

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

Monday, August 30, 1993:

- 8:00 a.m. - 8:30 a.m. Discussion - Nominations for Governor's Economic Recovery Board.
- 8:30 a.m. - 8:45 a.m. Parks, Recreation and Fair Department - Approval - Skagit River Debris Removal Contracts.
- 8:45 a.m. - 9:00 a.m. Public Hearing - Supplemental Budget - \$3,000 for Senior Services Fund #118.
- 9:00 a.m. - 9:30 a.m. Department of Planning and Community Development - Dave Hough, Director:
- 1) Discussion of GMA/SEPA Integration Strategy.
 - 2) Code Enforcement Report.
 - 3) Miscellaneous.
- 9:30 a.m. - 10:00 a.m. Discussion - Assessor's Office Computer Software Needs.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Public Hearing - Vacation - Portion of Abandoned Butler Creek Road Right-of-Way.
 - 2) Public Hearing - Disposal of County Surplus Property.
 - 3) Discussion - Lake Cavanaugh Log Jam Removal
 - 4) Miscellaneous.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 11:00 a.m. - 11:30 a.m. Public Hearing - Agricultural Variance #VAR-92-066 for Milton Egbers, 1414 McLean Road, Mount Vernon.

The Skagit County Board of Commissioners met in regular session on Monday, August 30, 1993, with Commissioners Hart, Wolden and Robinson present.

DISCUSSION - NOMINATIONS FOR GOVERNOR'S ECONOMIC RECOVERY BOARD.

Don Wick, Executive Director of the Economic Development Association of Skagit County (EDASC), addressed the Board regarding the Governor's request for nominations for the Governor's Economic Recovery Board.

Mr. Wick stated that former Governor Gardner began the board two years ago to address timber issues in the State. He said that Governor Lowry now feels the need for a new board. Mr. Wick stated that Bert Williamson, Kathleen Hurn, and Dave Mason were the nominees for the original board, and Mr. Williamson was selected by the Governor. He said that a representative from each county will be chosen to participate.

Bob Taylor, Administrative Officer, asked whether the Board will still be addressing timber issues.

Mr. Wick affirmed this fact. He said that the Governor is requesting nominees to be experienced in the logging industry, social services, and education.

Commissioner Robinson asked if Mr. Wick knew why the Governor was requesting a new board.

Mr. Wick did not know. He felt that it would make sense to re-nominate Mr. Williamson. He said that Mr. Williamson has experience in education, he has been involved in retraining timber workers, and is familiar with the situation. Mr. Wick said that the Governor's letter indicated that a current board member could be nominated again.

Commissioner Wolden felt Mr. Williamson should remain on the nominee list.

Commissioner Robinson felt that Mr. Williamson should remain on the list also, and asked whether he would be willing to continue to serve on the board.

Chairman Hart felt that Mr. Williamson was a good choice, and if he would be willing to continue to serve on the Governor's Economic Recovery Board then he should be Skagit County's nominee.

Commissioner Wolden requested Mr. Wick to call Mr. Williamson and discuss the matter with him.

Commissioner Robinson suggested that Mr. Williamson be submitted as Skagit County's representative, and if a request is made for two more nominees, they will be submitted.

PARKS, RECREATION AND FAIR DEPARTMENT - APPROVAL - SKAGIT RIVER DEBRIS REMOVAL CONTRACTS.

Steve Colby, Special Projects Coordinator, stated that the Public Works and Parks Departments have been working collaboratively on a project to remove logs and other debris from the County's railroad trestle over the Skagit River near Highway 9 North. Mr. Colby said that preliminary discussions were held with prospective contractors to complete debris removal last week. Request for Proposal (RFP) packages were sent to six or seven contractors. The time-frame was short, and conditions on the north shore of the river made it necessary to expedite the procedure. The RFP packages were sent out Wednesday to be returned on Friday. Two contractors responded to the RFP, and Janicki Logging and Construction's proposal is the lower in cost and they are able to meet the requirements of the project.

Commissioner Wolden asked what it will cost to access the north shore of the river over private property.

Doug Argo, Civil Engineer, stated that the access cost is estimated to be \$5,000.

Mr. Argo stated that all the conditions were outlined in the RFP, and it also included a quote for access across private property. He said that after the RFP's were mailed, the property owner faxed an additional condition stipulating payment to be made prior to the project performance.

Commissioner Robinson questioned whether John Moffat, Chief Civil Deputy Prosecuting Attorney, had reviewed the documents for the subject project.

Mr. Argo stated that the right of entry and contract agreements were not written. If the Board agreed with the recommendations for the agreements, they will be drafted and sent to Mr. Moffat for review, and then be brought to the Board for signature.

Commissioner Wolden stated that the proposal from Janicki Logging and Construction for the north riverbank option is the most economical.

Commissioner Robinson motioned to approve the written quotation of \$24,725.00 from Janicki Logging and Construction for debris removal on the Skagit River north riverbank at the SR9 bridge. Commissioner Wolden seconded the motion which carried unanimously.

Commissioner Robinson asked whether there would be any problem with meeting the property owners' conditions.

Mr. Argo said that there would not be any problem meeting the conditions. The conditions are as follows: restore property to prior condition, useable logs will be stockpiled for firewood use by the property owner, erosion control, and ash will be removed from the site from any burning of debris.

Commissioner Robinson thanked the members of the departments involved for their effort in meeting the conditions for access requested by the property owner.

Mr. Argo stated that the debris removal project to be done on the south bank of the river will be more expensive than the north bank project. He said that there is not an area suitable for burning debris on site, which will require debris to be hauled. He said that the adjoining property owner is not willing to sell, and the property owners to the east of the site have not been contacted yet.

Commissioner Robinson asked whether an easement for access is a possibility.

Mr. Argo stated that the property owner that he has made contact with is willing to allow access to the site once, but he is not willing to sell any property.

Mr. Colby stated that it is possible to place a chipper on-site for the south bank project. He said that the other property owner adjacent to the site lives in Kennewick and he will continue to try to contact him.

PUBLIC HEARING - SUPPLEMENTAL BUDGET - \$3,000 FOR SENIOR SERVICES FUND #118.

Mike Woodmansee, Budget/Finance Director, stated that the Senior Services Fund will receive grant revenues in the amount of \$3,000 that were not anticipated in the 1993 budget. These are federal grant monies pertaining to acquiring kitchen equipment and supplies for the Burlington Senior Center. It is necessary to include these funds in the budget in order to expend them as needed.

Chairman Hart opened the public hearing for comment.

Seeing and hearing no comment from the public, Commissioner Robinson motioned to closed the public hearing. Commissioner Wolden seconded the motion which carried unanimously.

Commissioner Robinson motioned to approve a resolution authorizing \$3,000 to be included in the senior Services Fund #118. Commissioner Wolden seconded the motion which carried unanimously. (Resolution #14999).

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - DAVE HOUGH, DIRECTOR:

1) Discussion of GMA/SEPA Integration Strategy.

Gary Christiansen, Senior Planner, stated that the information provided to the Board prior to the meeting was generally for their review and to follow in the morning's discussion. The three documents to be discussed were a Request for Proposal (RFP), an Environmental Impact Statement (EIS) scoping notice, and detailed information for procedures and requirements of the Growth Management Act (GMA) and State Environmental Policy Act (SEPA) integration strategy.

Mr. Christiansen said that the purpose of integrating SEPA and GMA is to save time and money. He said that it may be possible to combine public hearings, provide information to the public sooner, allow for more public participation and involvement, and expedite the environmental review process. Mr. Christiansen said that integrating the GMA and SEPA strategy will create an information gathering document.

Mr. Christiansen stated that the RFP draft provides information regarding the EIS project for the Comprehensive Plan Land Use Designation Element, the product expected and the County's expectations of the performing party; background information, information available to review to assist in the preparation of the EIS, when a briefing meeting will be held, submittal requirements, qualification requirements, time-line, and budget. He said that the notice is scheduled to go out this week and there will be a 45-day comment period. A scoping meeting will be held October 7, 1993, comments will be accepted through October 15, 1993, and a draft EIS is to be prepared by December 1, 1993. He said that public hearings are expected to begin by mid-December regarding the Land Use Designation Element and EIS.

Chairman Hart stated that the forecast followed a narrow timeline.

Mr. Christiansen agreed, and said that staff and all involved will do their best to hold to the timeline in order to have the public hearings and the majority of the work completed by year-end. He said that with the Interim Zoning controls in place through the end of the year, it is desired to expedite the process. With the EIS and Land Use Designation Element completed it will allow for more information, and address interim zoning regulations, and rural issues. Mr. Christiansen felt it is an ambitious goal to complete GMA requirements by July, 1994.

Chairman Hart stated that he felt it was necessary to acknowledge the tight timeline and stay committed to following it for the benefit of the residents of Skagit County.

Kraig Olason, Assistant Planning Director, stated that the EIS background document will be referred to in land use reviews. He said that for the next year and a half it will be a vital reference document to provide background information on projects.

Commissioner Robinson stated that he agreed with the proposal of integrating SEPA and GMA strategies. He felt that the primary objective for the County is to not make too much bureaucracy and keep the costs down.

Mr. Christiansen stated that the approach is programmatic, non-project in nature. There will be a county-wide regional analysis, which will be broad based. It will not define wetlands, level of services, etc. There will be a process for determining the timing of growth, and where and how it may occur. This is the first threshold determination by the County. He said that hopefully, the document will assist in streamlining the process so that issues are not repeatedly addressed. He said that public comment is desired to maintain the consistency required between the elements, to work with our neighbors (cities, counties, etc). The

County Wide Regional Planning Policies address the foundation on which the comprehensive plan is developed. Growth should occur in urban growth areas and protect rural features, landscape and life styles. Mr. Christiansen said that there are three proposed alternatives in the EIS. He read the following into the record:

1. No Action (Existing District Plans - Dispersed Growth). No change in existing county district policies regarding the overall distribution of future land uses, patterns, population distributions, employment, resource lands protection, and residential development.
2. Major Urban Community Areas. High-density residential growth and commercial/light industrial employment opportunities directed to cities and urban fringe areas where adequate facilities, services, and utilities are provided.
3. Rural Community Centers. Major Urban Community Areas designated and rural villages identified for mixed-use, medium-density residential growth and rural commercial services.

Mr. Christiansen said that Alternatives two and three have little difference, other than that Alternative three introducing the concept of rural villages. This would create additional impacts regarding transportation. Within urban growth areas phased development would occur. Three-tier planning areas would be designated within the urban growth area. Tier 1 would most likely be developed in the first 6 years of the plan where there already is sewer and water or where cities wish to annex. Tier 2 would occur in years 7 through 13, and Tier 3 in years 14 through 20.

Mr. Christiansen briefly reviewed with the Board a matrix which compares alternatives under consideration as part of the SEPA\GMA integration strategy.

The Board and staff discussed the information provided by Mr. Christiansen, and Chairman Hart stated that the possibility needs to be investigated regarding splitting property into higher values where services are available.

Mr. Hough stated that Counties are required to adopt new legislation to set interim boundaries determined by October, 1, 1993. The County has them already but not by ordinance. He said the Planning Department will have a work session next week to work on developing an ordinance and will hold a public hearing the last week of September.

2) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

3) Miscellaneous.

No Planning Department miscellaneous items were presented at this time.

DISCUSSION - ASSESSOR'S OFFICE COMPUTER SOFTWARE NEEDS.

Mr. Woodmansee, County Budget/Finance Director, stated that a request has been made by the Assessor's Office to fund a \$60,000 purchase of software enhancements to property evaluation and assessment programs. The two most important items within the enhancements are related to the productivity level of the staff. The land segment adjustments, costing approximately \$24,000, are not included in the 1993 budget. Mr. Woodmansee said that he could find funding should the Board agree with the request for the

the two items. Mr. Woodmansee stated that the Permit, Planning, and Assessor's Departments are linked by computer, sharing land related information. He said that the purpose of the meeting this morning was to clarify what the proposed modifications will do for the departments involved.

Mr. Lee stated that the contiguous parcel package is the most expensive item requested. At present, the Assessor's Office has no way to link parcels together. When a person owns several parcels, to establish a correct rate, staff must research physical maps to find contiguously owned parcels. He said that the upriver area is due to be assessed next, and it will be the most difficult. He said that he would like to install a program that ties accounts by owner. It would calculate acreage in order to correctly and efficiently value property. The land segments adjustments program contained a flaw in the program when it was installed, it does not allow adjustment of land segments individually by percentage. A new file must be created each time. Mr. Lee said that he has spoken to The Software Group and they admit there is a weakness in the program.

Mr. Woodmansee stated that the initial expenditure for the existing Assessor's Office system cost over \$100,000. The County has used the system for three years. He said that it is a good product and has worked well.

The Board continued to discuss information access problems and how they can be solved with computer updates with Mr. Kleinbart and Mr. Woodmansee. One problem discussed was the need to link the permit center with the Assessor's Office so that the public would not have to travel back and forth between offices. Although the ability to link the offices for sharing data was possible, the ability to share maps will not be available until after next year.

Mr. Kleinbart stated that it would be ideal to have stations for the public to access their own information. This would relieve staff of much of the counter contact time they spend with the public.

The Board approved of the plan of action discussed. The Assessor's Office was authorized to proceed with negotiating an agreement with The Software Group for software which would computerize land segments and aggregations. The three departments, Permit Center, Planning and Assessor's Office, were also directed to explore the sharing of computerized data resources.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Public Hearing - Vacation - Portion of Abandoned Butler Creek Road Right-of-Way.

Linda Leonhart, Records Clerk, stated that the Public Works Department has received a petition for the vacation of County right-of-way from the Western Washington Corporation Seventh Day Adventists. The right-of-way is located in the vicinity of the Alger Gain Lake Road and the Alger CC Road. It is an old Butler Creek Road right-of-way. The Corporation owns the surrounding property, so is eligible to apply for the vacation, Ms. Leonhart stated. The existing right-of-way is driveable, but is only used by the present property owners.

Ms. Leonhart stated that the Public Works Department has reviewed the request, and recommends that the County vacate the right-of-way, as requested, at a final cost \$91.55, which includes the costs of holding the public hearing.

Chairman Hart then opened the public hearing.

Seeing no public comment, Commissioner Robinson motioned to close the public hearing. Commissioner Wolden seconded the motion, which passed unanimously.

Chairman Hart motioned to vacate the unused County right-of-way in the vicinity of the Alger Cain Lake Road and the Alger CC Road, as recommended, for a sum equal to the cost of the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

2) Public Hearing - Disposal of County Surplus Property.

Robin LaRue, Assistant Public Works Department Director, stated that he had previously submitted what he thought was to be a full list of items which the County had determined were surplus, and could be sold at public auction. However, some items were "recycled", or traded and put to use, within county offices, while other items not before listed have been added. The Board was provided with an updated list.

Mr. LaRue stated that an auction is planned for September 24th. If other items are adjusted between now and the auction, Mr. LaRue stated, the list will be revised.

Chairman Hart then opened the public hearing.

Seeing no public comment, Commissioner Wolden motioned to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

Commissioner Wolden, after reviewing the revised list, then motioned to approve the resolution authorizing the disposal of County property by public auction, as listed. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #15001)

3) Discussion - Lake Cavanaugh Log Jam Removal.

Dave Brookings, Flood Control Engineer, stated that the Board had requested that he investigate the possibility of forming a sub-flood control zone at Lake Cavanaugh. In researching the possibility of the zone, Mr. Brookings stated, he met with local property owners and surveyed the area. During his survey, he reviewed the huge log jam at the lake outlet which has been causing a hardship to lake front property owners. Mr. Brookings stated that the log jam is not a new condition. It was actually part of a 1977 project, which was developed due to the same concerns. At that time, the County and Corps of Engineers became involved and a proposal was offered to the local residents. The project proposal, however, was voted down after a meeting held by the Board of Commissioners at Lake Cavanaugh. Now the Lake Cavanaugh property owners has asked the County to again look at the possibility of a removal project, this time as a project of a flood control zone.

Bill Pugh, a Lake Cavanaugh property owner, stated that the project has a long history of concern by local residents. He stated that although an earlier public hearing was held, nothing was done relative to flood control projects. Since the hearing, there has been more residential development, as well as more awareness by property owners of the lake's high water levels. Last summer concerned residents contacted the County for assistance. A surveyed was mailed to approximately 400 property owners, and 126 surveys were returned. Of those returned, 102, or 81%, were interested in acting upon their concerns. Lake improvement association meetings have been held. Votes taken at those meetings have indicated unanimous support of some type of flood control project. Mr. Pugh stated that in speaking with Mr. Brookings, he has stressed trying to keep plans simple.

Chairman Hart asked what kind of costs would be associated with the removal of the log jam.

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Mr. Brookings stated that logging has occurred northwest of Bamboo Lane, which has created a problem in accessing the log jam in the past. There are currently no landings on the logged area where a tower could be erected to pull out the logs. There are also some wetlands concerns as well.

Chairman Hart asked if Mr. Brookings anticipated any problems with other jurisdictions on removing the jam, and Mr. Brookings stated that he did not.

Commissioner Robinson asked if removal of the log jam will free up the flow in and out of the lake, and Mr. Brookings responded that it would.

Answering questions from Mr. Medved about the affects on lake levels, Mr. Brookings stated that the lake level component has not been analyzed. He stated that the Army Corps of Engineers has performed a great deal of review of the lake level question. Mr. Brookings stated that if the County and the Zone returned to the Corps with the project of removing the log jam, the Corps could expedite their review, and the Zone could possibly qualify for Corps funding.

Log booms were discussed with Mr. Brookings, and Commissioner Wolden was in favor of including a log boom component in the project.

Chairman Hart stated that if the project can be performed within a reasonable budget, it will be a positive determining factor in the creation of the sub-flood control zone.

Mr. Brookings was directed to draft a letter for the Board's signature which requests that the Army Corps of Engineers initiate a 205 Project to develop alternatives and cost estimates relative to the control of the lake level and the log jam removal.

4) Miscellaneous.

There were no Public Works miscellaneous items presented at this time.

CONSENT AGENDA.

Commissioner Wolden motioned to approve the Consent Agenda for Monday, August 30, 1993, as submitted. Commissioner Robinson seconded the motion, which passed unanimously.

* Commissioners' Office:

1. Record of the Proceedings from Monday, August 23, 1993.
2. Record of the Proceedings from Tuesday, August 24, 1993.

* Department of Planning and Community Development:

3. Open Space Taxation Agreement for William McKenna. (Contract #001755)

• **Public Works Department:**

4. WSDOT Federal Aid Project Prospectus and County/State Agreement for bridge painting project at Lookout Creek Bridge. Estimated Cost: \$100,000, local share \$20,000. Obligation date: June, 1994. (Contract #001756)
5. WSDOT Federal Aid Project Prospectus and County/State Agreement for bridge painting project at South Fork Bridge. Estimated Cost: \$100,000, local share: \$20,000. Obligation date: June, 1994. (Contract #001757)
6. Resolution calling for bids for Inman Landfill ash cell closure and gas system improvements to be opened on September 20, 1993. (Resolution #15002)
7. Supplement #1 to agreement with Regional Disposal Company (RDC) to extend time period for disposal of ash from Resource Recovery Facility for 90 days until November 22, 1993. (Contract #01652)

MISCELLANEOUS ITEMS.

- A) Mr. Woodmansee presented a resolution to the Board for approval and signature to call for a public hearing to determine whether supplemental budgets in the amounts of \$122,000 for the Public Health Fund #001; \$120,000 for the River Improvement Fund #110; and \$50,000 for the Alcohol Services Fund #115, will be approved.

Commissioner Wolden motioned to approve the resolution calling for a public hearing on September 14, 1993, at 1:30 p.m., to consider supplemental budgets for the Public Health Fund, River Improvement Fund and Alcohol Services Fund. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #15000)

- 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, August 30, 1993, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrant #10171 through Warrant #101632 (Voucher #3011923 through Voucher #3012699) in the amount of \$574,813.78. Transmittal #C42-93.

PUBLIC HEARING - AGRICULTURAL VARIANCE #VAR-92-066 FOR MILTON EGBERS, 1414 MCLEAN ROAD, MOUNT VERNON.

Grace Roeder, Associate Planner, reviewed the specifics of this request. They were:

The Egbers property is a total of 8 acres, divided by McLean Road into two 4-acre pieces. State Law does not recognize a County road as automatically dividing property, so Mr. Egbers has one 8-acre parcel instead of two 4-acre parcels. The Egbers home is on the piece to the north, but the south side is currently vacant. Mr. Egbers would like to place a home on the portion of the property that is on the south side of McLean Road. Use of the south side of the property in this manner would create a lot for a house and yard of

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16,450 square feet. Since the property is zoned Agriculture and the minimum lot size in Agricultural zoning is 40 acres, Mr. Egbers needs a variance.

Mr. Egbers owns Skagit Valley Trucking at 1417 McLean Road. He has purchased the property beside Skagit Valley Trucking at 1425 McLean Road and plans to incorporate it into the Skagit Valley Trucking property, but there is currently a house on the new property, and he would like to move this house from new property at 1425 McLean Road to the subject property at 1414 McLean Road on the 4 acres south of the Road.

There actually was a house on the south side of 1414 McLean Road, which was removed in 1979. Currently, the property is surrounded by a gravel driveway to the east, another home to the south, and a large trailer court to the west.

Ms. Roeder reported that the Board had met at a prior public session to review the Hearing Examiner's recommendation for denial of the Egbers Agricultural Variance request. At that time, it was suggested that if Mr. Egbers had larger acreage which he would be willing to place in a permanent agricultural designation, it might be possible to allow the relocation of the home to the four acre site. As Mr. Egbers was not opposed to this proposal, staff worked with Mr. Egbers and his attorney to reach an agreement.

The result of conversations with Paul Taylor, Mr. Egbers' attorney, yielded a similar agreement as that made in the Ronald Hawkins agricultural variance matter earlier in August. The conditions of the Hawkins approval were:

1. No heir named in the Hawkins' wills may build on remaining acreage which would be traded for development rights on other property, and any purchasers in the future shall be permitted only one building permit for a single family residents on the acreage.
2. The applicant must obtain short subdivision approval.
3. Language which indicates that no further divisions may be made of the large acreage parcel must be included as a condition of short subdivision approval.

Ms. Roeder explained that if the Board approves of the proposal, Mr. Egbers would be transferring his right to construct a home on one of his larger acre agricultural parcels to the four acre parcel on which he wishes to place the recently purchased home.

The issue of the County's policy to not recognize property division by roads was discussed with Mr. Taylor. Ms. Roeder explained that if the road is found to be placed on fee simple property owned by Skagit County, then parcels located on either side of the road would be considered legally divided. However, if roads have been placed upon easements obtained from the underlying property owner, who is the same owner as those parcels on either side, the property would be considered a single lot. Ms. Roeder stated that determinations of whether roads are fee simple or easements cannot be made immediately, but must be researched for acquisition information and deeds. Staff does not have the resources or ability to interpret deeds, and therefore staff refers inquiries to title companies to determine road acquisition.

Ms. Roeder further explained that if the County had fee simple ownership of McLean Road, Mr. Egbers could build on the south side without having to obtain a short plat. She stated that the Planning Department feels that in order to determine this question, deeds will have to be run by a title company at Mr. Egbers' request and expense, to see how McLean Road was acquired.

Chairman Hart stated that he suspects that Mclean Road was built on fee simple property, but agreed that it would be necessary to involve a title company in order to determine with certainty. Chairman Hart informed Mr. Taylor and Mr. Egbers that the Board has requested that an amendment proposed by Planning staff be considered by the Planning Commission which would allow development rights to be transferred to smaller parcels in an attempt to better preserve agricultural land.

Mr. Taylor stated that his client has no problem with the restrictions suggested by Ms. Roeder. He stated that it is appropriate to perform estate planning with respect to the placement of approximately 46 acres of contiguous agricultural property belonging to Mr. Egbers into a perpetual farming use status.

Chairman Hart stated that if development rights are to be transferred to the proposed site of the new building, it would be his desire that the rights be transferred without prejudicing further development on the development site, given that it is four acres and the possibility of trading rights for other parcels exists.

With that, Chairman Hart suggested the following findings:

1. The reasons and information submitted in the application and in the testimony and evidence submitted during the hearing do justify the granting of the variance, and that the variance is required to make possible the reasonable use of the land, building, or structure;
2. The granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be detrimental to the public welfare;
3. Single family dwellings are permitted as an accessory use in the Agricultural District under the terms of this Chapter.(14.04.223(3)).

Before acting on these findings, and there being no further public testimony, Commissioner Robinson motioned to close the public hearing. Commissioner Wolden seconded the motion, which passed unanimously.

Commissioner Wolden then motioned to adopt findings as stated by Chairman Hart, and to grant the variance with conditions that would facilitate the transfer of development rights as discussed with Mr. Egbers and his attorney. Commissioner Robinson seconded the motion, which passed unanimously.

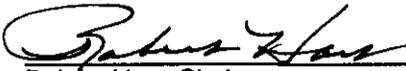
Mr. Taylor urged an expeditious review of Mr. Egbers' short plat application.

ADJOURNMENT:

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

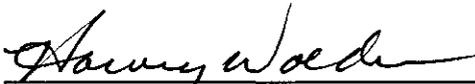
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





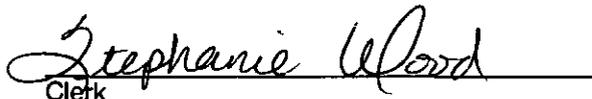
Robert Hart, Chairman

Robby Robinson, Commissioner



Harvey Wolden, Commissioner

ATTEST:



Clerk
Skagit County Board of Commissioners