

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

**Monday, June 20, 1994**

Flag Salute.

9:00 a.m. - 10:00 a.m.      Work Session - State Revolving Fund for Water Quality Improvement Program.

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

- 1)      Customer Service Update.
- 2)      Miscellaneous.

11:00 a.m. - 11:30 a.m.      Appeal by Pellett/Stickrod of Hearing Examiner's Decision - Approval - Special Use Permit ASP-94-005 for Win Anderson, 691 Guemes Island Road, Guemes Island.

**CONSENT AGENDA.**

**MISCELLANEOUS.**

1:30 p.m. - 2:30 p.m.      Executive Session - Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, June 20, 1994, with Commissioners Harvey Wolden, Robby Robinson and Robert Hart present.

**PUBLIC WORKS DEPARTMENT - Rich Medved, Director.**

1.      Customer Service Update.

Rich Medved, Director of Public Works, gave the Board a brief update and progress report on several specifics of his Department's customer service strategy action items. One of the action items is the publication of a list of roads that will be oiled in the next few weeks with suggested alternative routes. Service request sheets for all County road crew vehicles are being developed and should be implemented within the next few weeks. Mr. Medved advised that approximately two-thirds of the action items are being worked on or are on-going.

2.      Miscellaneous.

A.      Mr. Medved briefly discussed with the Board three automobile accidents on public roads over the past weekend, which involved several fatalities.

B.      A brief discussion ensued regarding the various solid waste disposal options in other counties within the State. The Board and Mr. Medved also discussed recycling options and the economic impacts associated therewith.

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**APPEAL BY PELLETT/STICKROD OF HEARING EXAMINER'S DECISION - APPROVAL - SPECIAL USE PERMIT ASP-94-005 FOR WIN ANDERSON, 691 GUEMES ISLAND ROAD, GUEMES ISLAND.**

Oscar Graham, Planning Department Staff, provided the Board with a site plan of the subject property for the Board's review and briefly described the size of the property, which is 700 feet deep and 200 feet wide and is located directly north of the Guemes Island Ferry dock. Mr. Graham reviewed the purpose of the application for a Special Use Permit. It was noted that the proposed project will provide the Guemes Island Fire Department with a water source. Mr. Graham provided the Board with photographs of the subject project for their review. Mr. Graham advised that the Hearing Examiner approved the application subject to seven specific conditions:

- 1) The Water Storage Tower will be constructed in accordance with plans and specifications prepared by Richard C. Hein unless the Tank is placed underground.
- 2) The site will be fenced with a six foot or higher chain link fence, or equivalent, and marked with appropriate safety and no trespassing signs.
- 3) The Water Storage Tower will be accessible only to the Applicant, authorized maintenance personnel, inspectors, etc. The Water Storage Tower will not be used by the public as an observation platform.
- 4) The Application will provide landscaping designed to reduce the visual impact of the project. This landscaping shall be in place within six months of the final approval of the Building Permit.
- 5) The Water Storage Tower will maintain the following minimum property line setbacks: Front, 35 feet; Side, 8 feet; Rear, 25 feet.
- 6) The Applicant shall obtain well site approval from the Skagit County Department of health, including all approvals from the Washington State Department of Ecology, and the Washington State Department of Health, if required, prior to the installation of the Tank.
- 7) The Application should consider alternate methods of filling the Tank initially (other than drawing the water from an on-site well) to reduce any adverse impact on the aquifer.

Mr. Graham reviewed with the Board their options in today's hearing as follows:

- 1) To approve and adopt the decision of the Hearing Examiner.
- 2) To remand the matter back to the Hearing Examiner for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter, after which a revised decision may be adopted.

Commissioner Hart asked for clarification of the seventh condition which states that the Applicant should consider alternate methods of filling the tank initially (other than drawing the water from an on-site well) to reduce any adverse impact on the aquifer. Mr. Graham explained that the Hearing Examiner felt the tank should be filled with a source other than well water to maintain the integrity of the aquifer.

Tom Moser, attorney for the Appellants, reviewed a number of issues in the expressed hope that the Board will remand this issue back to the Hearing Examiner for further consideration or call for their own public

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hearing to consider additional testimony. The first issue where the Appellants felt the Hearing Examiner erred is the implied indication that the subject property is awaiting a rezone hearing. According to Mr. Moser, there has been no rezone application submitted. Mr. Graham confirmed that to his knowledge no rezone hearing has been scheduled.

The Appellants believe there has been no attempt by Mr. Anderson to make evaluations of alternatives for the water storage tank in regards to location and design.

Mr. Moser presented a letter to the Board dated June 19, 1994 from Tim Rosenhan, a property owner on Guemes Island, supporting the position of the Appellants.

Mr. Moser indicated that, in the estimation of the Appellants, the water tank could be buried. It was stated by Mr. Moser that Mr. Anderson desires to ultimately put a commercial building on the site. No explanation has been forthcoming explaining how this water storage tank is going to fit in to the purpose of the proposed gas station/grocery store.

Mr. Moser further stated that height of the water tower is another issue that needs to be addressed. The estimated or approximate height is 42 feet, and this height is just an estimate. In conclusions reached by the Hearing Examiner, the water tower was estimated to be 34 feet tall. The Hearing Examiner did not impose any limitations as to height, and this is of concern to the Appellants. Height limitations are subject to the Uniform Building Code and, consequently, Mr. Moser advised that the structure could be as tall as 55 feet if constructed of steel. This would be a severe impact to the property adjacent to Mr. Anderson's property and will be one of the first things seen as exiting the Guemes Island Ferry.

Mr. Moser indicated that another issue of concern is the possibility of salt water intrusion. Mr. Moser stated that well drilling began on May 3, 1993, the day prior to the May 4 hearing. Mr. Scofield, the Hearing Examiner, was not made aware of this information. Salt water intrusion is of great concern to the residents of Guemes Island. Mr. Moser stated that there was saltwater intrusion at 270 feet, and that this fact was not given to the Hearing Examiner.

Mr. Moser further indicated that Appellants feel there is no issue as to the pressure of the firehead, and that if the fire hydrant is placed at a low point and the water tank is buried at the highest point, sufficient pressure will be obtained. Appellants believe that there is no reason that this water tower has to be a 30, 40 or 50 foot structure.

Mr. Moser stated that the Appellants simply conclude that this structure is not necessary and the matter should be remanded back to the Hearing Examiner for further consideration.

Marianne Kooiman, a Guemes Island resident, stated that she supports the Appellants' position, and stressed to the Board that a full aquifer assessment needs to be done prior to approval of the project. Ms. Kooiman noted that conversion to a public water system is in progress. Ms. Kooiman further advised that a new well has been drilled and completed. Ms. Kooiman noted that the Guemes Island aquifer system is very fragile and that the intention should be to make utilities as unobtrusive as possible. Ms. Kooiman strongly urged the Board to consider requiring the water tank to be installed underground.

Bob Stickrod, Appellant and property owner at 688 Guemes Island Road, stated that his property is directly across from the subject property. Mr. Stickrod expressed his concern about groundwater quality and quantity, and salt water intrusion from the proposed well. Mr. Stickrod foresees problems with the proposed

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well and water storage tank. Mr. Stickrod requested that the Board complete a study and drawdown of all wells in the area by a certified well drilling firm and issue a written guarantee from Mr. Anderson and Skagit County that if the wells malfunction, Mr. Anderson and the County will be held accountable for the complete repair and recleansing of the adjacent wells. Mr. Stickrod stressed that without adequate wells, the adjacent properties are worthless. A shortage of water is the main concern to adjacent property owners, according to Mr. Stickrod. The Board was advised to slow down and check out all the options available to Mr. Anderson in completing this project.

Howard Pellett, Appellant and property owner at 421 Guemes Island Road, opposed the Special Use Permit due to concerns about the adequacy of the well and the impact on the aquifer. It is Mr. Pellett's belief that this application actually represents a small part of a possible intensive commercial plan for the subject property. Mr. Pellett stated that this permit request should be denied or remanded back to the Hearing Examiner in order to provide for additional study and evaluation and to clarify the record.

Win Anderson, Applicant and owner of the subject property, stated that the only question is the siting of the hydrant and the technicality of this being a small utility. Mr. Anderson indicated that concerns about water quality are well founded, but that he is planning a model system with individual user metering. Mr. Anderson clarified that the height of the water tower is 34 feet above ground level. Concerning alternatives for filling the tank, the fire department has indicated a willingness to provide the necessary water for the initial filling of the tank, and Mr. Anderson has discussed with the Fire Marshall the possibility of using rainwater off of the proposed building and future buildings. Mr. Anderson advised that there will be an assessment of the aquifer by Geo-Engineers which will involve both the Stickrod and Ellis wells on adjoining property.

Mr. Anderson urged the Board to affirm the recommendation of the Hearing Examiner.

Commissioner Hart moved to uphold the Hearing Examiner's decision for approval of the Special Use Permit for Win Anderson. Commissioner Robinson seconded the motion, which unanimously carried. (Resolution to be provided by Staff at a later date.)

### CONSENT AGENDA.

Commissioner Robinson moved to approve the Consent Agenda as presented by Staff. Commissioner Hart seconded the motion, which unanimously carried.

#### \* Commissioners' Office:

1. Record of the Proceedings from Monday, June 13, 1994.
2. Record of the Proceedings from Tuesday, June 14, 1994.
3. *Out-of-State Travel Request* for Bob Taylor to attend International Training Conference on Public Personnel Administration in San Antonio, Texas, October 1-7, 1994, for the total amount of \$1,654.

#### \* Public Works:

4. *Out-of-State Travel Request* for Dave Rubio to attend the Solid Waste Association of North America 32nd International Solid Waste Exposition in San Antonio, Texas, July 30 - August 5,

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1994, for the total amount of \$1,900.

5. Personal Services Agreement with David Parsons & Associates, Inc. to provide a Minimum Value Appraisal Report for a parcel of land at the intersection of Snee-Oosh Road and Reservation Road for a total contract amount of \$700, for the period June 13, 1994 through July 1, 1994. (Contract #02061)
6. Consulting Services Agreement with Parsons Brinckerhoff, Quade & Douglas, Inc. for the seismic retrofit design for the South Fork Bridge No. 40008 and the Rainbow Bridge No. 40039 for a total of \$118,126 with a contract expiration date of December 31, 1994. (Contract #02062)
7. Resolution Calling for a Public hearing to Consider Establishment of 1994 Solid Waste Disposal Rates. (Resolution #15395)
8. Resolution Calling for a Public Hearing to Consider Revision of Hours of Operation at the Skagit County Resource Recovery Facility. (Resolution #15396)

\* Human Services:

9. Contract with Skagit County and the North Sound Regional Support Network for the period 5/1/94 through 6/30/95 in the amount of \$127,386, converting the current contract to a managed care system and providing funds for salary and expenses of the Area Resource Coordinator, annual monitoring of mental health centers in the County and addition of a part-time Children's Area Resource Coordinator. Fund are also used to pay a portion of the rent on Human services offices at 811 Cleveland. (Contract #02063)
10. Building Lease with Lemmon, Koetje & Dahlstedt for the office space at 811 Cleveland Street, extending the present lease for three years effective August 1, 1994 for the sum of \$1,850 per month. (Contract #02064)
11. Contract with the Skagit Recovery Center for alcohol and drug abuse treatment and prevention services for a maximum of \$350,000 for the period July 1, 1994 through June 30, 1995. (Contract #02065)
12. Contract with Skagit Community Mental Health - Substance Abuse Unit - Mentally Ill/Chemically Addicted Treatment for a maximum of \$50,000 for the period July 1, 1994 through June 30, 1995. (Contract #02066)
13. Contract with Skagit Preschool & Resource Center (SPARC) for developmental disabilities services to children for a maximum of \$85,000 for the period July 1, 1994 through June 30, 1995. (Contract #02067)
14. Contract with Chinook Enterprises for developmental disabilities employment training services for adults for a maximum of \$450,000 for the period July 1, 1994 through June 30, 1995. Contract #02068)

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15. Contract with Service Alternatives for Washington for developmental disabilities community integration services for adults for a maximum of \$150,000 for the period July 1, 1994 through June 30, 1995. (Contract #02069)

\* Superior Court:

16. Resolution Calling for a Public Hearing to Consider the Addition of a New Chapter to the Skagit County Code Regarding Imposing a Surcharge on Domestic Court Filing Fees to Fund a Court Facilitator Program. (Resolution #15397)

\* Juvenile Probation:

17. Personal Services Agreement with Skagit Youth Services to provide specialized juvenile offender evaluations and treatment for the period January 1, 1994 until terminated at a rate of \$50 per hour for individual and family therapy, \$25 per hour per person for group therapy, \$20 per hour for consultation, \$20 per hour for client supervision and case management, and \$.28 per mile for mileage reimbursement. (Contract #02069)

\* Public Defender:

18. Personal Services Agreement with Marjorie Panek to provide psychological evaluation services for clients at the rate of \$90 per hour for the period May 4, 1994 through December 31, 1994. (Contract #02070)

\* Health Department:

19. Amendment to the IFRC contract with the State of Washington Department of Social and Health Services increasing the contract amount by \$5,000 for a maximum consideration of \$17,250. (Contract #01786)

**MISCELLANEOUS.**

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, June 20, 1994, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

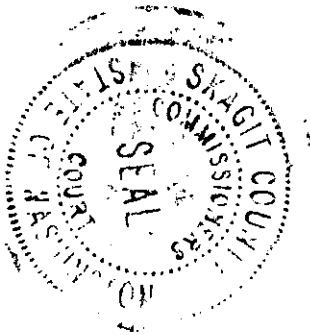
Voucher numbers PDRAWJU05767 through PDRAWJU05949 and payroll warrants 48450 through 48632 in the total of \$74,483.82 (Transmittal #P-12-94);

Voucher numbers 4007117 through 4007951, 4017-01 through 4017-05, 4118-01 through 4118-19, 4101-07 through 4101-19, 4FID-151 through 4FID-189, 4EL-146 through 4EL-153, 4010-269 through 4010-310, PW4-915 through PW4-1057, and warrant numbers 113730 through 114475 in the amount of \$1,133,674.93 (Transmittal #C-28-94.)

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



  
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Harvey Wolden, Chairman

  
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Robby Robinson, Commissioner

  
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Robert Hart, Commissioner

ATTEST:

  
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Patti J. Ower, Clerk  
Skagit County Board of Commissioners