

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

Monday, November 2, 1992:

- 8:45 a.m. - 9:00 a.m. Signature - Resolution Supporting Anacortes Block Grant Application.
- 9:00 a.m. - 9:30 a.m. Presentation - Annual Safety Awards.
- 9:30 a.m. - 9:45 a.m. Introduction - Bill Paleck, Superintendent, North Cascades National Park Service, Sedro-Woolley, Washington.
- 9:45 a.m. - 10:00 a.m. Public Hearing - Supplemental Budget.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

- 1:30 p.m. - 2:30 p.m. Public Hearing - Setback Variance Request #VAR-92-040 for Larry Bughi, 170 Rosario Beach Road, Anacortes, Washington.
- 2:30 p.m. - 3:30 p.m. Planning Commission Recommendation - Denial - Triple T Construction Comprehensive Plan Map Amendment #CPA-92-005, South of Big Lake on the East Side of Highway 9.

The Skagit County Board of Commissioners met in regular session on Monday November 2, 1992, with Commissioners Robby Robinson, Ruth Wylie, and W. W. Vaux present.

SIGNATURE - RESOLUTION SUPPORTING ANACORTES BLOCK GRANT APPLICATION.

Tim Holloran, Senior Services Director, addressed the Board, stating that a resolution supporting the Anacortes Block Grant Application was not necessary, and he drafted a letter of support for the Board's approval and signature.

The funds from the Block Grant will go toward creating a community facility to serve low and moderate income residents of the City of Anacortes. This facility will also house the Anacortes Senior Center and Head Start program.

The Block Grant is due in two weeks, another city council public hearing is this evening and the city has agreed to support the planning of a facility. The city will administer the grant should it be awarded.

The letter of support for the Block Grant was signed by the Board.

PRESENTATION - ANNUAL SAFETY AWARDS.

Dave Fleming, Risk Manager, addressed the Board to present annual safety awards.

Mr. Fleming stated that the safety award program was started May 1, 1991, and is divided into three categories. Those categories are: High Risk Activities, Moderate Risk Activities, and Low Risk Activities. The High Risk group becomes eligible for an award when the entire group works a twelve month period without a time loss accident. The Moderate Risk group becomes eligible for an award when the entire group works an 18 month period without a time loss accident. The Low Risk group becomes eligible for an award when the entire group works a 24 month period without a time loss accident. Mr. Fleming stated that

October 21, 1992, marked the end of the 18 month period, and all of the Moderate Risk groups succeeded in having no time loss accidents. A total of 150 employees from the following departments will receive a coffee mug bearing the County emblem, and the statement "Accident Free For 18 Months:" Public Works Engineering, Senior Services, Planning and Community Development, Permit Center, Health Department, Emergency Management, and Assessor's Office. Mr. Fleming stated that this was a tremendous record for the employees, and they deserve recognition for their efforts.

The Board commended the employees for the safety practices they followed on their jobs, and the personal injury, time loss, and recuperation expenses saved.

The employees present for the award presentation were:

Margaret Harris, Crystal Torset, Tim Holloran, Penny Bernhardt, Shirley Claybo, Sara Pritchard, and Mary Anderson, Senior Services; Dan Cain, Fire Marshall; Sharon Bumgarner, Emergency Management; Scott Kirkpatrick, Dave Hough, Zoe Pfahl, Oscar Graham, Tim Hoffman, Grace Roeder, Pat Bunting, Edwina Fong, Sandy Burton, Kathy Jones, Rob Knable, Jim Cahill, Kristi Carpenter, Jeff Morgan, Planning and Community Development; Paul Mahoney, Assessor; and Ron Palmer, Health Department.

INTRODUCTION - BILL PALECK, SUPERINTENDENT, NORTH CASCADES NATIONAL PARK SERVICE, SEDRO-WOOLLEY, WASHINGTON.

Mr. Bill Paleck, Superintendent, North Cascades National Park Service, was present to introduce himself to the Board. Mr. Paleck came from Tucson, Arizona, where he was superintendent of Saguaro National Park. Prior to being in Tucson he worked in Alaska.

A discussion followed regarding funds available that will be used for improvements in the Lower Skagit Forest Service area and the Upper Skagit and Ross Lake Forest Service area.

Commissioner Wylie asked whether any of the available funding would be used toward training timber workers for trail grooming and other needed tasks. Mr. Paleck was unsure, but hoped that to be the case.

PUBLIC HEARING - SUPPLEMENTAL BUDGET.

Chairman Robinson waived reading the notice of public hearing as advertised in the Skagit Argus.

Mike Woodmansee, Budget/Finance Director, addressed the Board regarding the proposed supplemental budget.

Mr. Woodmansee stated that five funds will be affected: Current Expense, Elections, Human Services, 911 Fund, and Drug Enforcement totaling \$150,000.

The amount of \$35,500 for the Current Expense Fund is for various Planning Department funds. The Election function will be increased by \$50,000 more than anticipated for 1992, therefore creating a need to increase various line items by \$45,000 at this time.

Payments were not remitted to GTE until March, 1992, for 911 billings. The funds for the bills were carried over to 1992, since they were not paid in 1991. It is necessary to account for the \$70,000 from the 1991 budget in the 1992 budget for the 911 Communications Fund.

There was \$8,000 received for the Drug Enforcement Fund from the Marijuana Eradication Grant that was not in the Sheriff's budget, which needs to be appropriated.

Human Services has received \$60,000 for a Developmental Disabilities Grant that was not anticipated in the 1992 budget.

Chairman Robinson opened the public hearing for comment.

Seeing and hearing no comment from the audience, Commissioner Wylie motioned to close the public hearing, Commissioner Vaux seconded the motion which carried unanimously.

Commissioner Wylie motioned to approve the resolution authorizing the supplemental budget as presented. Commissioner Vaux seconded the motion, which carried unanimously. (Resolution #14618).

CONSENT AGENDA.

• Administration:

1. Signature - Agreement with Washington State Parks and Recreation for trail grooming for snowmobiling and non-snowmobiling winter recreation programs. The maximum total of all project costs is \$17,000. This agreement will terminate April 30, 1993. (Contract #01466).
2. Signature - Contract for professional Services with Bradford Furlong, Attorney at Law, 904 South 3rd Street, Mount Vernon, Washington 98273, to serve as Hearing Examiner Pro Tem at the rate of \$50.00 per hour. Contract shall commence on October 1, 1992, and terminate December 31, 1994. (Contract #01467).

• Commissioner's Office:

3. Record of the Proceedings for October 20, 1992.
4. Record of the Proceedings for the week of October 27, 1992.
5. Signature - Resolution Appointing Mr. Phil McConnel, 1024 S. 12th Street, Mount Vernon, Washington 98273, to the Developmental Disabilities Administrative Board. Term begins November 2, 1992, and expires November 2, 1995. (Resolution #14624).
6. Signature - Resolution Reappointing Mr. Howard Shapiro, 106 N. 5th Street, Mount Vernon, Washington 98273, to the Developmental Disabilities Administrative Board. Term begins September 10, 1992, and expires September 10, 1992. (Resolution #14626).
7. Signature - Resolution Appointing Ms. Tami Lane, 821 Hoag Road,, Mount Vernon, Washington 98273, to the Skagit County Substance Abuse Administrative Board. Term begins November 2, 1992, and expires November 2, 1995. (Resolution #14625).
8. Signature - Resolution Appointing Ms. Martie Arnold, 3409 W. 2nd Street, Anacortes, Washington 98221, to the Skagit County Substance Abuse Administrative Board. Term begins September 1, 1992, and expires September 1, 1995. (Resolution #14619).
9. Signature - Resolution Reappointing Ms. Mary Good, 607 W. Hazel, Mount Vernon, Washington 98273, to the Mental Health Advisory Board. Term begins October 1, 1992, and expires October 1, 1995. (Resolution #14620).

10. Signature - Resolution Reappointing Ms. Marilyn Lupinacci, 273 Digby Road, Mount Vernon, Washington 98273, to the Mental Health Advisory Board. Term begins September 1, 1992, and terminates September 1, 1995. (Resolution #14621).
 11. Signature - Resolution Appointing Ms. Elizabeth Dynes, 750 Hilynn Drive, Burlington, Washington 98233, to the Skagit County Planning Commission. Term begins November 2, 1992, and terminates November 2, 1996. (Resolution #14622).
- * Health Department:
12. Signature - Agreement for establishing Water Utility Service Area Boundaries with Wild Village, Birdsvie, Washington, Ray Drake, President. (Contract #01468).
- * Human Services:
13. Signature - Amendment #4 to DSHS-Division of Alcohol & Substance Abuse contract in the amount of \$37,385.00 for the provision of services to Mentally Ill/Chemically Addicted (MICA) clients. The funds will be subcontracted to Skagit Community Mental Health Center which was selected by DASA. (Contract #01023).
- * Public Works:
14. Signature - Agreement with Washington State Parks and Recreation Commission for the removal of snow on a portion of the Baker Lake Road. The specific sites being: The Shadow of the Sentinels Nature Trail, and the Baker Lake Road at the junction of Forest Service Roads 11 and 12. The County will be reimbursed for their service to a maximum of \$1,500.00. This agreement terminates April 30, 1993. (Contract #01469).
- * Planning Commission:
15. Signature - Resolution correcting the legal description regarding Sutton, First Baptist Church Annexation to the Town of Hamilton. The Town of Hamilton entered an incorrect legal description in their Ordinance No. 157 approving the annexation of "Sutton Addition" to the town. Skagit County Resolution No. 14602, signed October 19, 1992, reflected the same incorrect legal description. (Resolution #14623).

MISCELLANEOUS ITEMS.

- A) Mr. Woodmansee presented a resolution for signature authorizing a Budget Line Item Change for the Weed Control budget in the amount of \$1,000 to be transferred from the travel expense line item to various benefit line items. Commissioner Vaux motioned to approve the resolution as presented, Commissioner Wylie seconded the motion which carried unanimously. The resolution was signed. (Resolution #14627).
- B) 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, November 2, 1992, 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 #27255 through 28008 (Vouchers #114748 through 115523 and #PW9200002460 through PW9200002712) in the amount of \$972,052.23. Transmittal Number P-22-92.
 - 2) Warrants #88765 through #88796 (Vouchers #P145001, P97001, through #P45014, P97031) in the amount of \$867,996.84. Transmittal #C40-92.
- C) The Board authorized the issuance of a manual warrant for \$140.00 in registration fees for Bob Taylor and Mike Woodmansee to attend the WASAC Conference in Spokane, Washington, November 11 through 13, 1992. The issuance of a manual warrant saves a \$20.00 late registration fee.
- D) The Board signed a resolution reappointing Robert Pickett, 1019 3rd, Anacortes, Washington to the Skagit County Parks and Recreation Board. Mr. Pickett's term shall expire June 30, 1995. (Resolution #14628).
- E) The Board signed a previously approved ordinance amending Skagit County Code 14.04.150(2)(l) which allows fire stations to be considered as a special use. (Resolution #14629).
- F) A discussion was held regarding a letter from Ted Maloney requesting that the public hearing for the Tewalt special use and shoreline development permits to be held November 5, 1992, not be conducted by Robert Scofield.

The Board determined Mr. Maloney's request to be reasonable, and instructed Mr. Bob Taylor, Administrative Officer to contact Mr. Tom Moser to see if he will be available for the set hearing time. If his schedule does not allow for him to be there, the hearing time will be rescheduled. A letter will be sent to Mr. Mahoney to acknowledge his request, confirm the date of the hearing, and notify him who the hearing examiner will be.

- G) Chairman Robinson, Dan Cain, Skagit County Fire Marshall, Lee Kue, Director of Emergency Medical Services, Jim Allen, President, Fire Chiefs Association, and Tom Sheahan, Director of Skagit County Emergency Management were present for the awarding of a Certificate of Commendation to Ms. Diane M. Greile. Ms. Greile, on a routine home visit to an elderly client, responded appropriately when her client suffered a heart attack. Ms. Greile immediately called 911 to report the situation, then administered CPR. It was the consensus of the emergency professionals present that had she not followed proper procedures, and properly administered CPR, her client may not have survived the situation. Ms. Greile was commended for her public service and knowledge of proper life saving procedures.

PUBLIC HEARING - SETBACK VARIANCE REQUEST #VAR-92-040 FOR LARRY BUGHI, 170 ROSARIO BEACH ROAD, ANACORTES, WASHINGTON.

Commissioner Robinson waived reading the notice of public hearing as advertised in the Skagit Argus.

Jeff Morgan, Assistant Planner, submitted various exhibits to be labeled for the record:

- Site survey map, Exhibit "A."

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- Subject property photographs, Exhibit "B."
- Letter from Mrs. E. M. Schwartz, 172 Rosario Terrace Road, Anacortes, Washington, objecting to the variance request, Exhibit "C."
- Letter from Mr. V. Gilbert Hull, 173 Rosario Terrace Road, Anacortes, Washington, objecting to the variance request, Exhibit "D."
- Hand drawn vicinity map of the subject property, Exhibit "E."
- Letter from Mr. E.M. Fischer, 163 Rosario Beach Road, Anacortes, Washington, objecting to the variance request, Exhibit "F."

Mr. Morgan reviewed with the Board that an existing, non conforming structure was relocated on the subject property, without benefit of the necessary permits, to a location where another structure had been removed. This location was in violation of the required property line setback. The Planning Department had recommended approval of a setback variance request to the Hearing Examiner. The Hearing Examiner recommended denial of the setback variance request. Mr. Bughi's appeal was heard by the Board where they unanimously decided to hold a public hearing to determine their own findings of fact.

Commissioner Robinson opened the hearing for public comment.

- Mr. Bughi stated that he had no new testimony at the present time.
- Mr. Henry Curran, 1728 Rosario Terrace Road, Anacortes, Washington, addressed the Board. Mr. Curran submitted for the record the Skagit County Hearing Examiner's Findings of Fact, Entry of Order for No. VAR-92-040 (Exhibit "G"). Mr. Curran stated that he remeasured the distance of the mobile home to the County right-of-way, and it still appears to be 8 feet away. He stated that having the mobile home 6 inches from the property line creates a blind spot for him coming from his driveway which provides access for two residences. Mr. Curran stated that there is a fire hydrant which serves 21 residents that is in close proximity to the mobile home. He felt that there is not enough room for emergency vehicles to access the area or the hydrant.
- Mr. Gene Fisher, 165 Rosario Beach Road, Anacortes, Washington, addressed the Board. Mr. Fisher submitted photographs of his property and the subject property for the record (Exhibit "H"). Mr. Fisher stated that many of his concerns were the same as Mr. Curran's. He felt that the major problem created by the placement of the mobile home was the difficulty for emergency vehicles to access the area. He stated that the Fire Marshall had agreed that there was an access problem also. Mr. Fisher stated that he and his father, E.M. Fisher, 163 Rosario Beach Road, Anacortes, were required to comply with setbacks when they placed their homes. He was also required to dig up his septic system to prove to the Health Department that it was sufficient. Mr. Fisher felt that Mr. Bughi should be required to comply with the same standards.
- Ms. Mary Fisher, 167 Rosario Road, addressed the Board. Ms. Fisher stated that she understood that once the buildings deteriorated on Mr. Bughi's property they were to be removed, and no rebuilding would be allowed due to septic problems, bank erosion, and emergency access. She felt that allowing more living space would create more parking problems along the road.
- Mr. Larry Bughi, 212 Ocean View Place, Anacortes, Washington, addressed the Board. Mr. Bughi stated that the ingress and egress for Mr. Curran did not change with the relocation of the mobile home, as there had been a structure on that location previously. He said that the cabin that was located there previously was placed on, and possibly over, the property line. He said that there is one parking space available for every living unit on his property. He stated that there had been off-street parking problems in the past, but that was not under his control. Mr. Bughi said that the septic system

was installed in 1968 or 1969, and was in compliance at that time and he assumed it still was.

- Mr. Fisher stated that the cabin that had been removed in order to relocate the mobile home had not been occupied, but used as a storage unit. The area in front of the mobile home at its previous location had been used for parking.
- Ms. Fisher stated that the location of the mobile home creates an access problem due to it being larger than the cabin that was there before. The mobile home does not meet the required setback from the property line or the road. She said that the mobile home had not been occupied for a good length of time, and if it were to be occupied it would increase the parking problem.
- Mr. Bughi stated that the mobile home is presently occupied and has been for about two months. It had only been vacant for 90 days. He said that the fire hydrant is on his property, that the previous owners of the property had installed it.
- Mr. Curran stated that there wasn't any site or access problem when the cabin was still standing. The mobile home is closer to the road. He said that backing a car down the narrow road and backing a fire truck down it are two different situations. He stated that he would like to have the Fire Marshall's opinion on the situation.

Seeing and hearing no further comment from the audience, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which carried unanimously.

Commissioner Vaux stated that the decision on the matter was not an easy one to make due to the split decision between the Planning Department and the Hearing Examiner. He said that the decisions made were done so on the interpretation of the Skagit County Codes. The reason the mobile home was moved was due to natural erosion of the bank. It was moved without the necessary permits and a complaint was filed. Mr. Bughi acquired the necessary permits, and performed required updates to the mobile home to meet the Skagit County Code for a residence. He felt that another residence has not been added to the area, as it had been occupied before.

Commissioner Vaux motioned to approve Variance Request #92-040 of Mr. Larry Bughi, with the condition that the septic system be inspected, and including the Planning Department staff recommendations.

Commissioner Wylie seconded the motion, which carried unanimously.

Chairman Robinson stated that he would have the County Traffic Engineer look into the parking problem.

**PLANNING COMMISSION RECOMMENDATION - DENIAL - TRIPLE T CONSTRUCTION
COMPREHENSIVE PLAN MAP AMENDMENT #CPA-92-005, SOUTH OF BIG LAKE ON THE EAST SIDE
OF HIGHWAY 9.**

Jim Cahill, Senior Planner, addressed the Board regarding the Planning Commission's recommendation for denial of the Triple T Construction Comprehensive Plan Map Amendment request. The request was to reclassify 19.4 acres south of Big Lake and east of Highway 9 from Forestry to Rural. The zoning is Agricultural Reserve and the applicants would need to have the property rezoned to suit their plans even with a Comprehensive Plan Map Amendment approval. The Planning Department staff recommended denial of the proposal based on the conservation of the subject and surrounding properties' natural resources, and flooding and drainage issues. The Planning Commission also recommended denial due to the County-Wide Planning Policies and the South Central District Comprehensive Planning Policies discouraging conversion

of natural resource lands to higher uses.

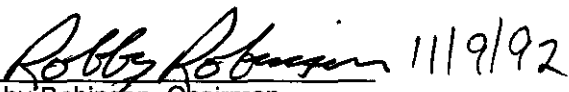
Commissioner Wylie motioned to uphold the Planning Commission's recommendations and deny the Triple T Construction Comprehensive Plan Map Amendment #CPA-92-009.

Commissioner Vaux seconded the motion, which carried unanimously.

ADJOURNMENT

Commissioner Wylie motioned to adjourn the proceedings. Chairman Robinson seconded the motion. The motion carried and was so ordered.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



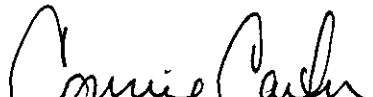
Robby Robinson, Chairman

Ruth Wylie, Commissioner



W. W. Vaux, Commissioner

ATTEST:



Connie Carter, Clerk of the Board

