## RECORD OF THE PROCEEDINGS SKAGIT COUNTY BOARD OF COMMISSIONERS

### Wednesday, September 16, 1992

## Wednesday, September 16, 1992:

8:30 a.m 10:00 a.m.	Executive Session - Personnel.
10:00 a.m 11:30 a.m.	Commissioners' Staff Meeting. (Commissioners' Conference Room).
1:30 p.m 2:30 p.m.	Public Hearing - Ordinance Prohibiting Jet Skis on Clear Lake.
3:00 p.m 4:00 p.m.	Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Wednesday, September 16, 1992, with Commissioners Robby Robinson, Ruth Wylie, and W. W. Vaux present.

# PUBLIC HEARING - ORDINANCE PROHIBITING JET SKIS ON CLEAR LAKE.

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

Connie Carter, Clerk of the Board, presented five letters from residents of the Clear Lake area all in favor of the proposed ordinance prohibiting jet skis on Clear Lake.

Commissioner Vaux stated that the petition requesting the banning of jet skis on Clear Lake was originated by Jay Follman and other neighbors.

Commissioner Wylie stated that all but one property owner around the lake signed the petition.

Chairman Robinson stated that Jay Follman had called earlier to let it be known that he was unable to attend the public hearing due to an emergency situation, but his wife would be present in his place. Chairman Robinson opened the hearing for public comment.

- Mr. Jim Follman, Burlington, addressed the Board. Mr. Follman stated that most boats on the lake follow a counter clockwise pattern for skiing. The jet skiers park around the launch area illegally, and then operate their water vehicles in a meandering fashion close behind the skier being pulled. He understands that the jet skiers like to jump the wake of the boats, but they end up right in front of the next boat. Mr. Follman stated that he had to pop the boat out of gear more than once in order to avoid running into a jet skier. He said that it is difficult to watch out for the skier behind, other boats and skiers and jet skiers all at the same time.

- Gretchen Hunter, Clear Lake, addressed the Board. She stated that the jet skiers operate their water vehicles in non-sensical maneuvers. She had witnessed a couple jet skiers chasing each other up and down the lake from 3:15 p.m. - 5:30 p.m. non-stop. The vehicles are very noisy and she expressed concern for the preservation of serenity and beauty of the lake.

- Mrs. Jay Follman, Clear Lake, addressed the Board. She stated that Jay was upset that he could not be present himself. She felt that the swimmers are in danger because of the jet skiers. She stated that it was typical of the people using the jet skis to operate in a reckless manner. Mrs. Follman stated that she had witnessed one person chase some Canadian geese up and down the lake. When she let him know it wasn't a proper activity, he was "clueless" as to the wrongful act. The safety and noise factors of the jet skis on a small lake affect all the residents around it. Mrs. Follman felt that if a sign was placed at the boat landing

·voi 75 🚱4



**Record of the Proceedings** Wednesday, September 16, 1992 Page 2

stating jet skiing was prohibited, that it would help matters considerably.

Commissioner Wylie commented that there is a large fine for chasing the geese, and that people should be turned in to the proper authorities if it should happen again.

- Jamie Lanning, 1312 Highway 9, Mount Vernon, Washington, addressed the Board. Mr. Lanning was concerned with who has jurisdiction over the boat landing and who has the right to put a motor boat in there. He said that there is a do not park sign at the landing and skiers and jet skiers alike park their vehicles there and leave them. He wanted to know who should be called for enforcement. He said that on one occasion he called the Sheriff's Office regarding some people drinking and getting noisy at the landing. The deputy came out and spoke to the people and left without issuing a ticket. He felt that enforcement was not working, and the wildlife needs protection. He suggested that all motorized vehicles be removed from the lake, stock it with fish, and allow only row boats.

- Dale Lanning, 2200 Old Day Creek Road, addressed the Board. Mr. Lanning wanted to know who had jurisdiction over the ski boats on the lake. He thought that it was required to have two people in the boat when pulling a skier, one driving and one flagging for a fallen skier. He said that he does not see this happening. He felt that the jet skis were safer than motor boats because they have no propellers, and when the operator falls off, the machine stops. If there was only a driver in the boat, there would be no one to watch the skier. He stated that there was no set speed limit on the lake that he was aware of. Mr. Lanning stated that he would like to see a speed limit enforced on the lake and boating rules to follow.

- Jim Follman readdressed the Board. He stated that if a boat has a review mirror, it is legal to operate with just a driver. He thought that it was a requirement to operate a boat 150 feet from the shore or an adjacent property owner's docks, or other vehicles. He stated that the jet skiers operate close to the docks and swimmers. He said that jet skis are dangerous vehicles, that two people in a different part of the state were decapitated by jet skis last summer. He said that the speed limit on the lake is 25 mph and the fastest boat he had seen on the lake was a bass boat.

- Jamie Lanning readdressed the Board. He stated that there was a boy killed on Big Lake due to a skiing accident, but no one has been killed there by a jet ski. He felt that the boats come just as close to the docks as the jet skis do.

- Mrs. Follman readdressed the Board. She stated that there have been ski boats on the lake for at least 20 years, the jet skis are new within the last two years. She felt that there are two separate issues. The jet skis are obnoxious and unsafe. She didn't have a problem with the ski boats, as they follow a pattern of operation.

- Fred Tewalt, Beaver Lake Road, addressed the Board. Mr. Tewalt stated that he was neither for nor against the boats or jet skis. He felt that there needed to be rules in place. He felt that whomever was on the lake will break the laws at some point. The issue would be how and who will regulate them. He was concerned that if jet skis were prohibited, then boats would be next. He would like for his kids to be able to enjoy the lake as he did.

- Dale Lanning stated that if there was a 150 foot limit between boats, docks and shore, then all the water vehicles would need to be removed. The lake isn't big enough to keep those distances.

- Gretchen Hunter stated that the 150 foot limit is from shoreline and docks, not other boats. She said that the boats seem to follow the rules pretty well, and stay in a pattern. She also stated that she had seen





Record of the Proceedings Wednesday, September 16, 1992 Page 3

many of the ski boat operators using the red flag system for fallen skiers. She felt that the jet skis are the present problem and create an invasion of privacy with their noise.

- Mrs. Follman stated that she hasn't seen an enforcement problem regarding the skiers and their boats. She said that once someone is spoken to about the rules they conform and are not a problem.

Commissioner Wylie motioned to close the public hearing, Commissioner Vaux seconded the motion which carried unanimously.

Commissioner Vaux stated that the Sheriff's Department is the contact for enforcement on Clear Lake. He said that part of the enforcement problem could be that there is more than one lake in the County and only one boat to conduct enforcement.

Commissioner Vaux motioned to schedule a deliberation time for Tuesday, September 22, 1992, at 2:00 p.m., or as soon thereafter as possible, in the Commissioners' Hearing Room, 202A, 700 S. Second, County Administration Building, Mount Vernon, Washington.

Commissioner Wylie seconded the motion, which carried unanimously.

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion which carried unanimously.

### **ADJOURNMENT**

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion, which carried unanimously.

BOARD OF COMMISSIONERS SKAGIT COUNTY, WASHINGTON

Robby Robinson, Chairman

Ruth nmissionei

W. W. Vaux, Commissioner







ATTEST:

Connie Carter,