

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

Tuesday, October 30, 1990

10:00 a.m. - 11:00 a.m. Discussion - Rental of Concrete Senior/Community Center by Concrete Chamber of Commerce.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m. Hearing Examiner Recommendations:

- 1) Approval - Agricultural Variance for Montana Johnson.
- 2) Approval - Agricultural Variance for Satoru Sakuma.

2:00 p.m. - 3:30 p.m. Department of Planning and Community Development - Scott Kirkpatrick, Director.

- 1) Discussion - Boundary Review Board.

3:30 p.m. - 4:00 p.m. Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, October 31, 1990, with Commissioners Ruth Wylie, Dave Rohrer, and W. W. Vaux present.

DISCUSSION - RENTAL OF CONCRETE SENIOR/COMMUNITY CENTER BY CONCRETE CHAMBER OF COMMERCE.

Ruth Knott, President of the Concrete Chamber of Commerce, was present to discuss with the Board some concerns relative to the rental of the Concrete Senior/Community Center by the Concrete Chamber of Commerce.

Ms. Knott advised the Board that an article on the Cascade Loop has been written by National Geographic and is due to come out in the next few months. She noted that at the present time there is an enormous increase in camper and trailer traffic with the expectation that it will again increase dramatically after the article is published.

Ms. Knott advised that although the Chamber has only been renting the Senior Center facility one day a week for three months in the summer, there are some difficulties being experienced. Ms. Knott said that a new agreement was drawn up with the Senior Center and signed by the Senior Center Director, but that she was unwilling to sign the agreement since the Chamber was not given an opportunity to provide input regarding the terms of the agreement. Currently, the rental is \$300.00 per year and although the rent had not been paid for some time, the Chamber has now brought the rent up-to-date.

Ms. Knott discussed with the Board some of the difficulties that the Concrete Chamber of Commerce is experiencing. She stated that the most important need at this time is for a telephone. The Senior Center is answering the phone for the Chamber at the present time but that system is not working very well. An increase in mail received is also being experienced. Ms. Knott emphasized to the Board that there is a growing need for a Tourist and Information Center in Concrete. She noted that the Chamber membership has increased from 6 members the first year to 31 members at the present time.

Ms. Knott suggested that a small trailer might be installed next to the two public restroom facilities in Concrete and asked the County to consider providing some assistance. Although there is cooperation within

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the community, the funding within the community is not sufficient to meet the growing needs of the Chamber.

Ms. Knott distributed a new flyer about Skagit County that was published by all of the County Chambers in a joint effort. She pointed out that communities are now working together more to assist one another with tourism issues.

The Board thanked Ms. Knott for her report. Chairman Wylie advised Ms. Knott that the Board would contact her after they have obtained further information relative to this matter.

MISCELLANEOUS ITEMS.

- A. On the recommendation of the Prosecuting Attorney's Office, Commissioner Vaux motioned to adopt the resolution setting a new date for the sale of the eleven horses and one foal confiscated by the Skagit County Humane Society during an animal cruelty proceeding, and later declared surplus by the County. The new date was set for November 15, 1990, at 2:00 p.m. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12705)

HEARING EXAMINER RECOMMENDATIONS:

- 1) Approval - Agricultural Variance for Montana Johnson.

Grace Roeder, Associate Planner, produced an assessor's map, a zoning map, and staff photographs pertaining to the Johnson request. Ms. Roeder explained that Ms. Johnson's property is located at 1438 and 1440 Avon Allen Road in Mount Vernon. Ms. Roeder stated that the applicant purchased three parcels in 1951, 1974 and in 1981, respectively, the first two having existing residences, and the last one being vacant. The two parcels with existing homes were not required to be aggregated, but the vacant parcel was required to be aggregated with the adjacent parcel to the north, due to both parcels being substandard Agriculturally zoned parcels. Ms. Johnson would like to divide the vacant parcel from the neighboring parcel with the house so that she may offer the vacant parcel for sale. She is also requesting that she not be required to file a formal short plat.

Ms. Roeder stated that both the Planning Department and the Hearing Examiner found Ms. Montana's variance request to be compatible with the Skagit County Policies and Guidelines Pertaining to the Division of Agricultural Lands, which were in effect at the time of the request, and to meet the intent of the Short Subdivision Ordinance. Both agencies therefore recommended the granting of the variance request.

The Board declined Ms. Roeder's offer to read the Staff Findings, and Commissioner Vaux motioned for approval of the request, adopting the recommendations of the Hearing Examiner. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12706)

- 2) Approval - Agricultural Variance for Satoru Sakuma.

Jeff Morgan, Associate Planner, provided an assessor's map, aerial photograph and staff photos of the subject property, located at 1346 Benson Road, Bow. Mr. Morgan reported that the applicant owns a parcel that is approximately 40 acres in size, with three residences and various outbuildings located on the property. The situation of the three residences on one parcel of the property appears to be a pre-existing, non-conforming use of the property. Mr. Sakuma is requesting a variance to allow the division of three acres into three parcels containing the three houses. One existing residence would be conveyed to Mr. Sakuma's son for use as a residence. The remaining lots would also be deeded to the son, but would be rented out.

Mr. Sakuma would retain the remainder of the farmland, approximately 37 acres.

Recognizing that the Skagit County Policies and Guidelines for Division of Agricultural Land was in effect at the time of the request, the Staff recommended approval of the variance with the conditions that an approved short plat be obtained, and that the remaining acreage not be further subdivided nor used for residential, commercial or industrial building purposes. The Hearing Examiner concurred, and so stated in his recommendation.

Commissioner Vaux motioned to approve Mr. Sakuma's variance request, adopting the recommendation of the Hearing Examiner. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12707)

MISCELLANEOUS ITEMS.

- A. Commissioner Vaux motioned to adopt the resolution authorizing payment to those individuals who provided board and care for the twelve horses seized in a criminal case for which the defendant was found guilty of animal cruelty. The total amount of payments is \$17,397, to be distributed between 8 individuals and the Humane Society at the rate of \$180 per month, plus hauling fees, veterinary services and expert witness testimony for the period between April 13, 1990, through November 13, 1990. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12708)

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

- A. Mr. Kirkpatrick introduced to the Board Kathy Jones, new Staff Assistant II, Tim Hoffman, new Code Compliance Officer, and Christie Carpenter, DOE Grant Assistant.
- B. Carole Korelin, secretary to the Skagit County Boundary Review Board, introduced the Boundary Review Board members present; John Garner and John Tennison. She stated that the Board currently has four members and one vacant seat. The two members not present were Knute Figenshaw and Gary Stewart. The vacant seat will be filled by an appointment by the Governor. The term of a Board member is 4 years, and no member may serve more than two consecutive terms.

Ms. Korelin explained that the purpose of the Boundary Review Board is to approve, modify or deny proposals to annex territory into cities, towns, and taxing districts. She stated that the decisions of the Boundary Review Board may be appealed only to the Superior Court.

Ms. Korelin explained the review process for proposals to annex territory. She stated that when the Boundary Review Board receives a Notice of Intention to annex territory, she provides copies of the Notice to the Board of Commissioners, Public Works Department, Planning Department, and the jurisdictions which are involved in the annexation. The Public Works and Planning Department must submit letters speaking to the appropriateness of the annexation, and the Public Works Department must verify the legal description of the territory. These letters, along with a staff report written by Ms. Korelin describing all issues surrounding the request, are provided to the Board of Commissioners, Public Works, Planning, Jurisdictions, and interested citizen's groups within a certain radius from the proposed annexation. If no request is submitted for the Boundary Review Board to assume jurisdiction, the proposal automatically becomes final in 45 days. Any decision can be appealed to Superior Court within 10 days. The Superior Court may then remand the matter back to the Boundary Review Board, or overturn the decision of the Board.

The Board of County Commissioners, a jurisdiction, or a citizen's group may request the Boundary Review Board to assume jurisdiction. a fee of \$200 is charged to a jurisdiction or citizen's group who wishes to make the request. When a request is received, the Boundary Review Board has 120 days during which it must hold a public hearing on the matter. A decision is then issued. The Board meets regularly on the second Tuesday of each month at 2:00 p.m.

The Board then discussed with Ms. Korelin specific cases now before the Boundary Review Board. The Board requested that, in addition to filing a copy of the Notice of Intention with the Clerk of the Board, Ms. Korelin provide a copy to the Commissioner in whose district the annexation is occurring.

After discussion, it was decided that Ms. Korelin should be responsible for seeing that the Board's opportunity to request Boundary Review Board jurisdiction is observed. Ms. Korelin was directed to make sure each proposal is brought before the Board for a decision on whether or not to make a jurisdiction request of the Boundary Review Board.

The discussion then turned to the budget of the Boundary Review Board. Ms. Korelin and the Boundary Review Board members present pointed out the inadequacy of the current budget provided to the Board. Ms. Korelin related that State statutes declare that one half of the expenses incurred by a Boundary Review Board can be recovered from the State Department of Community Development, although she knew of no County that actually does receive these funds. State statutes also determine the amount that can be charged for review of proposals and jurisdiction requests.

The Board directed Ms. Korelin to meet with the County's Budget/Finance Director to discuss her budget for 1991.

- C. Jim Freeman, Planning Staff Member, reported on the planning process he has chosen for the creation of the Nookachamps Watershed Action Plan, for which the County has received grant funding. Mr. Freeman stated that two years ago, under State rules governing local planning and management of non-point source pollution, Skagit County was required to participate in a watershed ranking program. The Nookachamps Watershed subsequently was ranked number one on the State's list, and grant funding was allotted for the development of a plan to prevent and control non-point source pollution, enhance water quality and protect the beneficial uses of the Nookachamps Watershed.

Those same rules, Mr. Freeman explained, require that, as part of the planning process, a Water Management Committee (WMC) be established, with membership approved by the Department of Ecology. Mr. Freeman provided a preliminary list of groups and agencies he felt should be represented on the WMC. He stated that the WMC would be required to meet on a monthly basis over the next 1-1/2 to 2 years.

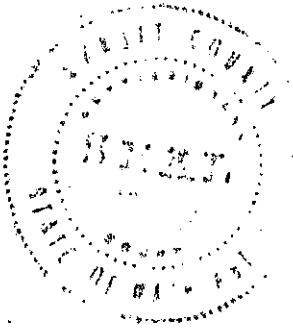
One of Mr. Freeman's suggested representatives was a County Commissioner whom, he felt, should act as chairman of the WMC. The Board discussed with Mr. Freeman and Mr. Kirkpatrick the Board's involvement with this committee. No decision was made, the Board requiring more time to consider the matter.

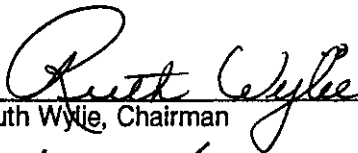
- D. The Board reviewed the complaint investigation activity report, and directed Mr. Kirkpatrick to schedule the ratification of local Sphere of Influence Agreements for next week's agenda.

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

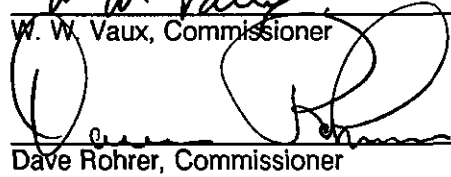




Ruth Wylie, Chairman

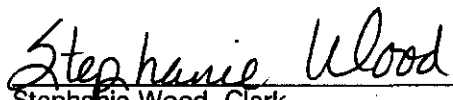


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners