

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

Tuesday, August 14, 1990

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| 9:00 a.m. - 10:00 a.m. | Board of Health: <ol style="list-style-type: none">1) Invitation - State Board of Health Meeting.2) Update on Typhoid Outbreak.3) Growth Management Bill - Implementation of Section 63 - Private Water System Approval. |
| 10:00 a.m. - 12:00 p.m. | Field Review - Intersection of Cully Road and Garden of Eden Road. |
| 1:30 p.m. - 2:00 p.m. | Bid Opening - One New Top Dresser for Parks and Recreation Department. |
| 2:00 p.m. - 3:30 p.m. | Department of Planning and Community Development - Scott Kirkpatrick, Director: <ol style="list-style-type: none">1) Sphere of Influence Agreements and the Growth Management Act.2) Staffing Update.3) Enforcement Update. |
| 3:30 p.m. - 4:00 p.m. | Public Comment Period. |
| 7:00 p.m. - | Skagit Transit System Public Hearing - Preliminary Draft Plan for Public Transportation.
(Sedro Woolley Senior Center, 724 State, Sedro Woolley, WA) |

The Skagit County Board of Commissioners met in regular session on Tuesday, August 14, 1990, with Commissioners Ruth Wylie, W. W. Vaux and Dave Rohrer present.

BOARD OF HEALTH:

1) Invitation to State Board of Health Meeting.

John Thayer, Environmental Health Supervisor, informed the Board that the September State Board of Health meeting will be held on September 12, at the Skagit Valley Inn from 9:00 a.m. to 4:00 p.m. He invited the Board to attend the luncheon portion of the meeting, and other parts of the meeting if possible.

2) Update on Typhoid Outbreak.

Barb Meier, Public Health Nurse, reported on the recent outbreak of typhoid fever that occurred in Skagit County as a result of exposure at a large family gathering. She stated that 14 people have tested positive for typhoid fever; however not all 14 were actually ill, and the spread of the disease is apparently coming under control. She stated that all those with positive cultures are receiving ongoing monitoring. She stated that an average of 2% to 5% of all those testing positive for typhoid fever will go on to become typhoid carriers. There is no treatment for the typhoid carrier, but the disease can be controlled through hygienic measures. The Health Department has been working closely with the State Board of Health representative, Dr. Quick, and people have been very cooperative. No new positive cultures have been returned, and no other members of the public have reported illnesses. All food handlers who were guests at the gathering

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have been excluded from work until they have tested negative for typhoid. No one from the general public was infected.

3) Growth Management Bill - Implementation of Section 63 - Private Water System Approval.

Lorna Haycox, Environmental Health Specialist, stated that the well citing criteria committee has met and is prepared to make recommendations on their findings. Included in that committee was Dean Bannister, a septic system installer, Dean Hayes, Jr., and Dean Hayes, Sr., and Ken Fowler, all well drillers, Red Norris, a realtor, and Mary Yeager, a representative of the general public. The committee made the following recommendations:

- Don't deny building permits based on water supply.
- As long as full disclosure is made, the homeowner should be allowed to have substandard water. It is his right as a landowner.
- A local ordinance is desirable to clarify water supply issues.

Ms. Haycox stated that after discussions with the County's legal representative, John Moffat, and risk manager, Dave Fleming, she has modified those recommendations as follows:

- Building permits should be denied if a health hazard exists and foolproof treatment is not available. The system must demonstrate adequacy.
- Building permits should not be denied for aesthetic and treatable contaminants.
- Quantity problems should be evaluated on a case-by-case basis.
- No proof of notification of the neighbor is required, but is encouraged.
- A local ordinance should be put in place by November 1, 1990.
- A Notice of Drinking Water System Status should be recorded on any substandard system.

The Board discussed with Ms. Haycox, Mr. Bannister and Mr. Hayes the homeowner's presumed assumption of liability for a substandard water supply. Mr. Hayes defended the committee's recommendations, stating that the rights of the property owner should be honored if they wish to have poor water, but no new construction should be allowed without an approved water system.

Commissioner Vaux felt that the County's liability is jeopardized when a building permit is issued in the presence of substandard water.

Mr. Thayer discussed the State Board of Health's role in development of water standards.

Ms. Haycox asked the Board to authorize the formation of an ad hoc group to formulate an ordinance which would address these water system issues.

The Board continued to discuss water issues with the audience. Brief discussion was held on the ability to enter into restrictive covenants that would reserve space for future wells.

Ms. Haycox again asked the Board to adopt the recommendations of the committee, as revised by legal counsel, to act as interim guidelines until the ad hoc committee could formulate an ordinance.

Mr. Hayes asked that the County not hold applicants to providing proof of adequate and potable water before they are allowed to apply, since this would delay the granting of their building permit, causing financial difficulties to the homeowner.

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Scott Kirkpatrick, Planning Director, and Mr. Hayes discussed the Planning Department's ability to act as a repository for building permits that are awaiting various pieces of information necessary for processing. Mr. Kirkpatrick also pointed out that the Planning Department would need some sort of permit fee deposit for work performed on permits that later are denied. Mr. Hayes felt that by using a map which defines areas where potable water may not be available, the Planning Department could identify which permits may be denied or at least delayed.

Mr. Kirkpatrick indicated that, if the Board feels applications should be accepted before approval of the water system, the ordinance should address the issue of vesting, and should be structured so that the majority of the building permit application fee is paid in advance.

The Board indicated a desire to hold a public hearing on the proposed interim guidelines, which Commissioner Vaux motioned should be held on Wednesday, September 5, 1990, at 8:30 a.m. Commissioner Rohrer seconded Commissioner Vaux's motion, and the motion passed unanimously.

FIELD REVIEW - INTERSECTION OF CULLY ROAD AND GARDEN OF EDEN ROAD.

The Board drove to the intersection of Cully Road and Garden of Eden Road to view an intersection which has been reported to be dangerous by the neighboring residents.

BID OPENING - ONE NEW TOP DRESSER FOR PARKS AND RECREATION DEPARTMENT.

Chairman Wylie waived the reading of the Notice of Call for Bids, as published in The Skagit Argus on July 31 and August 7, 1990.

The following bids were received and opened:

- 1) Western Equipment Distributors, Inc.
20224 80th Ave. So.
Kent, WA

No bid.

- 2) Barnett Implement Co., Inc.
P.O. Box 666
Mount Vernon, WA 98273

Brand: Bannerman Model: BTD-20
Total Price: \$14,270.63

- 3) Multi Turf Specialists, Ltd.
6455 64th Street
Delta, BC Canada V4K 4E2

Brand: Multi-Crop Model: Top Dresser
Total Price: \$12,900.00 (U.S. Fund) excluding tax

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, August 14, 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 #80391 through #80449 (Vouchers #80391 through #80449) in the amount of \$16,585.00. (PR-15-90)

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

- 1) Sphere of Influence Agreements and the Growth Management Act.
- A. Mr. Kirkpatrick stated that the second meeting of the Department of Community Development's Technical Advisory Committee, of which he is a member, is scheduled for next week in Tacoma. He gave a brief review of the first meeting.
- B. Mr. Kirkpatrick stated that a meeting is scheduled for Friday with the city planners to discuss the reactions of their respective city councils to the proposed resolution reaffirming Sphere of Influence Agreements which was a product of meeting between County and city planners.
- C. An update on the activities of the Planning Commission was given by Mr. Kirkpatrick. He stated that a public hearing is scheduled for August 27, 1990, on the development of the County's forestry land conversion policy. This follows three study sessions which were attended by representatives of the Department of Natural Resources and logging companies.
- A second study session has been scheduled by the Planning Commission regarding an update of the County's agricultural variance policy. A public hearing is scheduled for September 13, 1990.
- D. In a follow up discussion on the Planning Department's benchmark requirement policy, Mr. Kirkpatrick indicated that he has searched the County's flood damage ordinance and finds to reference to the 200 foot requirement that he cited last week. It was suggested that he also research the County's subdivision ordinance for this information. Mr. Kirkpatrick stated that State Law precludes the County from allowing anyone but a licensed surveyor to perform benchmarking. He stated that, if he does not find reference to the 200 foot benchmark requirement in the subdivision ordinance, it would appear that the County can require only that a surveyor establish the level of the first floor construction.

Mr. Kirkpatrick suggested a meeting with local surveyors to discuss the matter, and the Board directed him to proceed with the meeting and his research.

- 2) Staffing Update.

Mr. Kirkpatrick stated that Rick Summerfield has been hired in the capacity of Plans Examiner.

A position for an enforcement officer has been advertised.

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3) Enforcement Update.

The enforcement activity report was briefly reviewed with the Board.

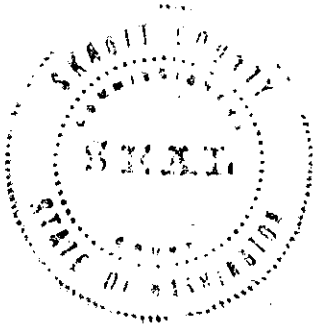
PUBLIC COMMENT PERIOD.


Jeanette Frost, 274 Barrel Springs Road, Bow, WA, discussed a permit application with Commissioner Rohrer.

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