

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

**Tuesday, October 23, 1990**

9:00 - 10:00 a.m.	Board of Health:  1) Discussion - Environmental Health Workload.
10:00 - 10:30 a.m.	Continuation - Public Hearing - Intent to Lease County Property Located at Marblemount.
10:30 a.m. - 11:00 a.m.	Introduction - Senior Volunteers for County Information Booth.
11:00 a.m. - 11:30 a.m.	Hearing Examiner's Recommendation: Approval - Joseph Fohn Agricultural Variance.
2:00 p.m. - 3:30 p.m.	Department of Planning and Community Development - Scott Kirkpatrick, Director.
3:30 p.m. - 4:00 p.m.	Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, October 23, 1990, with Commissioners Ruth Wylie, W. W. Vaux, and Dave Rohrer present.

**BOARD OF HEALTH:**

1) Discussion - Environmental Health Workload.

Carolyn Milat, Director, Health Department; John Thayer, Environmental Health Specialist and Ken Willis, Environmental Health Specialist, were present to discuss the Environmental Health workload with the Board.

Mr. Thayer advised that the County is experiencing an increasing work load as it moves into the 21st Century due to continued population growth, the impact of the Growth Management Act, increased public expectations, a growing number of licensees, new state mandates and the addressing of past environmental concerns.

Mr. Thayer reviewed several graphs with the Board that provided an illustration of the change in the workload of the Health Department. For example, Solid Waste has moved up and Food has dropped down in terms of the use of staff time. Mr. Thayer advised that Skagit County is one of the counties that have maintained a migrant labor program, overseeing 16 camps, and a PSP (paralytic shellfish poisoning) Monitoring Program, which takes time in the summer months. They are also dealing with water monitoring and three landfills.

Relative to program trends, Mr. Thayer advised that they can see trends in water, solid waste, liquid waste, food, etc. Solid waste is rapidly moving up to the number two program. The water program is now increasing fairly substantially, with Lorna Haycox involved in an update of the critical water system plan. They are also dealing with the Growth Management Act requirements relative to the quality and safety of water. Mr. Thayer emphasized that water is one of the major issues facing the state at this time.

There was some discussion about the noise ordinance. Most of the cities have adopted the Department of Ecology noise standards, which the Health Department is charged with monitoring.

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There was also discussion regarding the charges to the cities relative to services provided by the Health Department.

Mr. Thayer reported that Ken Willis has been involved in the cleanup of a couple of illegal drug labs. Mr. Willis said that he comes in after the Drug Enforcement Agency and a cleanup waste management firm has already worked at the site. The problem is that often there are a lot of residual problems at the site with contamination of the soil and water.

Mr. Willis said that another area of increased workload is plan reviews for school improvement and remodeling projects.

In terms of the Solid Waste Program, Mr. Thayer said that it continues growing. They have been in the process for over a year of meeting with Public Works and coordinating current concerns and issues. Relative to sludge, that too is increasing and a Sludge Rules Committee has been formed.

Commissioner Wylie asked if sites where sludge is being spread are being monitored. Mr. Willis said that he has investigated a site that is closed and needs to spend a lot more time in the area of sludge to do a good job.

Don Bockelman was present and asked about a site where sludge had been spread and other inappropriate trash had been found. He said he felt that the Board should find out who is responsible for allowing those things to go into the sludge matrix. Ken Willis said the disturbing thing is the articles found are not normally found in sludge as they are filtered out through the screening process. This implies that something else was applied to the field. Of great concern would be septage or residual from a previous load. Mr. Willis said he was also concerned as they were too close to the property boundaries.

The Board supported Mr. Willis in his further investigation of this matter.

Mr. Thayer briefly reviewed fees charged by the Health Department with the Board.

After brief discussion about Butler Lagoon, the Board of Health meeting was closed.

### CONTINUATION - PUBLIC HEARING - INTENT TO LEASE COUNTY PROPERTY LOCATED AT MARBLEMOUNT PRESCHOOL

Roger Howard, Director, Facilities Management, said the reason he were unable to present the lease at the public hearing last week was that he was waiting for the Certificate of Insurance from Skagit Valley College. They are still waiting for the Certificate of Insurance, but Dave Fleming, Risk Manager for the County, has advised that it would be appropriate for the Board to sign the lease agreement at this time.

After discussion and when no public comment was made, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Rohrer motioned to approve for signature a lease agreement between Skagit County and Marblemount Cooperative Preschool for the lease of property located in the Town of Marblemount, Washington, for the sum of \$1.00 per year, the term of the lease commencing on the 1st day of September, 1990, and expiring on the 30th day of August, 1995. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12701)

### INTRODUCTION - SENIOR VOLUNTEERS FOR COUNTY INFORMATION BOOTH

Dot Schleef of the Senior Services Department introduced Rae Berry, Alma Boos, Viola Lillard, Laura Morgan, Angy Shafer and June Wheeler to the Board. Bob Taylor, Administrative Officer, advised that an

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Information Booth was being set up in the Administrative Building rotunda and that the ladies would be covering the booth between the hours of 10:00 a.m. and 2:00 p.m.. He stated that Roger Howard, Facilities Manager, had provided information for this project.

The Board welcomed the volunteers and thanked them for their assistance.

**HEARING EXAMINER RECOMMENDATION: APPROVAL - JOSEPH FOHN AGRICULTURAL VARIANCE.**

The applicant, Joseph Fohn was not present, nor was he represented at the meeting. Grace Roeder, Senior Planner and staff member assigned to the Fohn request, reported that Mr. Fohn had been mailed a card to notify him of the impending meeting in a timely manner.

The Board asked Ms. Roeder to call Mr. Fohn while they waited and request his presence at the meeting, which could be continued to a short time later, if needed.

Ms. Roeder left the room to call, and when she returned, reported that Mrs. Fohn had indicated over the telephone that she and her husband had received notification, but had forgotten about the meeting. They were engaged in a project at home and could not attend a meeting at any time today.

At this point, the Board had discussion on whether or not to again continue the matter to another date when the Fohns could be present. An audience member stated that Mr. Fohn had made no statements at the Hearing Examiner's public hearing.

Commissioner Vaux, who had been earlier provided with a copy of the staff findings and hearing examiner's decision and recommendation, stated that he would need to make a site visit in order to issue a decision on the matter. Commissioner Vaux motioned to call for the Board's own public hearing for the purpose of conducting an inspection of the site of the variance request, at 1513 Bradshaw Road, Mount Vernon. November 13, 1990, at 10:00 was fixed as the date for the site visit, with public testimony being planned for directly after at the Commissioners' Hearing Rooms. Commissioner Rohrer seconded the motion, which passed unanimously.

John Roozen, an audience member, argued that the four audience members present be allowed to speak on the matter, as they would feel better if they could, and the Board would have information they could ponder before the public hearing. On the advice of staff, the Board refused to allow public testimony prior to the public hearing.

Mr. Roozen then requested to be allowed to ask procedural questions, and this was allowed.

Mr. Roozen asked how it is possible for the Planning Commission to be asked to make a recommendation without knowing all of the facts.

Ms. Roeder indicated that it may be one individual's perception that all of the facts are not known, but not the perception of the persons making the decision.

Mr. Roozen then asked if Ms. Roeder had disclosed that when the short plat of the subject property was granted in 1978, that a condition was set that the portion of property not containing the house would be for "agricultural purposes only".

Ms. Roeder responded that in 1973, property owners were allowed, under County laws, to make one division of agricultural property, one time. During this time, the home and farm buildings on the subject property were divided from the bulk of the land in a short plat process. Documents were affixed to the short plat by the applicant which stated that the larger plot could be used "for ag purposes only". This was not a

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condition of the Planning Department, therefore it was unenforcable by the Planning Department, it being considered more like a covenant, and Ms. Roeder did not feel it justified a mention in the staff report.

Mr. Roozen charged that Ms. Roeder should have been obligated to report her finding to the Planning Commission anyway.

At this point, Commissioner Vaux pointed out that the matter was not considered by the Planning Commission; that it is a function of the Hearing Examiner to consider agricultural variance requests.

Mr. Roozen then requested a copy of the Hearing Examiner's findings and recommendations, and he was provided with them.

Ms. Roeder pointed out to the audience that, whether staff agrees with a variance request or not, the applicant has the right to make application, and the staff must review the application and report on their findings.

The discussion then deteriorated into an argument between Ms. Roeder and the audience on the erosion of the agricultural base in Skagit County, and Chairman Wylie brought the discussion to a close.

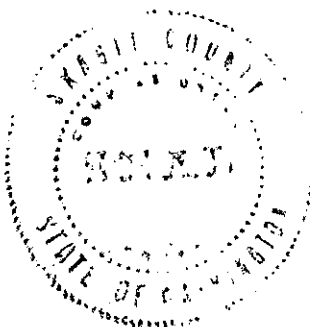
**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - Scott Kirkpatrick, Director**


The meeting was postponed until the following week.

**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

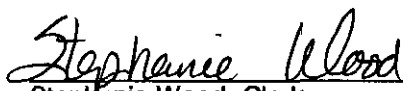


  
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Ruth Wylie, Chairman

  
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W. W. Vaux, Commissioner

  
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Dave Rohrer, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners