

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

**Monday, November 29, 1993**

9:00 a.m. - 10:00 a.m. Board of Health - Request for Variance from Minimum Soil Depth and Setback Requirements for an On-Site Septic System for Scott and Angela Oglesbee, South Lake Campbell Road.

10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:

- 1) Public Hearing - Amendment of Skagit County Code 11.30.010 - Primitive Roads.
- 2) Public Hearing - Speed Limit Establishment on Lincoln Avenue.
- 3) Presentation - Washington State Department of Transportation - 20 Year Transportation Plan for Washington State - Bob Josephson.
- 4) Miscellaneous.

☺ **CONSENT AGENDA.**

**MISCELLANEOUS ITEMS.**

- 2:30 p.m. - 3:00 p.m.
- 1) Call for Public Hearing - Changes to User Fees for Howard Miller Steelhead Park.
  - 2) Call for Public Hearing - Changes to Rental Fee Schedule - Skagit County Fairgrounds.

3:00 p.m. - 4:30 p.m. Executive Session - Personnel, Litigation, and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, November 29, 1993, with Commissioners Robert Hart, Harvey Wolden and Robby Robinson present.

**BOARD OF HEALTH - REQUEST FOR VARIANCE FROM MINIMUM SOIL DEPTH AND SETBACK REQUIREMENTS FOR AN ON-SITE SEPTIC SYSTEM FOR SCOTT AND ANGELA OGLESBEE, SOUTH LAKE CAMPBELL ROAD.**

George Ridgeway, Environmental Health Specialist, introduced the applicants, Scott and Angela Oglesbee, and their contractor, Kirk Fleishman. Mr. Ridgeway located the Oglesbee lot on South Campbell Lake Road on a vicinity map. Referring to the County's mound septic system guidelines, Mr. Ridgeway noted that if there is a question that there may not be a total of 24 inches of soil on the site of a proposed mound system, the maximum high water table on the property must be determined during the high water table season (February, March and April). If it can be shown that at least 18 inches of soil exists, the system may be designed using criteria for 18 inches of soil. A minimum of 18 inches of undisturbed, unsaturated, original soil is required for placement of a mound/fill system. If the mound is preceded by a sand filter, a minimum soil depth of 12 inches is required. Under separating distances and setbacks, Mr. Ridgeway noted that at a minimum there should be a 10 foot setback when the fill area is located at the same elevation or below property lines, buildings, ditches or interceptor drains. When the filled area is to be at a higher elevation than these features, the minimum setback must be 30 feet. Mr. Ridgeway showed a site plan which indicates that the Oglesbees wish to move their partially completed house back on the property in order to comply with front residential setback requirements which were violated and brought to the County's attention by the complaint of a neighbor. The site is difficult, and the proposed relocation area is the only alternate to allow the Oglesbees to salvage their construction. If this is accomplished the new location of the house would be over the existing drainfield.

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Mr. Ridgeway reviewed the items that the Oglesbees are not able to meet in the sewage code.

- Downslope setback of 30 feet for mound reserve area could not be met
- New soil logs by Northwest Septic indicate that there is not a minimum of 12 inches of soil on the new site
- The applicants are requesting a waiver from the wet season review, which is usually required when soil depth is in question.

Mr. Ridgeway stated that he and Dr. Leibrand, the County's Health Officer, performed a site review of the proposed site. Under the following conditions, Dr. Leibrand has recommended approval:

- A disinfection system between the sand filter and mound will be required
- A perpetual maintenance and management manual must be adopted in the form of a signed contract between Oglesbee's and Northwest Septic, Inc.
- A wet season review is to be conducted during the normally established wet season in February, March and April. A revised design may be submitted if more soils exists than previously predicted.
- Any driving over the area directly below the proposed drainfield shall be prohibited.
- Horizontal distances between the house and drainfield must be maintained.

Mr. Ridgeway stated that he feels fairly comfortable with the recommendation to approve this application; however, even with the County's approval, a second approval must be obtained from the State Board of Health. Mr. Ridgeway explained that although the State Board generally follows the County's recommendation, it is possible that they may choose to deny it.

Chairman Hart asked Dr. Leibrand to comment. Dr. Leibrand stated that disinfection treatment of wastewater for release into the water table is usually not permitted; however, as there is no other place to move the house, and the wastewater will be so treated that no threat to public health exists, he has recommended approval.

Chairman Hart then motioned to approve the variance application of Scott and Angela Oglesbee.

Commissioner Robinson seconded the motion, and asked if the Oglesbees had any comment, and they declined to comment.

Tom Karsh, Permit Center Coordinator, remarked that if this septic plan were a case of permitting a repair to an existing system, it would be allowed.

The Board asked Mr. Ridgeway to prepare a letter explaining the extenuating circumstances of this application to the Board of Health. A vote was called, and the motion was carried.

**PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:**

- 1) Public Hearing - Amendment of Skagit County Code 11.30.010 - Primitive Roads.

Chairman Hart waived the reading of the Notice of Public Hearing, as published in The Skagit Argus.

Doug Barnet, County Engineer, introduced an ordinance which would update our existing ordinance which identifies roads in the County which should be designated as primitive roads. Primitive roads are classified when the roadway surface is gravel or earth, and the road is lightly traveled. Mr. Barnet explained that posting roads as primitive permits roads to be signed to warn the motoring public of the nature of the roadway.

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Ed Hawes, Traffic Engineer, explained that designation of a road as primitive does not change the maintenance performed on the roadway. He reiterated that road signage is primarily focused on warning the motoring public. Mr. Hawes explained that staff has reviewed each of the roads presently designated as primitive. Changes to driving characteristics have revealed that some roads should be removed from the primitive roads list. Of the 27 roads currently designated primitive, staff is recommending that the following roads or portions of these roads be removed: Granstrom Road, Sauk River Park Road, Blanchard Road, Sunset Drive, Alger CCC Road, J. Duffy Road, Aten Road, Helmick Road and Utopia Road.

A number of roads were reviewed to discern whether they should be added to the list of primitive roads, and the following roads or portions of those roads were identified: West Shore Drive, Peter Burns Road, East Lake Drive, Savage Road, Lervick Avenue, Allen Road, Wood Road, Lily Lake Road, Wilbur Road, Humphrey Hill Road, Prevedal Road, W. River Tract Lane, River Track Lane, Medford Road, Pinelli Road, Helmick Road, Yeager Road, Faber Road, Littlefield Road, Jackson Road and Utopia Road.

A Mr. Ruhl from the Pinelli Road interrupted to discuss his road with the Board, objecting to its designation as primitive. Later it was determined that Mr. Ruhl did not object to the primitive designation for his portion of roadway, but had a question about the ownership of the right-of-way near his house.

An unidentified man warned that if no speed limit signs are placed on Helmick Road, one of the children who plays on the roadway will be hit by a passing car.

Mr. Hawes explained that the County could include speed limit signs on the roadway, if they wished to and circumstances required it.

Bob Muller, Wilbur Road, stated that his banker has advised that the designation of primitive road would effect the value of his home. Commissioner Robinson noted that if changes occur to the roadway driving surfaces, the primitive road designation may be removed.

Wayne Means, Wilbur Road, stated that he is concerned that his eight grandchildren who play on the road where he lives will be endangered if no speed limit signs are included on the road. He was also concerned about the effect of the designation on the value of his property.

Barbara Thompson, Savage Road, was concerned that where the road exists now is not where the road was given to the County in 1902. She felt that this discrepancy should be corrected before there is a change in designation.

Mr. Barnet suggested that Mrs. Thompson address this issue at another time.

Mrs. Thompson then commented that the sign is ugly and does not promote the "country" atmosphere.

Bruce Cornwell, Wilbur Road, was concerned that maintenance standards would be reduced as a result of the designation. Mr. Barnet explained that the maintenance work performed on the roadway will not change as a result of this designation.

Chris Browning, East Lake Drive, complained that there has been no maintenance on her road for three years. She complained that people turn around in her driveway. She also referred to "another party" who is impeding her ability to obtain PUD water service.

Commissioner Robinson pointed out that the Browning's dispute with their neighbor is an ongoing problem of which the County is aware, and which may or may not be resolved.

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Commissioner Robinson motioned to close the public hearing. Chairman Hart seconded the motion, which carried and was so ordered.

Commissioner Robinson motioned to approve the staff's recommendation for amendments to Skagit County Code 11.30.010, Primitive Roads, and to direct Ed Hawes to meet with those members of the public who had concerns about speed limits and sign their roads with an amended sign. Chairman Hart seconded the motion, which carried and was so ordered.

### 2) Public Hearing - Speed Limit Establishment on Lincoln Avenue.

Steve Blair, Traffic Engineer, explained that on November 3, the Board approved the opening of Lincoln Avenue. Mr. Blair located Lincoln Avenue on a vicinity map in the Concrete area. Mr. Blair explained that now that the road has been established, it has no current speed limit. In the absence of any speed limit, unsigned roads are limited to 35 miles per hour. Mr. Blair stated that due to the physical features and use of the road, staff is recommending a speed limit of 25 miles per hour on the road.

Seeing that there was no public comment forthcoming, Commissioner Robinson motioned to close the public hearing. Chairman Hart seconded the motion, which carried.

Commissioner Robinson motioned to approve the recommendation to establish a speed limit of 25 miles per hour on Lincoln Avenue. Chairman Hart seconded the motion, which carried and was so ordered.

### 3) Presentation - Washington State Department of Transportation - 20 Year Transportation Plan for Washington State - Bob Josephson.

Bob Josephson, a representative of the Washington State Department of Transportation as a Regional Transportation Planner, gave a 45 minutes presentation regarding the Washington State 20-Year Transportation Plan, 1993 to 2013. Mr. Josephson showed a videotape advertising the 20-year plan.

### 4) Miscellaneous.

- A. Mr. Medved reported that the Resource Recovery Facility is not presently operating due to a problem with a water line.
- B. Mr. Medved reported that Public Works crews are operating sweeping equipment.
- C. Tim Holloran, Senior Services Director, introduce Wendy Fear, Nutrition Director for the Senior Services Department.

## CONSENT AGENDA.

Commissioner Robinson motioned to approve the Consent Agenda for November 29, 1993, as presented. Chairman Hart seconded the motion, which carried and was so ordered.

### \* Public Works:

- 1. Resolution requesting qualifications for the design of a new Maintenance Facility and a new Public Works Building to be located at the Burlington Public Works Facility which should be submitted by December 31, 1993. (Resolution #15131)

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2. Resolution calling for Bids for the excavation and hauling of approximately 20,000 cubic yards of old sludge from Butler Lagoon with bid opening date of Wednesday, December 15, 1993 at 1:30 p.m. (Resolution #15132)
3. Contract with The Job Shop, Incorporated, to recondition 3 - 20 Cubic Yard drop boxes located at Inman Landfill to be used as recycling containers at Clear Lake compactor site at a cost not to exceed \$7,657.23 beginning November 29, 1993, and continuing through December 29, 1993. (Contract #001829)
- \* Health:
4. Contract amendment with the Department of Social and Health Services for the Public Health Nurse Early Intervention Program to delete the existing Statement of Work, Exhibit A, and replace it with a revised changes and modification clause, Section E. (Contract #)
- \* Planning and Community Development:
5. Resolution approving the Variance for Milton Egbers, #VAR-92-066. (Resolution #15133)
- \* Commissioners:
6. Resolution appointing Joan Lubbe to the Substance Abuse Advisory Board with her term expiring on November 29, 1996. (Resolution #15134)
7. Resolution appointing Pat West to the Substance Abuse Advisory Board with her term expiring on November 29, 1996. (Resolution #15135)
8. Record of the Proceedings of Monday, November 15, 1993.

### 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, November 29, 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 #97922 (Voucher #97922) in the amount of \$3,500.00. Transmittal #R-27-93.
- B. Commissioner Robinson motioned to approve the Agreement and Release with Richard and Gerry Grimstead for the purchase of their well, which is allegedly tainted by its proximity to the County's Inman Landfill. Compensation will occur at \$7,000.00. Chairman Hart seconded the motion, which carried and was so ordered. (Contract #001830)

### CALL FOR PUBLIC HEARING - CHANGES TO USER FEES FOR HOWARD MILLER STEELHEAD PARK.

Jon Aarstad, Parks and Recreation Department Director, explained that his department has queried similar camping parks and is recommending that Skagit County's fees be raised in proportion to industry standards as follows:

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- From \$10 to \$12 for campsites w/hookups
- From \$10 to \$12 for adirondaks
- From \$7 to \$8 for tent sites

Chairman Hart motioned to call for a public hearing to consider amendments to the user fee schedule for Howard Miller Steelhead Park, as outlined by Mr. Aarstad. Commissioner Robinson seconded the motion, which carried and was so ordered. (Resolution #15136)

**CALL FOR PUBLIC HEARING - CHANGES TO RENTAL FEE SCHEDULE - SKAGIT COUNTY FAIRGROUNDS.**

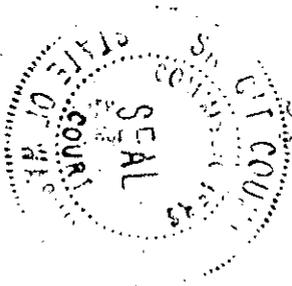
Mr. Aarstad explained that his department wishes to be able to, through fees, recoup costs for uses which include high risk events or events that use more buildings than normal users need and other unusual circumstances. He therefore is recommending changes in the user fee schedule for the Skagit County Fairgrounds to reflect these charges.

Commissioner Robinson motioned to call for a public hearing to consider amendments to the user fee schedule for the Skagit County Fairgrounds, as outlined by Mr. Aarstad. Chairman Hart seconded the motion, which carried and was so ordered. (Resolution #15137)

**ADJOURNMENT:**

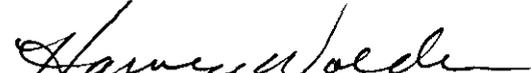
Commissioner Robinson motioned to adjourn the proceedings. Commissioner Wolden seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



  
Robert Hart, Chairman

  
Robby Robinson, Commissioner

  
Harvey Wolden, Commissioner

ATTEST:

  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners