

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

Monday, June 4, 1990

8:30 a.m. - 10:00 a.m. Commissioners' Tour of County's Bayview Road Maintenance Shop.

Flag Salute.

10:00 a.m. - 11:30 a.m. Public Works Department - Mark Spahr, Director:

- 1) Award Presentation - Earth Rally 1990 Video Contest.
- 2) Call for Public Hearing - Regarding Clarification of the Posted Speed Limit on Pioneer Parkway #4200 in Consideration of a Speed Limit Modification.
- 3) Call for Public Hearing - Vacation of Unused Right-of-Way Known as Old Francis Bacon Road.
- 4) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

2:00 p.m. - 2:45 p.m. Work Session - Six-Year Road Program.

2:45 p.m. - 4:00 p.m. Department of Planning and Community Development - Scott Kirkpatrick, Director:

- 1) Enforcement Update.
- 2) Staffing Update.
- 3) Planning Commission Recommendation - Interim Controls on Forestry Zoned Parcels.

The Skagit County Board of Commissioners met in regular session on Monday, June 4, 1990, with Commissioners Ruth Wylie, W. W. Vaux and Dave Rohrer present.

COMMISSIONERS' TOUR OF COUNTY'S BAYVIEW ROAD MAINTENANCE SHOP.

The Board toured property and buildings owned by Skagit County in the community of Bayview which are currently being used to house small tools and equipment for the County Road crew. The purpose of the tour was to familiarize the Board with the property in order to make decisions regarding its disposition.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Award Presentation - Earth Rally 1990 Video Contest.

Jeff Monsen, Assistant Public Works Department Director, explained the purpose of the video contest, which was held in conjunction with Earth Rally 1990, a national event celebrating the history of environmental awareness. He stated that the County desired to have an educational video that would help to promote recycling, and devised the idea of a contest to be held amongst school students throughout Skagit County. Mr. Monsen indicated that the prize for the winning video was \$1,000.

Mr. Monsen showed the Board the winning video, and introduced Jackie Bechtel, faculty advisor for the Sedro Woolley High School Debate Team, the producers of the winning video.

Mrs. Bechtel introduced the student participants in the video production.

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The Board presented the students and Mrs. Bechtel with a Certificate of Excellence and a check for \$1,000 as first prize for the winning Earth Rally 1990 video.

2) Call for Public Hearing - Regarding Clarification of the Posted Speed Limit on Pioneer Parkway #4200 in Consideration of a Speed Limit Modification.

Mr. Spahr stated that a situation exists in LaConner where the posted speed limit does not match the present speed limit ordinance. He stated that, although Pioneer Parkway, from the Reservation/SneeOosh Road intersection southeasterly to the easterly end of the Rainbow Bridge is posted at 25 m.p.h., and from the easterly end of the Rainbow Bridge southeasterly to the LaConner city limits is posted at 35 m.p.h., Skagit County Code Title 10 does not reference a posted speed limit of 25 m.p.h. for Pioneer Parkway. All County roads not otherwise posted are limited to a speed of 35 m.p.h. Mr. Spahr requested to identify June 25, 1990, at 10:00 a.m., as the date and time of a public hearing for consideration of adopting an ordinance clarifying these speed limits as they are currently posted.

Commissioner Vaux stated that he felt Pioneer Parkway should be posted at 25 m.p.h. for the entire length within the County. He requested that the public hearing notice and resolution be changed to reflect this notion. He motioned to call for a public hearing on June 25, 1990, at 10:00 a.m., to consider a speed limit of 25 m.p.h. for Pioneer Parkway from the LaConner city limits to the SneeOosh Road intersection. Commissioner Rohrer seconded the motion, which passed unanimously.

3) Call for Public Hearing - Vacation of Unused Right-of-Way Known as Old Francis Bacon Road.

Commissioner Vaux motioned to call for a public hearing on June 25, 1990, at 10:00 a.m., to consider the vacation of County right-of-way known as the Old Francis Bacon Road for a distance of approximately 1049.5 feet, which runs northeasterly between the Stackpole Road and Hickox Road. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12520)

4) Miscellaneous.

A. Don King, Incinerator Supervisor, gave a status report on the operation of the Resource Recovery Facility. He stated that during the month of May a decrease in the amount of growth over this same time last year was realized. He stated that this year in May a growth rate of 3% was realized. Growth rates had previously been at approximately 12%.

Mr. King gave information on a week long repair being performed on one line of the incinerator that will improve the efficiency of the line.

The Board discussed with Mr. King improvements in metal content in the incinerator ash due to some hand separation being done by the incinerator operations crew.

CONSENT AGENDA.

Commissioner Vaux motioned to adopt the Consent Agenda of June 4, 1990. Commissioner Rohrer seconded the motion, which passed unanimously.

* Public Works Department:

1. Signature - Ordinance establishing a speed limit reduction on Campbell Lake Road #1390 to 35 m.p.h. (Resolution #12521)

2. Resolution - Call for Public Hearing - Adoption of Six-Year Road Program. Scheduled for 10:00 a.m. on Monday, June 25, 1990. (Resolution #12522)

* Petitions for Property Tax Refunds:

3. Cornelia A. VanHorn, 2022 N Avenue, Anacortes, WA 98221, in the amount of \$149.81, due to a senior citizen exemption. (005190)
4. Land Title Company, P.O. Box 1225, Mount Vernon, WA 98273, in the amount of \$324.18, due to a double payment of taxes in connection with a sale transaction. (005390)
5. First American Title, P.O. Box 1667, Mount Vernon, WA 98273, in the amount of \$213.43, due to a double payment of taxes. (005590)

* Skagit County Health Department:

6. Signature - Resolution ordering clean up of an unlicensed sheetrock disposal site belonging to Ray Wibbens. (Resolution #12523)

• Skagit County Parks and Recreation Department:

7. Signature - Amendment to IAC Project Agreement to extend the deadline one year, to June 30, 1991, to complete the Burlington Regional Playfields project.
8. Agreement for use of Mary Purcell playground areas and restrooms for youth playground program from June 18 through August 17, 1990, at no charge.
9. Agreement for use of 15th Street, Mount Vernon, ballfield for a softball jamboree on June 9, 1990, for a \$2.00 per game fee.

* Skagit County Fair:

10. AM/FM Broadcast Order - KMPS Radio - for 16 ten second spots during the morning and afternoon drive to advertise the Skagit County Fair. Total charge: \$1,500.
11. Commercial Displays and Vendors Contracts: (All contracts run from August 8 to August 12, 1990)
 - a) Mary Kay Cosmetics - \$200 for space in the commercial tent. (vendor of cosmetics)
 - b) Watkins Products - \$220 for space in the commercial building. (vendor of Watkins food products)
 - c) Professional Legs, Inc. - \$200 for space in the commercial tent. (vendor of novelty items)
 - d) Northwest Hot Spring Spas - \$192.50 for space in the ballpark. (hot tub sales)
12. Concessionaires Contracts: (All contracts run from August 8 to August 12, 1990)
 - a) Skagit County Dairy Women - \$50 Concessionaires charge plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater.

- b) Double "O" Enterprises - \$50 Concessionaires charge plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater.

* Out-of-State Travel Requests:

13. Jon T. Aarstad, Parks and Recreation Department Director: Travel to San Diego, CA, from July 22 through July 27, 1990, for the Pacific Revenue Sources Management School. Travel and registration fees are included in department budget.
14. Bob Taylor, Administrative Officer: Travel to Reno, NV, from June 11 through June 14, 1990, for the PRIMA Convention. Travel and registration fees are included in the department budget.
15. Dave Fleming, Risk Manager: Travel to Reno, NV, from June 11 through June 14, 1990, for the PRIMA Convention. Travel and registration fees are included in the department budget.

* Planning Department:

16. Signature - Request for approval for service connection to Whatcom County Water District #12 sewer services for Michael Krieder's proposed 4 lot plat on Highway 99, north of Alger.
17. Signature - Resolution calling for public hearing to consider an appeal by Ray Melton of a Hearing Examiner's decision regarding his request for a Special Use Permit. Hearing to take place on June 12, 1990, at 10:00 a.m. (Resolution #12527)

* Board of County Commissioners:

18. Resolution - Reappointment of Emmet Owens to Northwest Senior Services Advisory Board. (Term expiration: June 30, 1990) (Resolution #12524)
19. Record of the Proceedings of May 29, 1990.
20. Record of the Proceedings of May 30, 1990.

MISCELLANEOUS ITEMS.

- A. 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, June 4, 1990, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #79806 through #79953 (Vouchers #79806 through #79953) in the amount of \$300,274.99 (PR-10-90).
- 2) Warrants #3756 through #4257 (Vouchers #2341 through #2818) in the amount of \$810,070.65 (P-11-90).

- B. Carolyn Milat, Health Department Director, explained that for the past 8-1/2 years, the County has contracted with a private physician, David Jones of Bellingham, for tuberculosis consultation. Dr. Jones used to see patients at the Health Department and would read chest films while here.

Now he has confined his practice to Bellingham, and it has been necessary for a Public Health Nurse to drive the films to Bellingham for his examination.

Ms. Milat said that the State Health Department offers tuberculosis consultation services at a rate that is lower than that of a private physician. Additionally, films can be mailed to the State, and Public Health Nurse time would not be necessary for delivery of films. She estimated that the Health Department could save \$800 to \$1,000 in nursing and physician fees by contracting with the State.

Ms. Milat requested permission to terminate the County's contract with Dr. Jones and enter into a contract with the State for tuberculosis consultation service.

The Board agreed with Ms. Milat's request.

- C. Ms. Milat reported, for the Board's information, that the County's WIC program, which supplies pre- and postnatal care and information to County residents received the designation of "total compliance" on a recent State review.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:

1) Enforcement Update.

Mr. Kirkpatrick reported there were seven enforcement complaints since his last report. He noted that 10% of these related to complaints relative to recreational-type vehicles occupying property apparently as a permanent residence. In order to adequately deal with this Mr. Kirkpatrick proposed that Skagit County Code amendments should define recreational vehicles and the circumstances in which they could be lived in as a residence.

There was some discussion regarding this matter. Relative to the use of a recreational vehicle while construction is occurring, Commissioner Vaux emphasized that there needs to be something that says the vehicle can be used as long as construction is in progress. Commissioner Rohrer agreed. Chairman Wylie asked whether a special use permit would be required for visitors. Mr. Kirkpatrick stated he would suggest that a situation like this be handled administratively.

The board agreed that Skagit County Code amendments should be instituted that is easily workable.

1) Staffing Update.

- Mr. Kirkpatrick updated the board on current staffing.
- Mr. Kirkpatrick reported on an American Planning Association meeting he recently attended in Tacoma.

3) Planning Commission Recommendation - Interim Controls on Forestry Zoned Parcels.

Mr. Kirkpatrick provided an update of meetings held to date on the recommendation of the Planning Commission to enact legislation which changes the minimum lot size in the Forestry Zone from 20 acres to 80 acres, and to require an area of slash abatement around each Forestry Zone building site. The main issue of concern is the ability to serve fire emergencies in certain areas of the county

and the inability of DNR to provide fire protection to homes during a forest fire.

The board questioned Mr. Kirkpatrick regarding issues surrounding the proposed interim controls.

Mr. Christensen of the Planning Department read the Planning Commission's recorded motion. Mr. Kirkpatrick clarified that the interim controls would be in effect until the completion of the Comprehensive Plan update which will be done between now and September 1991.

Chairman Wylie advised the audience that although it was not a public hearing the board was willing to receive public testimony at this time.

Gary Koski, Fire Commissioner, District #8, stated he recently attended a Wildlife Conference and brought some solutions and recommendations back for the Board to review and take into consideration.

Paul Kriegel of Goodyear Nelson in Sedro Woolley asked if some "sunset" language could be inserted. He also asked if there would be opportunities down the road for further input. Chairman Wylie emphasized that these are interim controls and that there will be public hearings prior to adoption of the new Comprehensive Plan.

Red Deckhouse of Trillium Corporation said he felt that safety and health matters could be handled by ordinance. He said that he felt there should be strong building regulations but not to control growth, as people are already here.

Chairman Wylie emphasized that the reason behind the interim controls presented by the Planning Commission is to control fire safety. The growth is happening.

Pat Lewis expressed concern about property that is already segregated into parcels. Mr. Kirkpatrick emphasized that these could be grandfathered in.

Chief Ted Banta, Burlington Fire Department, stated that the fire chiefs in Skagit County work together and are not opposed to any expansions and property divisions, provided they are able to get to the people who need help. They want to be sure they can do everything possible to answer a call that involves life and property. If buildings are constructed according to building codes with adequate water and roads, there is a better chance of saving lives and property.

An audience member stated he felt that the interim controls are being done to promote no growth. He said he had heard no one say what they are going to do about the problem that exists.

Dottie Piazza of Piazza Construction said that some kind of ruling needs to be made about what is a required roadway into property. This has changed into a growth management problem. If the change is made to 80 acres there will be more of a problem in terms of roads going into property.

Joanne Ossewarde stated that she feels Skagit County should preserve minimum lot size in the Forestry Zone to 20 acres. She stated she is among many retired people in the county who own small parcels. She read a statement to the Board and indicated that they agree that the problem of adequate road standards needs to be addressed and enforced. She further requested that the Board continue to take input for 10 more days.

An audience member expressed his belief that if you decreased parcel size to 10 acres there would have better fire control. He felt that the Planning Department was trying to set up 80 acre parcels to slow growth. Skagit County needs growth.

Henry Campbell stated that he did not want fire fighters to think he was in opposition to their concerns about public safety. He said that in his letter he stated that this proposal has two faces. This can be construed by many people to be a fire safety measure. It is definitely a growth measure. He said there was no public record of proceedings of the Planning Department available to the public. There needs to be a little more deliberation. He asked that the Board of Commissioners consider this proposal in its entirety and not succumb to pressures about fire hazards and other related issues.

Dan Cain, Skagit County Fire Marshall, indicated that the system has some serious problems. Twenty acre tracks create an untenable situation for the fire service.

An audience member suggested that some interim controls be applied until fire standards can be brought up to standard. She said she would look for interim controls that would address the adequacy of the streets.

Mr. Kirkpatrick stated that these are being dealt with on a case by case basis.

Dottie Piazza indicated she had had difficulty in getting a copy of the Planning Commission meeting minutes. Public records should be available.

Mr. Christensen advised that the tapes are available to the public. People can listen to them at the Planning Department at any time. They are recorded at a higher speed and must be listened to on the proper machine, however, which most individuals do not possess.

Judy Schmidt stated that they own several acres of land and there is a disadvantage in building a home on a large parcel. They have had three emergencies and not one of the emergency services called could find their property.

Jones Atterberry asked how raising zoning from 20 to 80 acres is going to speed up response time. Mr. Kirkpatrick indicated that it is simply mathematics. You reduce the density of the population and you reduce the hazard.

After a short intermission, Commissioner Vaux suggested a moratorium on any construction outside the boundaries of any fire district. Until the Comprehensive Plan can be updated and road standards can be developed that will answer today's issues, it is important to stop placing an additional burden on the fire districts and DNR.

There was further discussion about the issues that had been raised relative to the proposed moratorium. The board reviewed a map showing fire district boundaries.

Commissioner Vaux motioned that there be a building permit moratorium on any ground outside of a fire district's boundaries until December 31, 1991, or until a new Comprehensive Plan is approved, whichever comes first. After further discussion, Commissioner Rohrer reluctantly seconded the motion. Chairman Wylie emphasized to audience members present that this moratorium is for fire protection and not a growth strategy. The motion was carried unanimously.

After further comments by audience members the public comment period was closed.

MISCELLANEOUS ITEMS

- A. 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 10, 1987, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #55993A through #56215 (Vouchers #005995 through #005796) in amount of \$654,696.95. (C-25-90)
- 2) Warrants #71024 through #71082 (Vouchers #71024 through #71082) in the amount of \$121,494.68. (R-16-90)

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





Ruth Wylie, Chairman




W. W. Vaux, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners