

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

Monday December 2, 1991:

- 9:00 a.m. - 10:00 a.m. Work Session - Americans with Disabilities Act.
- 10:00 a.m. - 10:30 a.m. Public Works Department - Rich Medved, Director:
- 1) Adoption - 1992 Annual Road Program.
 - 2) Recommendation of Bid Acceptance - Surplus Concrete Block Forms.
 - 3) Miscellaneous.
- CONSENT AGENDA.**
- MISCELLANEOUS ITEMS.**
- 1:30 p.m. - 2:00 p.m. Public Hearing - Approval of 1992 Budget for Skagit County.
- 2:00 p.m. - 3:00 p.m. Planning Commission Recommendations:
- 1) Approval with Amendments - Code Amendments for Fire Protection and Environmental Controls.
 - 2) Approval - Code Amendments for Individual and Public Drinking Water System Requirements.
- 3:00 p.m. - 4:30 p.m. Executive Session - Litigation and Personnel.
- 7:00 p.m. - 8:00 p.m. Public Transportation Benefit Area Board of Directors Meeting.

The Skagit County Board of Commissioners met in regular session on Monday, December 2, 1991, with Commissioners W. W. Vaux, and Ruth Wylie present. Commissioner Robinson's absence was excused.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Adoption - 1992 Annual Road Program.

Robin LaRue, Design/Construction Engineer, presented the resolution to adopt the 1992 annual road program. He explained that several work sessions had been held with the Board of Commissioners during which the priorities for road projects have been discussed.

Commissioner Wylie motioned to adopt the resolution adopting the 1992 annual road program for Skagit County. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution # 14151)

2) Recommendation of Bid Acceptance - Surplus Concrete Block Forms.

Commissioner Wylie motioned to adopt the resolution accepting the bid of Concrete NorWest for the purchase of surplus concrete block forms in the amount of \$1,100.00. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #14152)

3) Miscellaneous.

There were no miscellaneous items from the Public Works Department at this time.

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CONSENT AGENDA.

Commissioner Wylie motioned to approve the consent agenda of December 2, 1991, as submitted. Commissioner Vaux seconded the motion, which passed unanimously.

1. Record of the Proceedings from November 25, 1991.
2. Record of the Proceedings from November 26, 1991.

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, December 2, 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 #87245 through #87397 (Vouchers #87245 through #87397) in the amount of \$328,242.58. Transmittal #PR-22-91.
- 2) Warrants #75425 through #75450 (Vouchers #32001/65001 through #32010/62024) in the amount of \$596,144.15. Transmittal #C-48-91.
- 3) Warrants #16720 through #17295 (Vouchers #106215 through #106852) in the amount of \$676,496.59. Transmittal #P-25-91.
- 4) Warrants #75451 through #75874 (Vouchers #115255 through #115819) in the amount of \$350,142.60. Transmittal #C-49-91.

Commissioner Robinson was present for the following items.

PUBLIC HEARING - APPROVAL OF 1992 BUDGET FOR SKAGIT COUNTY.

Chairman Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus.

Mike Woodmansee, Budget/Finance Director, presented a resolution ratifying the adoption of the 1992 Skagit County budget. The total budget for 1992 was \$67,350,876.00, including \$14,305,000.00 in ending fund balances.

Carol Elhers, an Anacortes area resident, supported funding of development review positions.

There being no further public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

Commissioner Wylie then motioned to adopt the resolution authorizing the adoption of the 1992 budget, as delineated in documents attached to the resolution. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 14153)

PLANNING COMMISSION RECOMMENDATIONS:

1) Approval with Amendments - Code Amendments for Fire Protection and Environmental Controls.

Scott Kirkpatrick, Planning Department Director, explained that since 1990 Skagit County has addressed forestry zone construction with an interim zoning measure which prohibits the issuance of building permits in areas not served by a fire district. This interim measure was adopted to address the dangers inherent in construction of residential structures in areas which carry an additional danger of fire and are also difficult to access with emergency fire and medical aide vehicles. This interim measure is scheduled to expire on December 31, 1991.

At the prompting of the County Fire Marshall, as well as fire district officials from several fire districts, the Planning Commission studied the possibility of adopting the interim measure as a permanent control. The result of that study was a recorded motion by the Planning Commission which recommends the adoption of an ordinance the same as the interim control, plus amendments to the County's short and long subdivision ordinances which will make any division of property in parcels of 20 acres or more subject to environmental review and to the standards contained in the short and long subdivision ordinances.

The reason for the recommendation to amend the short and long subdivision ordinances is partially in response to the Bacus Hill subdivision in which a holding of over 1,000 acres was subdivided into 20 acre plats without benefit of any type of County review.

Finally, other amendments would set the maximum grade of roads at 12%, and the maximum length of a dead end road at 600 feet. Surveys will also be required for the subdivision of any parcels greater than 20 acres in size.

Mr. Kirkpatrick explained that a variance procedure is always available to those who believe their situation has extenuating circumstances. He also stated that the new ordinance would not preclude the repair of legal non-conforming structures.

Finally, Mr. Kirkpatrick explained, no comments were received on the declaration of non-significance.

Chairman Vaux explained that the Board may exercise any of the following options:

- 1) To adopt the recommendation of the Planning Commission.
- 2) To remand the matter back to the Planning Commission for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

The audience members were then invited to speak.

George Theodoratus of Concrete submitted a map of areas above Concrete which are not in a fire district, but where property is owned by individuals who plan future construction. Mr. Theodoratus stated that he has owned three lots on Lake Shannon since 1968. Mr. Theodoratus stated that this new legislation prohibits those who own and live on these properties from doing any more building. These properties are often isolated by large tracts of timber, so it is impossible to persuade a fire district to accept their property. Some of these areas, Mr. Theodoratus felt, should be exempted from this ruling. Mr. Theodoratus also thought the 100 foot setback requirement to be too restrictive.

Ted Olson, a property owner on Vogler Lake, said he was also a person who had the difficulties mentioned by Mr. Theodoratus.

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Patricia Undi, who owns two lots in Sulattle River Estates, stated that she is saving her property to build a home on after she and her husband retire. She stated that there has never been any trouble with fires in the area where they live before. Everyone is very careful to protect their property.

Lloyd Gailey, 450 Baker Lake Road, stated that this legislation will devalue his property so that he will be unable to sell it for its maximum worth and fund his retirement.

Tim Parker of Van Horn stated that he also owns a Lake Shannon lot. He felt that the proposed ordinances are too stringent and they allow no exemption. He pointed out on his tax statement where he is paying into a State fire protection district.

A discussion ensued on how variances can be used to receive an exemption from the new legislation.

Diane Ramsey of Burpee Hill stated that even though they are not within a fire district, the adjacent fire district still responds to emergencies at the properties near her home.

A representative of the William Zorn family, owners of property on Prevedal Hill, argued that the new legislation takes away property rights.

An unidentified woman stated that most people who care about their property take extra measures to develop their own fire safety systems.

George Shelton, a representative of the Department of Natural Resources, stated that in the five-county area that his branch of the DNR provides protection for 160 fires have occurred in the past year. Ninety percent of these fires were caused by escaped debris burns. Mr. Shelton stated that as more people build in the forestry zone the chances of fire increases. Mr. Shelton stated that those who pay into the State fire district pay for the protection of the land, not their homes. People who have lost homes in wilderness fires have brought suits against both the county where they are located and the DNR for allowing them to build there in the first place. Mr. Shelton also pointed out that many emergency calls are not fire but are medical aide calls.

Mr. Theodoratus spoke again, stating that individual existing tracts that are not being newly subdivided should be exempted from the new legislation.

At the end of the public comment period, Chairman Vaux ordered that this item be set for discussion again in two weeks, during which time he wished to listen to the tape recordings of the Planning Commission public hearing on this item.

2) Approval - Code Amendments for Individual and Public Drinking Water System Requirements.

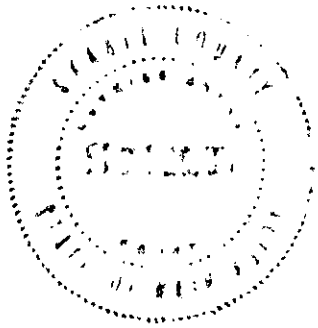
Tom Karsh, Environmental Planner, stated that this item is brought forth from the Planning Commission as a follow up to the adoption of drinking water regulations on September 23, 1991. The new drinking water regulations, which were required under the Growth Management Act, caused some parts of the code to conflict with the new legislation. The Planning Commission has recommended language that would resolve those conflicting areas.


Commissioner Wylie motioned approval of the language changes recommended by the Planning Commission. Commissioner Robinson seconded the motion, which passed unanimously.

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

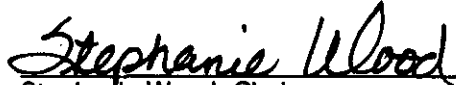


Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners