

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

Tuesday, April 9, 1991

- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Scott Kirkpatrick, Director:
- 1) City of Anacortes Sphere of Influence Boundary Decision Review.
 - 2) Enforcement Report Update.
 - 3) Miscellaneous.
- 10:00 a.m. - 10:30 a.m. Presentation - Proposed Transmountain Oil Pipeline - Northwest Strategies.
- 10:30 a.m. - 11:00 a.m. Public Hearing - Rental Fees and User Policies for Skagit County Playfields.
- 11:00 a.m. - 11:15 a.m. Public Hearing - Budget Amendments.
- 1:30 p.m. - 2:00 p.m. 1) Bid Opening - Various Rock and Gravel Products.
2) Bid Opening - Portland Cement.
- 2:00 p.m. - 3:00 p.m. Appeal by Ellis Lark of Hearing Examiner's Decision to Approve Preliminary Plat of Little Mountain Estates, Division II #PP-91-002, Howard Smiley, Applicant.
- 3:00 p.m. - 3:30 p.m. Discussion - Funding Request by Skagit Council of Governments.
- 3:30 p.m. - 4:00 p.m. Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, April 9, 1991, with Commissioners Ruth Wylie and Robby Robinson present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

- 1) City of Anacortes Sphere of Influence Boundary Decision Review.
- 2) Enforcement Report Update.
- 3) Miscellaneous.

Due to the absence of both Chairman Vaux and Scott Kirkpatrick, as well as the inability of Mayor Rice to attend the discussion of item #1, the agenda for the Department of Planning and Community Development was canceled.

PRESENTATION - PROPOSED TRANSMOUNTAIN OIL PIPELINE - NORTHWEST STRATEGIES.

Dean Katz of Northwest Strategies, a public relations firm employed by Trans Mountain Oil Pipe Line Corporation, introduced Grayden Hayward, Vice President of Environment, Government and Community Relations for Trans Mountain Corporation.

Mr. Hayward provided a slide show and commentary on the proposal of the Trans Mountain Corporation. The Transmountain Corporation is headquartered in Canada, where it currently maintains approximately 1,000 miles of existing underground oil pipeline. Additionally, they maintain a marine terminal operation where crude oil is loaded onto tankers for exported, and jet fuel is imported.

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The Low Point Project, which will impact Skagit County, is a proposal whereby Trans Mountain would construct a pipeline beginning at Low Point, about 18 miles west of Port Angeles, and traveling underground 153 miles along the coastal areas of Washington, to the Shell and Texaco Refineries in Skagit County and to Cerry Point in Whatcom County. Two offshore buoys will be located 9,000 feet offshore at Low Point for loading and unloading of oil tankers. One mile inland from Low Point a tank farm will be located, from which two pipelines, a 36 inch inbound line, and a 24 inch outbound line, will originate. The pipeline will make two underground marine crossings, one at Admiralty Inlet and one at Saratoga Passage. The pipeline will terminate at the refineries. Through the pipeline, oil will be transported to the refineries for processing and back to the offshore loading buoys for export to Canada. The estimated cost for the project is \$515 million.

Mr. Hayward discussed the benefits of eliminating oil tankers from Puget Sound, the number of jobs that will be created by the construction and future maintenance of the pipeline, and the safety procedures and processes that will be included in the construction of the pipeline. Mr. Hayward explained the EFSEC permitting process, and stated that after approval by the Governor of the permit, construction is expected to begin in late 1992 or early 1993. Construction will require two years to complete.

PUBLIC HEARING - RENTAL FEES AND USER POLICIES FOR SKAGIT COUNTY PLAYFIELDS.

Commissioner Wylie waived the reading of the notice of public hearing, as published in The Skagit Argus on April 2, 1991.

Jon Aarstad, Parks and Recreation Director, explained that user fees for County ballfields which were set in 1982 are not longer keeping up with the costs to maintain the parks. The Parks Department is recommending the following fee increases:

	Single Day Users:	Tournament Users
Slowpitch w/o Prep \$20/scheduling permit	\$25/game	
Slowpitch with Prep	\$50/game	\$6 '91 (\$8 '92)
Lights for above	\$5/hour	\$2.50/hour
Lights for above w/facility supervisor	\$8/hour	
Soccer w/o Prep	\$25/game	\$20/game
Soccer w/Prep, \$20/scheduling permit	\$75/game	\$50/game
Picnic Shelter 1991	\$15/event	
Picnic Shelter 1992	\$20/event	

Additionally, written user policies have been recommended by the County's Risk Manager to prevent injuries and losses associated with park activities.

Bill Silves, an interested tournament administrator, had no objection to the fee increases, but did comment that the charges for lights are intended to fund the purchase of lighting for another ballfield. When the new lights have been paid for, Mr. Silves noted that the fee should be abolished. He also commented that the new fees are appropriate as long as the reflect an increase in service that has been promised.

Seeing no further public comment, Commissioner Wylie motioned to close the public hearing with Commissioner Robinson seconding. The motion carried.

Commissioner Robinson then motioned to adopt the resolution setting new user fees for the Skagit County playfields, as noted above, and user policies. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12938)

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PUBLIC HEARING - BUDGET AMENDMENTS.

Commissioner Wylie waived the reading of the notice of public hearing, as published in The Skagit Argus on March 26, and April 2, 1991.

Mike Woodmansee, Budget/Finance Director, presented the following three resolutions:

- A budget amendment in the amount of \$18,600 to the Current Expense Fund to account for a \$10,000 boating grant received by the Sheriff's Office, a \$6,500 support enforcement grant received by the Prosecuting Attorney's Office, and Jail commissary revenues in the amount of \$2,000.
- A budget amendment in the amount of \$17,500 for the Human Services Fund to pay for new equipment and furniture to equip their new independent office.
- A budget amendment in the amount of \$39,000 to the Alcohol Services Fund to account for additional substance abuse prevention grant funds, and a budget line items change in the amount of \$50,000 in existing Alcohol Service grant funding to be added to a separate account created to keep track of the grant funding.

There being no public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Robinson seconded the motion, which carried and was so ordered.

Commissioner Robinson motioned to adopt the resolution authorizing a budget amendment in the amount of \$18,600 to the Current Expense Fund. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12939)

Commissioner Robinson motioned to adopt the resolution authorizing a budget amendment in the amount of \$17,500 to the Human Services Fund. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12940)

Commissioner Robinson motioned to adopt the resolution authorizing a budget amendment in the amount of \$39,000 to the Alcohol Services Fund, and a budget line item change in the amount of \$50,000 within the Alcohol Services Fund. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12941)

BID OPENING - VARIOUS ROCK AND GRAVEL PRODUCTS:

Commissioner Wylie waived the reading of the notice of call for bids, as published in The Skagit Argus on March 26, and April 2, 1991, and in The Daily Journal of Commerce on March 28 and April 4, 1991.

Responses were received from the following bidders:

- 1) Associated Sand and Gravel Co., Inc.
P.O. Box 3037
Everett, WA 98203
- 2) Forestland and Resource Associates
127 E. Lawrence St.
Mount Vernon, WA 98273

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- 3) Charles I. Stavig
1452 Ervine Road
Anacortes, WA 98221
(a letter was received from Mr. Stavig marked as a bid)
- 4) Weide Lumber and Log
5484 Doren Road
Acme, WA 98220
- 5) Hinton's
1553 Gunderson Road
Mount Vernon, WA 98273
- 6) CM Trucking and Construction, Inc.
2062 F&S Grade Road
Sedro Woolley, WA 98284
- 7) Sloan Dozing
1976 Swan Road
Mount Vernon, WA 98273
- 8) Lakeside Industries
P.O. Box 729
Anacortes, WA 98221
- 9) B.A. VandeGrift, Inc./Allied Sand and Gravel
2310 Benham Road
Mount Vernon, WA 98273

Details of each bid are listed on Attachment A to this record.

BID OPENING - PORTLAND CEMENT.

Commissioner Wylie waived the reading of the notice of call for bids, as published in The Skagit Argus on March 26, and April 2, 1991.

The following bids were received and opened:

- 1) Tilbury Cement Company
P.O. Box 84728
Seattle, WA 98124

Bid for approximately 600 tons of type II bulk portland cement: \$74.00/ton

- 2) Ash Grove Cement West, Inc.
3801 E. Marginal Way South
Seattle, WA 98134

Bid for approximately 600 tons of type II bulk portland cement: \$78.15/ton

- 3) LaFarge Corporation
1601 - 11th Avenue SE
Bellevue, WA 98004

Bid for approximately 600 tons of type II bulk portland cement: \$72.40/ton

APPEAL OF ELLIS LARK OF HEARING EXAMINER'S DECISION TO APPROVE PRELIMINARY PLAT OF LITTLE MOUNTAIN ESTATES, DIVISION II #PP-91-002, HOWARD SMILEY, APPLICANT.

Commissioner Wylie opened the meeting by advising the appellant of the absence of one of the Commissioners. She warned the appellant that in the event of a split decision by the two remaining Commissioners, the decision of the Hearing Examiner would stand. The appellant agreed to proceed with the appeal.

Grace Roeder, Associate Planner, submitted photographs, and a plat map of the Howard Smiley property, located at 1765 Smiley Drive, south and east of the City of Mount Vernon. The property overlooks the Carpenter Training Center to the southwest. Copies of the staff findings, Hearing Examiner's Findings of Fact and Entry of Order, and appeal had previously been submitted to the Board.

Ms. Roeder stated that the Board may exercise any of the following options:

- 1) To uphold the decision of the Hearing Examiner.
- 2) To remand the matter back to the Hearing Examiner for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Ms. Roeder explained that Mr. Smiley, the applicant, started a process to subdivide his 20 acre parcel into a development of eventually 21 lots by requesting a preliminary plat for 8 lots in 1989. He received preliminary plat approval and subsequent final approval. In October of 1990, the applicant requested a preliminary plat approval for a second 8 lots and a right-of-way variance to allow a 50 foot right-of-way with a 5 foot easement on each side instead of the required 60 foot right of way to accommodate the installation of septic tanks which had been previously approved by the Board of Health.

In October of 1990, both of Mr. Smiley's requests were denied on the basis of an inadequate drainage plan. Mr. Smiley was, however, "encouraged to ask for reconsideration and provide appropriate engineering certification that the drainage plan does in fact and will in fact prevent water from being discharged on the property of others as a result of approving the preliminary plat," in the Conclusions and Decision of the Hearing Examiner Pro-Tem.

Mr. Smiley submitted the same request in March of 1991, along with a letter from Sturdy Engineering, indicating approval of the plans, but declining to affix their engineer's stamp because they did not prepare the plan. Ms. Roeder read the Sturdy Engineering letter into the record. The Planning Department recommended approval of the preliminary plat application, with nine condition. The hearing Examiner later approved the application, adding two conditions of his own.

Ms. Roeder read the Lark appeal, which indicates the basis of the appeal is Mr. Smiley's failure to provide a drainage barrier between the Smiley and Lark properties.

Ms. Roeder provided Assessor's maps of the Northeast half of Section 32 and the Southeast half of Section 32, and invited Mr. Smiley to explain his drainage system.

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Commissioner Wylie warned Mr. Smiley to limit his remarks to information which was part of the Hearing Examiner's record.

Mr. Smiley stated that his drainage system deposits waster into a conveyance system located below the Blodgett Road. A 15 inch pipe runs from the cul de sac down to the conveyance on Blodgett Road, and open ditches surround the entire plat, including the boundary between the plat and the Lark property. Covenants will provide for ditch maintenance.

Mr. Smiley related that a Mr. Vermal had indicated that he had observed the Lark's rototilling their field adjacent to the Smiley-Lark boundary just prior to the Hearing Examiner's public hearing. He maintained that if the drainage system was not operating properly, it would have been impossible for the Larks to rototill their field.

Mrs. Lark represented her husband, Ellis Lark, who was not in attendance. She admitted to the earth work on her property, but pointed out that the ditch did not appear to her to be deep enough to operate properly. Mr. Smiley stated that the ditch is no less than 15 inches deep in all places.

Mrs. Lark indicated that she was unable to see any ditch, and parts of her back property sho standing and running water. She stated that if any of the mound septic systems in the Smiley development should fail, she and her husband would be unable to receive certification as organic produce growers.

Mr. Vermal, 1776 Smiley Drive, reiterated Mr. Smiley's statement that if the drainage ditch had not been operating, the Larks' would have been unable to rototill.

After both parties had been given ample opportunity to speak, Commissioner Wylie declared that the matter would be continued to next Tuesday, April 16, 1991, at 3:00 p.m., for a decision on the matter.

NISCELLANEOUS 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.

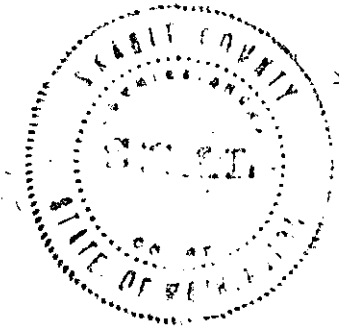
As of this date, April 9, 1991, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #80692 through #80804 (Vouchers #80692 through #80804) in the amount of \$403,388.12. Transmittal #R-09-91.

ADJOURNMENT:

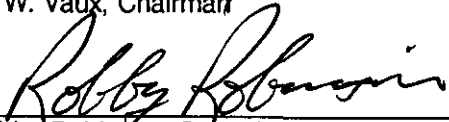
Commissioner Wylie motioned to adjourn the proceedings. Commissioner Robinson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

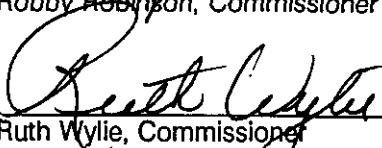




W. W. Vaux, Chairman

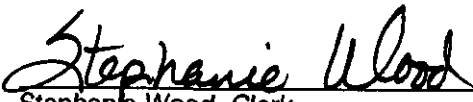


Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners

SKAGIT COUNTY PUBLIC WORKS
 SUPPLIER LIST
 VARIOUS ROCK AND GRAVEL PRODUCTS
 APRIL 1991 TO APRIL 1992

PRODUCT	SUPPLIER/PIT LAKESIDE INDUSTRIES	SUPPLIER/PIT CH TRUCKING & CONST	SUPPLIER/PIT HINTON'S	SUPPLIER/PIT HEIDE LUMBER & LOG	SUPPLIER/PIT FORESTLAND RESOURCES ASSOCIATES	SUPPLIER/PIT FORESTLAND RESOURCES ASSOCIATES	SUPPLIER/PIT SLOAN DOZING	SUPPLIER/PIT B A VANDEGRIFT	SUPPLIER/PIT ASSOCIATED SAND & GRAVEL
HEAVY RIPRAP PRODUCT ONLY/TON	ANACORTES \$7.00	NO BID	NOT SPECIFIED NO BID	DELVAN HILL NO BID	ALGER \$5.60	WALKER VALLEY \$5.50	BEAVER LAKE NO BID	BEAVER LAKE NO BID	NO BID
PRODUCT ONLY/CY	NO BID	NO BID	\$9.50	\$6.00	NO BID	NO BID	\$7.50	\$7.50	NO BID
COST TO LOAD/TON	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
COST TO LOAD/CY	NO BID	NO BID	\$1.50	\$1.00	NO BID	NO BID	\$1.00	\$8.50	NO BID
LIGHT RIP RAP PRODUCT ONLY/TON	ANACORTES \$7.00	NO BID	NOT SPECIFIED NO BID	DELVAN HILL NO BID	ALGER \$4.60	WALKER VALLEY \$4.50	BEAVER LAKE NO BID	BEAVER LAKE NO BID	NO BID
PRODUCT ONLY/CY	NO BID	NO BID	\$6.35	\$6.00	NO BID	NO BID	\$6.00	\$6.50	NO BID
COST TO LOAD/TON	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
COST TO LOAD/CY	NO BID	NO BID	\$1.50	\$1.00	NO BID	NO BID	\$1.00	\$7.50	NO BID
QUARRY SPALLS PRODUCT ONLY/TON	ANACORTES \$8.50	MERIDIAN AGGREGATE \$7.15	NOT SPECIFIED NO BID	DELVAN HILL NO BID	ALGER \$4.60	WALKER VALLEY \$4.50	BEAVER LAKE NO BID	BEAVER LAKE NO BID	NO BID
PRODUCT ONLY/CY	NO BID	NO BID	\$6.35	\$3.00	NO BID	NO BID	\$5.00	\$5.00	NO BID
COST TO LOAD/TON	\$0.70	FOB	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
COST TO LOAD/CY	NO BID	NO BID	\$1.50	\$1.00	NO BID	NO BID	\$0.50	\$7.50	NO BID
CRUSHED SURFACING PRODUCT ONLY/TON	ANACORTES \$7.25	MERIDIAN AGGREGATE \$5.90	NO BID	DELVAN HILL NO BID	NO BID	NO BID	NO BID	BEAVER LAKE NO BID	BUTLER PIT \$4.75
PRODUCT ONLY/CY	NO BID	NO BID	NO BID	\$6.50	NO BID	NO BID	NO BID	\$7.00	\$7.25
COST TO LOAD/TON	\$0.70	FOB	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$0.50
COST TO LOAD/CY	NO BID	NO BID	NO BID	\$1.00	NO BID	NO BID	NO BID	\$7.50	\$0.35
CRUSHED COVERSTONE PRODUCT ONLY/TON	ANACORTES \$8.25	MERIDIAN AGGREGATE \$6.50	NO BID	DELVAN HILL NO BID	NO BID	NO BID	NO BID	BEAVER LAKE NO BID	NO BID
PRODUCT ONLY/CY	NO BID	NO BID	NO BID	\$6.50	NO BID	NO BID	NO BID	\$8.75	NO BID
COST TO LOAD/TON	\$0.70	FOB	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
COST TO LOAD/CY	NO BID	NO BID	NO BID	\$1.00	NO BID	NO BID	NO BID	\$9.25	NO BID
GRAVEL BASE PRODUCT ONLY/TON	NO BID	SEDRU HOOLLEY S & G NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	ALLIED PIT \$2.00	BUTLER PIT \$2.50
PRODUCT ONLY/CY	NO BID	\$2.25	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$4.00
COST TO LOAD/TON	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$2.00	\$0.50
COST TO LOAD/CY	NO BID	FOB	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$0.35
SNOW & ICE SAND PRODUCT ONLY/TON	NO BID	BUTLER PIT \$3.15	NO BID	NO BID	NO BID	NO BID	NO BID	ALLIED PIT \$2.50	NO BID
PRODUCT ONLY/CY	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
COST TO LOAD/TON	NO BID	FOB	NO BID	NO BID	NO BID	NO BID	NO BID	\$2.50	NO BID
COST TO LOAD/CY	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID

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