

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Wednesday, December 27, 1989

- 8:30 a.m. Presentation of Award to Larry Talbott, Chief - Field Services, Skagit County Sheriff's Department.
- 9:00 a.m. Continuation of Public Hearing - Permit Fee Modifications for Department of Planning and Community Development.
- 10:00 a.m. 1) Public Hearing - Supplemental Budget.
2) Budget Line Item Changes.
- MISCELLANEOUS ITEMS.
- 10:30 a.m. Public Works Department - Mark Spahr, Director.
- 1) Out-of-State Travel Requests.
2) Supplement to Contract - Inman Landfill Recycling Agreement.
3) Signature - Office Space Lease.
4) Miscellaneous.
- 11:00 a.m. Work Session - Proposed C.R.P. - Chilberg and Best Roads.
- 1:30 p.m. Continuation of Public Hearing - South Mount Vernon Neighborhood Association Appeal of Hearing Examiner's Decision Regarding Variance Request #V89-049 of Allan Fredrickson.
- 2:30 p.m. Resolution - Setting County District Tax Levies.

The Skagit County Board of Commissioners met in regular session on Wednesday, December 27, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W.W. Vaux present.

PRESENTATION OF AWARD TO LARRY TALBOTT, CHIEF - FIELD SERVICES, SKAGIT COUNTY SHERIFF'S DEPARTMENT.

The Board presented to Chief Larry Talbott of the Skagit County Sheriff's Office a Certificate of Commendation for his graduation from the Federal Bureau of Investigations National Academy in Quantico, Virginia, on December 15, 1989.

CONTINUATION OF PUBLIC HEARING - PERMIT FEE MODIFICATIONS.

Commissioner Vaux began the discussion. He stated that he met last week with members of the Skagit-Island County Builders Association (SICBA) and Budget/Finance Director Mike Woodmansee to discuss the proposed increases in building fees. Commissioner Vaux stated that as a result of the discussion, two proposals were identified for implementing the proposed increases; that the increases be implemented as a phase-in program, and that an accountability for the fee revenues be made.

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Commissioner Vaux stated that other concerns identified at the meeting were that a sudden emphasis has been placed on engineered plans, and that insulation inspections have become more stringent, both of which are costly items for builders. Additionally, Morris Nielsen, who owns an excavating service, requested a comparison of the County's proposed fees with those charged by the City of Mount Vernon, asserting that the City provides more detailed inspections for a lower fee.

Commissioner Vaux recommended a phase-in program that would dictate that increases of 60% be implemented rather than 80% for the first period, followed by a six month accountability review and fee adjustment.

The Board discussed with Scott Kirkpatrick, Director - Department of Planning and Community Development, the data that will be available in six months to support an accountability review. Mr. Woodmansee pointed out that a balance sheet could be constructing showing the number of permits issued and cost of permits on the revenue side, and the costs to produce the service on the expenditure side. Mr. Kirkpatrick concurred on this issue.

Mr. Kirkpatrick discussed with John Whitney the basing of permit fees on an average per-square-foot table rather than on the value of the builder's contract. He gave an example of the construction of a lean-to whose table value greatly exceeded the builder's contract value.

Mr. Kirkpatrick pointed out that lean-to's have no valuation table, and building officials will be assessing them by a table which will be constructed at a later date using information provided by contractors. He maintained that contract valuation should never determine value, using several examples to demonstrate his point.

Bruce Johnson claimed that the City of Mount Vernon will accept the contract as a method of determining valuation for permit fee assessment purposes. He felt the table does not adequately address remodels.

Commissioner Vaux discussed with Mr. Johnson how change orders would affect permit fee assessment. Mr. Johnson asked for assurances that great discrepancies between table value and contract value will be individually reviewed, if the new table is adopted. Commissioner Vaux suggested a new policy that demands that individual permit fees be reviewed by the department director should the valuation of the square footage table greatly exceed that of the contract value.

Mr. Whitney pointed out that raising the rates will encourage construction without proper permits, but Mr. Kirkpatrick noted that this is occurring currently.

Mr. Kirkpatrick made the statement that builders' expertise will be honored during discussions regarding discrepancies in construction valuation.

Mr. Kirkpatrick then explained the square footage table being discussed. He stated that the table is provided by the International Conference of Building

Officials on a quarterly basis. He stated that the Planning Department would like to use the most current table each time it is provided; however, they have met with resistance and objections by builders. He stated that the Planning Department would like the Board to accept and support the system of using the most current table in conjunction with the fee schedule modifications. The table splits fees for "average" construction and "good" construction into two categories, the "good" construction designation triggering a more expensive permit. Mr. Kirkpatrick vowed to use the "average" construction square footage for the majority of building permit applications, using the "good" category when it is obviously appropriate.

Mr. Whitney and Johnson appeared satisfied with Mr. Kirkpatrick's assurances.

Seeing no further public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Vaux then motioned to adopt the 1988 UBC schedule, minus 20%, on building permits only for a 90 day period beginning January 1, 1990. On April 1, 1990, the 1988 UBC schedule will be used without revisions for building permits. Beginning July 1, 1990, an accountability review will begin of the building permit revenues and how they compare to the operating expenditures, with adjustment to follow as a result of the review, if necessary, but not to exceed the unrevised 1988 UBC schedule. Commissioner Wylie seconded the motion, which passed unanimously.

PUBLIC HEARING - SUPPLEMENTAL BUDGET.

Mike Woodmansee, Budget/Finance Director, provided a proposed resolution and explained its intent to the Board.

Seeing no public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Wylie then motioned approval of the resolution authorizing supplemental budgets in the amounts of \$4,000 for the County Fair Fund #106, \$6,900 for the Elections Fund #113 and \$200,000 for the Medic I Services Fund #123. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12331)

BUDGET LINE ITEM CHANGES.

- 1) Commissioner Wylie motioned to adopt the resolution authorizing budget line item changes in the amount of \$68,302 to the Current Expense Fund #001 to make adjustments for 1989 salaries and benefits. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12332)
- 2) Commissioner Wylie motioned to adopt the resolution authorizing a budget line item change in the amount of \$200 from the telephone services line item of the Emergency Management Fund #105 to the salaries line item. Commissioner Vaux seconded the motion, which passed unanimously.

(Resolution #12333)

- 3) Commissioner Wylie motioned to adopt the resolution authorizing a budget line item change in the amount of \$7,702 from various line items within the Parks and Receptions Fund #114 to salaries. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12334)
- 4) Commissioner Wylie motioned to adopt the resolution authorizing a budget line item change in the amount of \$54,700 for the Human Services Fund #116 to account for State community mental health grant monies received. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12335)
- 5) Commissioner Wylie motioned to adopt the resolution authorizing a budget line item change in the amount of \$900 from the professional services line item within the Senior Services Fund #118 to the salaries and medical benefits line items. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12336)

MISCELLANEOUS ITEMS.

- A. Upon presentation by Mr. Woodmansee, Commissioner Wylie motioned to close the Cumulative Reserve Fund #190, transferring any fund equity or future receipts to the Current Expense Fund #001. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12337)
- B. Commissioner Wylie motioned to adopt the resolution closing the 1978 G.O. Bond Fund #206, allowing the Treasurer to continue to use Fund #206 for record transactions pertaining to refunded bond issues, if desired. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12338)
- C. Commissioner Wylie motioned to adopt the resolution consolidating temporary loans to the Solid Waste Operating Fund #401 totaling \$1,150,000 to the County Road Fund # 117, and extending the repayment date to December 31, 1991, at 7% interest per annum. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12339)
- D. Commissioner Wylie motioned to adopt the resolution establishing the Public Works Building Construction Fund #357 for the purpose of the erection of public facilities for use by the County, and initially financing the fund with \$1,000,000 of residual equity from the County Road Fund #117. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12340)
- E. In accordance with action previously taken, the Board approved for signature a Purchase Agreement with Microage of Bellingham for the purchase of computer hardware and network software for the Public Works Department and Commissioners' Office.
- F. Commissioner Wylie motioned to approve for signature a Data Processing

Agreement with Snohomish County to provide data processing services to Skagit County relating to Auditor's Office functions for a period of 24 months, for a total charge of \$206,835.00. Commissioner Vaux seconded the motion, which passed unanimously.

G. As of this date, December 27, 1989, the Board, by unanimous vote, did approve for signature the following warrants:

- 1) Warrant #MW932-50998 through #MW933-50999 in the amount of \$5985.99 (C-56-89).
- 2) Warrant #MW931-50997 in the amount of \$2,000 (R-55-89).

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) **Out-of-State Travel Requests.**

Commissioner Wylie motioned to approve out-of-state travel requests for Mark Spahr, Public Works Department Director, Charlie Tewalt, Public Works Department Operations Supervisor, and Ed Hawes, Traffic Engineer, to travel to Portland, Oregon, on January 17, 1990, to attend a seminar entitled, "Liability in Public Works Management." Commissioner Vaux seconded the motion, which passed unanimously.

2) **Supplement to Contract - Inman Landfill Recycling Agreement.**

The Board approved for signature Supplement #5 to the Inman Landfill Recycling Agreement with C&D Salvage allowing them to purchase aluminum cans brought to the incinerator for recycling, and to pay \$.03 per pound more for aluminum cans when they are accompanied by another acceptable recyclable material. These recycling incentives shall become effective at such time as a building is provided to shelter the employees of C&D Salvage.

The Board approved for signature Supplement #6 to the Inman Landfill Recycling Agreement with C&D Salvage, allowing that, instead of providing one attendant at each compactor site for 1.5 hours per day each day of the week, an attendant will be provided for a full eight hours one or two days per week as follows:

Similk Compactor	Saturday	9:00 a.m. - 4:00 p.m.
Conway Compactor	Sunday, Monday	9:00 a.m. - 4:00 p.m.
Alger Compactor	Friday	9:00 a.m. - 4:00 p.m.
Birdsview Compactor	Wednesday	9:00 a.m. - 4:00 p.m.

3) **Signature - Office Space Lease.**

The Board approved for signature a three-year office space lease for space in the Riverview Building, owned by Robko Associates, Ltd., a Washington Association. The space will house members of the Public Works Department, and shall be leased at \$1809.00 monthly (7.75 per square foot for 2800+ square feet) for the first year. Second and third year rent will be \$2088 per month and utilities not to exceed \$400 monthly.

4) Miscellaneous.

- A. Mr. Spahr indicated that a report received from the Department of Labor and Industries today shows no asbestos in samples of fly ash from the Resource Recovery Facility. Mr. Spahr noted that now two independent labs have confirmed that no asbestos exists in the fly ash from the incinerator.
- B. Don Nelson, Flood Control Section Supervisor, provided for signature a confirmation letter to the U.S. Army Corps of Engineers for the Corps' assistance, via a PL99 project, in repairing a section of levee damaged by the recent floods on the right bank of the Skagit River at Cockerham Island, Section 15, Township 35 North, Range 6 East, W.M. Mr. Nelson explained that our 20% share of the project amounts to a little over \$5,000, and that we can furnish materials in lieu of funds for our share.
- C. Rebecca Voerman discussed with the Board a request for bids for the construction and installation of a metal pole building at the Skagit County incinerator for the purpose of sheltering recycling activities. She stated that the request has been sent out and will return 1/10/90.

The Board directed Ms. Voerman, in addition to receiving bids for a 15 x 24 foot building, to send a bid addendum asking for quotes for a larger building. The Board asked to view the site where the proposed building will be constructed in the mean time.

CONTINUATION OF PUBLIC HEARING - SOUTH MOUNT VERNON NEIGHBORHOOD ASSOCIATION
APPEAL OF HEARING EXAMINER'S DECISION REGARDING VARIANCE REQUEST #V89-049 OF
ALLAN FREDRICKSON.

Grace Roeder, Associate Planner, noted that the Department of Planning and Community Development has recommended approval of a variance request to allow construction of a 952 square foot building for the practice of small animal surgery and vaccinations within 25 feet of the front property line of property located at the northeast corner of the intersection of Hickox and Cedardale Roads, Mount Vernon. She stated that the Hearing Examiner has held a public hearing and issued an order concurring with the recommendations of the Department, and that an appeal of the order has been received from the South Mount Vernon Neighborhood Association.

It was confirmed that the official setback requirement for the subject property is 35 feet.

Commissioner Vaux made a drawing of the proposed construction.

In answer to inquiries, Ms. Roeder stated that a special use permit is required for an animal clinic in Skagit County, regardless of the zoning. Dr. Fredrickson has applied for and received the special use permit. It has also been necessary for Dr. Fredrickson to request and receive a variance from the back setback allowance from 35 feet to 20 feet because of regulations which

mandate a 35 foot setback where commercial property abuts agricultural property. She also noted that the Hearing Examiner's order will confine clinic parking to the north side of the building.

Joe Soler, a member of the South Mount Vernon Neighborhood Association, described a head-on collision which occurred near the intersection of Hickox and Cedardale Roads earlier this month. He stated that he is not against Dr. Fredrickson's building or its purpose, but sees this as a chance for the County to purchase the property to improve the poor visibility at the intersection.

Commissioner Vaux suggested that a setback of 0 feet be allowed at the back of the property, so the building could be moved back further and increase visibility. He verified that the 15-20 foot area at the back of the property which looks like someone's easement belongs to Robert Stohl's grandfather.

The Board discussed traffic problems associated with the corner, as well as how legally the setback at the rear might be set at 10 feet or less. Grace Roeder noted that advertisement regulations would dictate that another public hearing be held in order to accomplish this. The Board also discussed the drain field separation between the clinic and the well at the Stohl home behind the clinic.

Dr. Fredrickson noted that if the building is moved closer to the rear property line, the building could also be moved further to the north. Dr. Fredrickson indicated some interest in the sale of all or part of the parcel to the County for the purpose of roadway improvement. He also indicated that Mr. Stohl's grandfather might be interested in having his property zoned commercially in exchange for other considerations, such as a decreased setback.

Seeing no further public comment, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which passed unanimously.

Commissioner Vaux then motioned to uphold the appeal of the South Mount Vernon Neighborhood Association and deny Variance #V89-049 of Dr. Fredrickson. Commissioner Vaux further included in his motion that Dr. Fredrickson should have discussions with the Public Works Department engineers on the possibility of mutually agreeable arrangements to facilitate roadway improvement at the intersection. Commissioner Wylie seconded the motion, which received unanimous approval.

Commissioner Wylie then motioned to allow Dr. Fredrickson a fee waiver, should he choose to reapply for a variance in conjunction with discussions with the Public Works Department. Commissioner Vaux seconded the motion, which was also unanimously approved.

Finally, the Board directed Ms. Roeder to convey the Board's wishes to the Public Works Department in this matter.

MISCELLANEOUS ITEMS.

- A. The Board approved for signature the following Petitions for Property Tax Refunds:
- 1) Magnhild Olsen, P.O. Box 33961, Seattle, WA 98133, in the amount of \$335.25, due to a senior citizen exemption (015689).
 - 2) Wesley Pike, 638 Old Hwy. 99 N., Burlington, WA 98233, in the amount of \$104.76, due to a senior sitizen exemption (014989).
 - 3) Raymond Fox, P.O. Box 508, Concrete, WA 98237, in the amount of \$244.09, due to a senior citizen exemption (014789).
 - 4) Edward H. Hawkings, 1102 Markwood Road, P.O. Box 292, in the amount of \$43.27, due to a manifest error on the acreage and valuation (013389).
 - 5) Robert D. Clumpner, 4209 St. Marys Drive, Anacortes, WA 98221, in the amount of \$110.70, due to a manifest error on the acreage and valuation (012989).
 - 6) Thad Ritter, P.O. Box 606, 865 Garden of Eden Road, Sedro Woolley, WA 98284, in the amount of \$107.13, due to a senior citizen exemption (015289).
 - 7) Vernal Winbelt, 1644 Stevens Road, Burlington, WA 98233, in the amount of \$434.85, due to a senior citizen discount (015189).
- B. Commissioner Vaux motioned to adopt the Records of the Proceedings from Monday, December 18, 1989; Tuesday, December 19, 1989; and Wednesday, December 20, 1989, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.
- C. In accordance with action previously taken, the Board approved for signature a resolution calling for a public hearing on January 9, 1990 at 10:00 a.m., to consider the adoption of a moratorium on residential building permits on agriculturally zoned land within Skagit County until May 1, 1990, for the purpose of allowing review of rules regulations and policies pertaining to the utilization of agricultural land for residential purposes.
- D. The Board approved for signature Grant Amendment #89-3110-06(04) between the County and the Northwest Regional Council to incorporate an additional \$5,000 in funding for senior information and assistance via the Skagit County Senior Services Department's COPES Case Management project.
- E. The Board approved for signature contracts for provision of senior services at senior centers located in the cities of Burlington, Sedro Woolley, Concrete and Mount Vernon for the calendar year of 1990.
- F. Commissioner Wylie motioned to adopt the resolution calling for proposals for laboratory services for the Health Department's landfill groundwater monitoring for 1990. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12343)

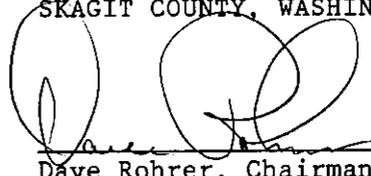
RESOLUTION - SETTING COUNTY DISTRICT TAX LEVIES.

Commissioner Vaux motioned to adopt the resolution setting the 1990 tax levies for Skagit County, as listed and delineated on attachments to the resolution. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12342)

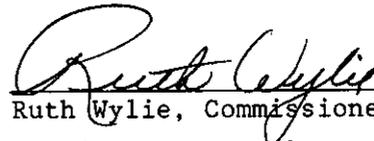
ADJOURNMENT

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

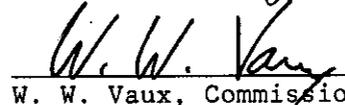
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman



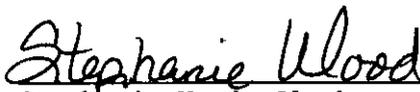
Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners