granted to Dr. and Mrs. Keith Hoyt to allow operation of a chiropractic clinic in a residential zone. She stated that Dr. Hoyt's practice was to be located in his residence. She stated that the permit was originally denied by the Hearing Examiner, but was later granted, after an appeal caused the issue to be remanded back to the Hearing Examiner by the Board of Commissioners. In February of 1987, the Board upheld the decision of the Hearing Examiner to grant the special use permit.

Dr. Tenderholt pointed out that Dr. Martin has a practice in Clear Lake on Buchanan Street.

Commissioner Vaux clarified that Dr. Tenderholt does not intend to live at the location of her practice. She stated that her residence is located approximately 1 mile away.

The Board discussed with Dr. Tenderholt how many patients she plans to see per day. The doctor felt she could see no more than four patients per hour.

Commissioner Wylie then motioned to grant Dr. Tenderholt's request for a special use permit to operate a chiropractic clinic at 2174 Old Day Creek Road in Clear Lake, placing the following conditions on the permit:

- 1) All conditions set forth by the Planning Department in their Staff Report Recommendations #1 through #5.
- 2) That the practice be limited to one sole practitioner.
- 3) That the office hours be limited to 9:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 12:00 p.m. Saturday, except as necessary to accommodate acute need.
- 4) That the signing of the clinic be limited to one sign, not to exceed a dimension of 12 inches by 18 inches.

Commissioner Vaux stated that he felt that Dr. Tenderholt's request is significantly different from that of Dr. Hoyt, since Dr. Tenderholt does not intend to live in the residence where her chiropractic practice will be located. Commissioner Vaux stated he does not feel that the clinic would cause a traffic or noise problem, but that it would not be compatible with the existing or future land use because she does not intend to use the clinic as her residence. Commissioner Vaux declined to second Commissioner Wylie's motion.

Chairman Rohrer seconded Commissioner Wylie's motion. The motion was carried with votes from Commissioner Wylie and Chairman Rohrer, with Commissioner Vaux casting a nay vote.

DISCUSSION - MOUNT VERNON SENIOR CENTER CUSTODIAL SERVICES.

Tim Holloran, Senior Services Director, stated that, in meeting with members of the Facilities Management Department, it has been determined that the current arrangement of a level 2A custodial aide devoting 15 hours per week is inadequate to maintain the 9200 square foot Mount Vernon Senior Center. He outlined two possible solutions for consideration by the Board. The first proposal was to increase the custodial aide position's weekly hours to 25 hours per week, and hire a temporary person through the end of the year to replace the student who is currently holding the position. The second proposal was to increase the weekly hours for maintenance of the senior center to 25 hours per week and combine it with 15 hours of custodial work at the incinerator to create a new full time position at a 6A level.

Commissioner Vaux stated that he felt that, in light of negotiations in progress, the first solution would best suit the County's needs at this time. He made a motion for the same. Commissioner Wylie seconded the motion, which passed unanimously.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Continuation of Public Hearing - 1990 Solid Waste Disposal Rates.

Mr. Spahr opened the discussion, stating that he wished to address the statements made last week regarding the compactor box sites. He conceded that the compactor boxes do not generate profits for Skagit County. He did, however, give the following facts to consider regarding the closure of the boxes:

- 1) In comparing the cost of waste disposal at the compactor sites to disposal of wastes by individuals at the landfills, Mr. Spahr stated

that the compactors allow a fixed volume of two to three cans per load, at a cost of \$4.00 per load. If a pick up load is four to six cans, two compactor loads, or \$8.00, would be required for disposal. Disposal of a pick up load at the landfill would cost \$4.50.

- 2) If compactor sites are considered for closure, Skagit County may be required to reimburse D.O.E. grants obtained for opening of the compactor sites. Additionally, it would be necessary to modify the Skagit County Solid Waste Plan. Mr. Spahr stated that, of the five compactor sites, it may be prudent to close the site located on Fidalgo Island on Similk Beach, where the site is being leased from a private concern for a charge of \$3,500 per year plus free garbage service for the stores and gas station located on the site. Mr. Spahr also suggested moving this compactor to a new site owned by the County, such as Gibraltar Pit.

Mr. Spahr provided a comparison of the tonnage processed at the compactors in the first nine months of 1988 versus the first nine months of 1989.

Commissioner Vaux pointed out that the compactor costs cited by Mr. Spahr did not include the cost the County incurs to haul the compactor boxes to the incinerator or landfill.

Bill Ness, Environmental/Solid Waste Engineer, pointed out one more consideration, stating that 18 more tons were hauled in fewer compactor boxes in 1989 as opposed to 1988. He stated that we can economize by providing better compacting, which has been achieved at compactor sites where an attendant is working.

Commissioner Vaux read into the record a letter from Dr. Mark H. Backlund, a member of the Recycling Subcommittee of Skagit County Citizen's Solid Waste Advisory Committee, which supports going ahead with the provisions of the Skagit County Recycling Plan.

Don Bockelman discussed with Mr. Ness the question of whether the County is incurring liability for overpayment by Puget Power.

Mayor Rice of Anacortes stated that he felt that it should be made clear to the public that a very small portion of their garbage rates actually go toward operating the incinerator.

Lacinda Ethrington urged that the Board move ahead with recycling. She stated that the philosophy of some officials is that recycling must pay for itself. She stated that it does not have to. Ms. Ethrington addressed comments made by Mayor Reep of Mount Vernon which were printed in the Skagit Valley Herald, in which he argued that the Cities are doing all they can to promote recycling. She stated that she cannot see what Mount Vernon is doing. Ms. Ethrington felt that the City is, in fact, promoting disincentives for recycling, in that they allow a substantial price break to garbage customers who have more garbage cans per week for pick up.

Mayor Rice wished there to be no misconception that the cities oppose recycling.

Mayor Reep responded to Ms. Ethrington's remarks, stating that the City of Mount Vernon sent out fliers announcing the acceptance of grass clippings at no charge at the City Shop every Saturday, and purchased three bins for newspaper recycling. He refuted Ms. Ethrington's inference that the City of Mount Vernon is not promoting recycling.

Mayor Walley of Sedro Woolley also stated that the cities are not opposed to recycling, but felt that Skagit County should use the money that would be used for hiring of a recycling coordinator to implement County-wide mandatory garbage pick up. He stated that, using Mr. Spahr's proposed figures, the City of Sedro Woolley would have to raise their pick up rate by \$4.55 per month.

Mr. Bockelman made the statement that if the recycling project is not properly funded, it will not work, and encouraged appropriate funding and hiring of a recycling coordinator.

In answer to Mayor Reep's questions, Mike Woodmansee, Budget/Finance Director, stated that, because all contingencies were cut out of the Solid Waste Budget in order to lower the original estimated tipping fees from \$53 to \$50 per ton, it became necessary to adopt a more conservative attitude toward the growth percentage for solid waste tonnage.

Wayne Clark of Mount Vernon identified a problem with trucks equipped with dumping capacity having to wait for hand off-loading of flat bed trucks at the incinerator.

Terry Knudsen established that a public hearing will be held regarding the expansion of hours at the solid waste transfer sites.

Seeing no further comment, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which was unanimously approved. Commissioner Vaux then motioned to establish the tipping fee for cities and private haulers at \$47.00 per ton, public delivery to the landfill and incinerator at \$6.00 per pick up load, and \$7.00 for each compactor load. Further, that the approval of the rest of the rates proposed be deferred to a subsequent hearing, and that the position of recycling coordinator be funded through an alternate source, not tipping fees.

Commissioner Wylie agreed with the \$6.00 and \$7.00 fees and asked for Commissioner Vaux's explanation of how he reached the \$47.00 per ton figure, which he gave. Mr. Woodmansee was questioned regarding alternate funding sources, and he responded that it is possible to fund the recycling coordinator's position through another source, however, it will compete with other County programs for funding. Commissioner Wylie then motioned to amend Commissioner Vaux's motion to state that the alternate funding of the recycling coordinator position would be for the year 1990 only. Commissioner Wylie then seconded Commissioner Vaux's motion, with the amendment. The motion was unanimously approved.

5) Discussion - Skagit County Comprehensive Recycling Plan.

This item was taken out of order for the convenience of the audience.

Mr. Spahr opened the discussion by briefly listing the three areas of comment which developed at the public hearing last week; recycling of plastics, composting of sewage sludge, and curbside recycling. Mr. Spahr reviewed the plans of the Public Works Department following the closure of the public hearing and now that the public comment period has elapsed. He stated that interviews of five candidates for recycling coordinator will be held on Friday, October 6. As soon as possible following the hire, the four target cities will be contacted and a city or neighborhood chosen for a curbside recycling pilot project. Following the project, which may be at least partially funded by grant funds, the data obtained will be shared with the other cities. Mr. Spahr stated that subsequent to the pilot project, discussions will be initiated with the Cities of Anacortes and Mount Vernon to revisit the issue of a regional disposal solution to sewage sludge and other compostables. Regarding the Recycling Plan itself, the comments from the public and cities will be incorporated into the Plan and sent to the Department of Ecology for approval.

The Board approved of Mr. Spahr's plans.

Don Bockelman, a citizen of Day Creek, expressed an interest in being part of a citizen's advisory committee on composting.

2) Signature - Establish C.R.P. for Helmick Road.

Mr. Spahr stated that it is included within the County Road Program to initiate a project to widen and implement turn pockets and/or signalization of Helmick Road, east of Sedro Woolley, an access road for the Northern State Campus. The Board approved for signature a resolution authorizing engineering funds in the amount of \$15,000 for location surveying and roadway design on Helmick Road from milepoint 0.00 to 1.50. (Resolution #12232)

3) Signature - Final Order of Vacation for County Right-of-Way - Map of Fidalgo City.

In accordance with action previously taken, the Board approved for signature the Final Order of Vacation for County right-of-way in the map of Fidalgo City, Block #210, to Mr. Gerald Rumsey, for the sum of \$76.80, and the conveyance and quit claim to Skagit County property in Lots #10 and #26 of Block #149.

4) Signature - Final Order of Vacation - Andis Road State Turnback.

In accordance with action previously taken, the Board approved for signature a Final Order of Vacation for the State turnback located near Interstate 5 near Andis Road to Martin Oil, for the sum of \$3,642.90.

6) Miscellaneous.

A. Don Nelson, Flood Control Section Manager, indicated that Dike District #25 received the maximum amount of \$20,000 in equal share grant money from Skagit County in 1988 for an improvement to the Samish River Dike. Another sum was transferred from a 1989 grant for another project to help

finish the dike project when it became impossible to complete using the \$40,000 previously budgeted. Mr. Nelson explained that the project is still unfinished, and presents a danger to a neighboring farm; therefore, Dike District #25 is requesting another \$3,000 in grant funds to complete the project on the right bank sufficiently to protect the adjacent farm. Mr. Nelson stated that a second consideration is the district's wish to annex a portion of land beyond the farm, which would also be protected by additional dike improvement on the right bank.

Commissioner Wylie made the point that the district may assess its landowners on an emergent basis for the additional funds, and may issue interest bearing warrants.

Terry Knudsen, Dike District #25 Commissioner, stated that if the district borrows money ahead, they would cut future funds available for 1990 matching grants.

Mr. Nelson pointed out that there are sufficient funds in the River Improvement Fund to grant this \$3,000 request. He explained the purpose of the River Improvement Fund.

Commissioner Wylie maintained that the district could be assessed for the additional funds, noting that a number of diking districts have not been out of debt for many years.

Mr. Knudsen then voiced complaints regarding the severe budget cuts the district experienced last year.

Commissioner Vaux finally motioned to approve the resolution granting \$3,000 from the River Improvement Fund to Dike District #25 for completion of a project on the right bank of the Samish River in Section 16, Township 35 North, Range 3 East W.M. Commissioner Wylie seconded the motion, which was unanimously approved. (Resolution #12233)

MISCELLANEOUS ITEMS.

- A. Commissioner Vaux motioned to approve the Records of the Proceedings from Monday, September 25, 1989; Tuesday, September 26, 1989; and Thursday, September 28, 1989, as presented. Commissioner Wylie seconded the motion, which was unanimously approved.
- B. As of this date, October 2, 1989, the Board, by unanimous vote, did approve for signature the following warrants and vouchers:
 - a) Warrant #61845 (Voucher #61845) in the amount of \$1,182.50 (R-26-89).
 - b) Warrant #78071 through #78217 (Voucher #78071 through #78217) in the amount of \$267,465.36 (PR-18-89).
 - c) Warrant #890223 through #890255 (Voucher #19398 through #19935) in the amount of \$764,547.43 (P-11-89).
- C. The Board approved for signature the following Petitions for Property Tax Refunds:

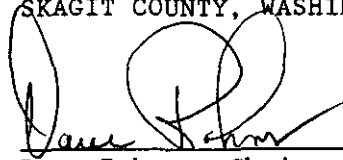
- a) George Osborne, 415 39th Street, Anacortes, WA 98221, in the amount of \$17.73, due to the sale of the property to an exempt party. (010889)
- b) Duane Melcher, 1361 Avon Allen Road, Mount Vernon, WA 98273, in the amount of \$72.82, due to a manifest error. (010389)
- c) Evelyn Mathauser, 3000 B Avenue, Anacortes, WA 98221, in the amount of \$120.13, due to a senior citizen exemption. (011489)

D. Commissioner Vaux reviewed the resolution submitted by the Planning Department to clarify resolution #8242, which removes the Don Pierson property from a moratorium on the division of agricultural land. Commissioner Vaux motioned to adopt the resolution clarifying resolution #8242, and designating an area for a single family residential structure within Tract 2 of Short Plat 67-79 of Don Pierson. Commissioner Wylie seconded the motion, which was unanimously approved. (Resolution #12234)

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

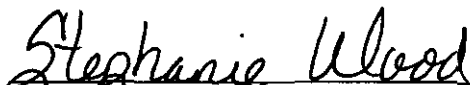


Ruth Wylie, Commissioner

W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners