

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

Tuesday, October 27, 1992

- 8:30 a.m. - 9:00 a.m. Work Session - Operations Division Manager and Road Supervisors.
- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Scott Kirkpatrick, Director:
- 1) Discussion - Skagit County Comprehensive Plan Element Citizen Advisory Committee Orientation Meeting.
 - 2) Discussion - Update on Whatcom County Water District Number 12.
 - 3) Code Enforcement Report.
 - 4) Miscellaneous.

The Skagit County Board of Commissioners met in regular session on Tuesday, October 27, 1992, with Commissioners Robby Robinson, Ruth Wylie and W. W. Vaux present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:

- 2) Discussion - Update on Whatcom County Water District Number 12.

For the convenience of the audience, this item was taken out of order.

Kraig Olasen, Assistant Planning Director, reminded the Board that he had discussed with them on October 6, the efforts by Water District #12 and the City of Burlington to update a three-way contract between these two entities and Skagit County. Originally, the agreement was intended to regulate hook-ups to a pump station and sewer main belonging to the Water District, and leading to the sewage treatment plant in Burlington. Under the agreement, each time an applicant wished to hook up to the Water District facility, the County signed off on an "Owner Extension Agreement".

At the last meeting with the Board, Mr. Olasen suggested that Skagit County withdraw from this agreement, requiring only that the two entities prove that capacity exists for additional hook-ups each time a land use application is being processed by the County. Mr. Olasen at that time was directed to obtain a capacity analysis from Water District #12.

Mr. Olasen provided a letter received on October 13, 1992, from Slater and Slater, Attorneys at Law representing Water District #12, to which is attached a capacity analysis of the Water District #12 system.

Margaret Fleek, Planning Director for the City of Burlington, provided a document entitled "Land Use Approvals by Skagit County that Rely on Sewer Service Connection to Whatcom Water District #12", which lists two questions and considerations, and the City's responses, that will need to be addressed before a new agreement can be developed. The two questions listed were: "The proposal is to set a five year time limit on sewer service connection agreements - 1) When does WWD #12 begin collecting money for the service?, 2) When does the five year clock begin running?"

Mr. Olasen spoke at some length about the reason he recommended choosing a five year time limit. Mr. Olasen felt that fees should be collected on application, and that at application, the five year clock should start. Ms. Fleek felt that by beginning the five year time limit at application, it encourages "speculation". She recommended instead that the County give only preliminary approval based on documentation by the City and the Water District that capacity is available and that the applicant is moving ahead with the project. The five year clock would begin at the point when final County approval is made, and at that point fees would also be collected.

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Ms. Fleek and Mr. Olasen then argued the points of their proposals with each other. Commissioner Vaux asked Ms. Fleek to explain what happens now if capacity has been reserved, but land use approval is denied by the County. Ms. Fleek stated that the capacity that was permitted is rescinded. Commissioner Vaux then asked Ms. Fleek to explain what happens to the deposit or fee that the applicant has paid for the sewer capacity. Mr. Olasen responded that a deposit is a percentage of the entire fee, and covers the costs to process the application.

Mr. Olasen and Ms. Fleek's discussion continued. The two negotiated the fine points of the two questions brought up by Ms. Fleek, until Commissioner Vaux made a statement that the County does not have any interest in dictating when fees are collected by the water district or what other arrangements pertaining to time limits are made, but is only interested in seeing a Certificate of Capacity from the Water District and City which indicates that capacity is available for any proposed land use application the County is considering.

The Board and Mr. Olasen agreed that the County no longer needs to sign off on the "Owner Extension Agreement" as long as the Water District and City have provided a "Certificate of Capacity" for the project, and that how and when the fees are collected is the decision of the Water District and City. Ms. Fleek and Mr. Olasen agreed to draw up appropriate procedures reflecting this decision.

4) Miscellaneous.

For the convenience of the audience, this item was taken out of order.

- A. Gary Christensen, Associate Planner, explained that Skagit County Fire District #18 near Darrington has proposed to combine with Whatcom County Fire District #24 to more efficiently provide service to their area.

Dan Cain, County Fire Marshall, stated that logistically, this is a sensible approach. Mr. Cain stated that his only concern was that adjacent Fire District #19 was not notified of the pending merger. Mr. Cain stated that he has now notified District #19 by mail. Mr. Cain stated that currently Fire District #19 has no equipment and no facilities and contracts with District #24 for service.

The Board had no objection to this proposal, and Mr. Christensen was directed to note their decision to the Boundary Review Board, which reviews applications for annexations such as this.

1) Discussion - Skagit County Comprehensive Plan Element Citizen Advisory Committee Orientation Meeting.

Mr. Olasen and Mr. Christensen reviewed the plans for the orientation meeting scheduled for tonight, October 27, 1992, at 7:00 p.m., at the LaVenture Middle School cafeteria.

Prompted by Commissioner Vaux, Mr. Olasen and Mr. Christensen hypothesized that the Comprehensive Plan update process would operate in the following manner:

- 1) Citizen Advisory Committees draft recommendations on their specific elements. Agendas for the meetings will be set by the CAC's and Planning Department staff. Planning Department staff will run the meetings (there will be no elected chairmen) and provide guidance to the members. Opportunity for public comment will be given. The product of these meetings are draft element policies. These are better defined and more proscribed than the County-Wide Planning Policies adopted in July of this year. This process will be completed before March of 1993. Each CAC will

meet at least eight times to complete this task.

- 2) Planning Department staff synthesizes draft element policies into Comprehensive Plan chapters and Comprehensive Plan maps to present to the Planning Commission by March of 1993.
- 3) Planning Commission reviews recommendations and makes their own findings and recommendations. This process will include study sessions and public hearings.
- 4) Board of Commissioners reviews recommendations and adopts recommendation, remands matter, or adopts own findings.
- 3) Code Enforcement Report.

Provided for review.

ADJOURNMENT.

There being no further business, Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion, which carried unanimously.

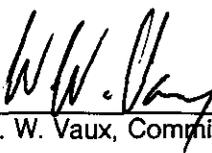
**SKAGIT COUNTY BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



Robby Robinson, Chairman



Ruth Wylie, Commissioner



W. W. Vaux, Commissioner

ATTEST:



Stephanie Wood, Clerk of the Board
of Skagit County Commissioners