

RECORD OF THE PROCEEDINGS

May 31, 1994

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Wayne Spiller, purchaser of the building and property in question, stated that he was aware of Mr. Berry's situation when he purchased the property, and thoroughly reviewed the relevant building permits and structure plans. Mr. Berry and Mr. Spiller concluded that *the property could be used by Mr. Spiller according to the plans submitted*. It made sense to use the existing building as a residence rather than take up additional land for a home. Mr. Spiller advised that the structure is currently being used for agricultural purposes.

Mr. Berry confirmed that the building was originally intended to be a nursery storage area with office space on the second floor. He later applied for a variance to place the structure over 200 feet from the road and reclassify it as a single family residence. Mr. Berry later cancelled the houseplans and sent a letter to Ms. Roeder requesting that his variance fee be refunded, which it was.

Mr. Berry further stated that he did not intend to build this building as a residence. Mr. Berry urged the Board to *grant the variance as requested*.

When Mr. Berry made the request and change in plans, he stated he was very open with the Planning Department about the requested change and brought the building up to residential standards. The Board confirmed the differences in commercial and residential structures.

Ms. Roeder read a memo that she had prepared for the Hearing Examiner clarifying the actions of the Planning Department.

Commissioner Robinson confirmed that Mr. Spiller will be using the building for agricultural purposes, but would like to prepare a living area on the upper level. The intention, according to Mr. Spiller, is that once the variance issue has been resolved, the upper level office space will be used for a residence.

Commissioner Hart indicated that there would no need for a variance if this building were strictly an accessory building.

Commissioner Robinson moved to call for a public hearing to consider testimony on the matter, after which *a revised decision may be adopted*.

Commissioner Hart seconded the motion to call for a public hearing. The motion was unanimously approved.

Staff suggested a public hearing date of Tuesday, June 28, at 10:00 a.m.

PUBLIC WORKS DEPARTMENT - Rich Medved, Director.

1. Presentation for Signature: Department of Natural Resources Jobs for the Environment Program Grant Agreement.

Dave Brookings, Public Works Staff, presented to the Board a Department of Natural Resources Jobs for the Environment Program Grant Agreement for signature. Mr. Brookings advised that the department is working with the employment security department, and is hoping to begin interviewing by the end of the week. The Board indicated their preferences to keep these types of jobs local. Commissioner Robinson moved to approve the Grant Agreement. Commissioner Hart seconded the motion, which passed *unanimously. (Contract #02042)*

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2. Miscellaneous.

There will no miscellaneous items for discussion.

CONSENT AGENDA.

Commissioner Robinson moved to approve the Consent Agenda for May 31, 1994, with the deletion of Item #6. Commissioner Hart seconded the motion, which unanimously carried.

* Commissioners' Office:

1. Record of the Proceedings from Monday, May 23, 1994.
2. Record of the Proceedings from Tuesday, May 24, 1994.
3. Resolution Establishing Notary Service Fee Schedule for Upriver Services Office. (Resolution #15374)
4. Resolution Providing a Defense to Stanley Bruhn, John Moffat, Tim Hoffman and Corbin Volluz Against Lien Filed by Gordon Henderson. (Resolution #15375)

* Public Works:

5. Ordinance Amending Skagit County Code 10.04.030 to Establish a Speed Limit Revision on Aliston Lane, #6160, to 25 mph. (Ordinance #15376)

• Planning Department:

6. Ordinance of Skagit County Adding a New Chapter to Title 14 of the Skagit County Code authorizing the collection of impact fees, providing findings and definitions; providing for findings of adequacy; providing for the time of payment; providing for the appeals of fees and other determinations; providing for the establishment of impact fee accounts, refunds, and the use of funds; authorizing interlocal agreements; providing for annual or other periodic reviews of the fee schedule; authorizing independent fee calculations; and providing for certain other matters in connection therewith, and amending SCC 14.04.240. (This item was deleted from the Consent Agenda).
7. Resolution Denying the Appeal of Variance Request of Clair Brooks and George Bornkamp (#VAR 93-049). (Resolution #15377)
8. Resolution Upholding the Hearing Examiner's Decision to Approve Special Use #SPU-93-019 of Gloria Beckstrom. (Resolution #15378)

• Juvenile Probation:

9. Service Agreement with U.S. West Cellular Phone Service for Lyle Poolman at a rate of \$7.95 per month beginning May 19, 1994 until terminated. (Contract #02043)

10. Personal Services Agreement with Steve Ruhl for specialized juvenile offender evaluations and consultations at a rate of \$55 per hour for the period January 1, 1994 until terminated. (Contract #02044)

* Heath Department:

11. State Revolving Fund (SRF) Loan Agreement between the State of Washington Department of Ecology and Skagit County, through the Skagit County Permit Center for the total loan amount of \$500,000 for the loan term period of 14 years. (Contract #02045)

• Emergency Management:

12. Personal Services Agreement with Gerald Anderson to provide Hazardous Materials Awareness classes for a total of \$60 for the period May 19-20, 1994. (Contract #02046)

MISCELLANEOUS.

1. Tom Sheahan, Director of Emergency Management, presented a Resolution to the Board for signature declaring Skagit County Fisheries an Economic Emergency for 1994. After brief discussion concerning the impacts to the County of the emergency conditions concerning the fishing restrictions, Commissioner Hart moved to sign the Resolution as presented by Mr. Sheahan. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #15373)
2. 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, May 31, 1994, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Voucher numbers PW9400008170 through PW9400008485 and 129619 through 130389 and payroll warrants numbered 47633 through 48430 in the total of \$1,052,417.85 (Transmittal #P-11-94); and,

Voucher numbers MTHLY068001 through MTHLY068016 and MTHLY158001 through MTHLY158035, Warrant numbers 113132 through 113168 in the total amount of \$1,038,797.25 (Transmittal #C-24-94).

3. Staff presented closing documents for the Board's signature on the County's purchase of 1111 Cleveland Street, Mount Vernon. After brief discussion, Commissioner Robinson moved to execute the submitted documents. Commissioner Hart seconded the motion, which passed unanimously. (Land Contract #00032)

DISCUSSION - CONCESSIONAIRES CHARGES - SKAGIT COUNTY FAIRGROUNDS.

Jon Aarstad, Director of Parks & Recreation, introduced Laurie Anderson, Parks & Recreation Department Staff, to the Board and reviewed the recent request of Fiesta Unidos to waive the concessionaires' charges at the fairgrounds. Mr. Aarstad reviewed the history and reasoning for charging fees for the concessionaires'

sites due to increased volume and the necessary services associated therewith. Mr. Aarstad advised that the current situation is that the fairground is considered a "non-profit organization" and is trying to maintain as low cost a situation as possible, and requests that the Board hold the line on these requests.

The Board indicated their concurrence with Mr. Aarstad in holding the line on these fees and not setting a precedent by waiving the fees for any particular group. Commissioner Hart stressed the need to have each group on equal footing. Chairman Wolden stressed the need for consistency.

ADJOURNMENT.

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Harvey Wolden

Harvey Wolden, Chairman

Robby Robinson

Robby Robinson, Commissioner

Robert Hart

Robert Hart, Commissioner

ATTEST:

Patti J. Owen

Patti J. Owen, Clerk
Skagit County Board of Commissioners