

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 16, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 16, 2008, with Commissioners Don Munks, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Munks called the proceedings to order at 8:05 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Munks led the Board in the flag salute.

III. AGENDA:

A. \*8:00 a.m. - 8:30 a.m. Consent Agenda and Miscellaneous items

B. 8:30 a.m. - 9:15 a.m. Planning & Development Services - Gary Christensen, Director

1. Discussion - Planning & Development Services Code Compliance Program and Presentation of the "Certificate of Non-Compliance"

Brandon Black, Senior Planner, provided a brief update on the code compliance program. Mr. Black introduced Carolyn Spies and Elaine Pitman, who are Code Compliance Officers. He explained Ms. Spies is responsible for the eastern portion of Skagit County and Ms. Pitman is responsible for the western portion of Skagit County.

He went on to note the Planning and Development Services Department will be implementing a procedure to record code violations by using a Certificate of Non-Compliance form which will be recorded at the Auditor's office. Mr. Black explained the Certificate would alert potential buyers that there is a violation associated with a particular property. He also explained there is a Release of Certificate of Non-Compliance form, which would release the property from the violation once it has come into compliance.

Commissioner Dillon stated she was concerned that adding the Certificate of Non-Compliance would add an extra step and additional time before the violation could be sent to the Prosecuting Attorney's office. Mr. Black informed the Board the Certificate of Non-Compliance form would not add any more time to the process.

2. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

C. 9:30 a.m. - 10:30 a.m. Public Health Department - Peter Browning, Director

1. Deliberation/Possible Adoption - Marine Recovery Areas for On-Site Sewage Disposal Systems

Steve Olsen, Environmental Health Specialist, reported the public comments that have been received were supportive of the adoption of the Marine Recovery Areas and Sensitive Areas for an On-Site Sewage Disposal Systems Ordinance.

Mr. Olsen noted two of the areas previously defined as Sensitive Areas have been changed to Marine Recovery Areas. The changes were made to Colony Creek and the Lower Samish River Watershed.

The Commissioners stated they were concerned about the yearly testing requirement because of the annual expense to citizens.

Commissioner Munks suggested the County seek funding to discover other sources of contamination to Skagit County waterways.

A motion was made by Commissioner Dahlstedt to approve the adoption of Marine Recovery Areas for On-site Sewage Disposal Systems. (**Ordinance No. O20080011**) Commissioner Dillon seconded the motion, which passed unanimously.

2. Discussion - Illegal Dumping in Skagit County, a Downward Trend

Matt Kaufman, Environmental Health Specialist, reported the Environmental Health Division has had an illegal dumping program since 1998. He stated that over the last 10 years there has been a significant reduction in the cases of illegal dumping. He went on to say that in 1998 there were 68 illegal dumped solid waste cases reported, and in 2008 there are only 11 reported cases.

3. Report - Flu Season 2008/2009

Amie Tidrington, Public Health Nurse, noted flu season is approaching and recommended all children 6 months through 18-years old should get an influenza vaccine.

4. Miscellaneous

Meryl Skjei, Registered Nurse, reported that there have been two confirmed cases of mumps reported in Skagit County.

D. 10:30 a.m. - 11:30 a.m. Closed Record Appeal Hearing to Review the Hearing Examiner's Decision to Approve Special Use Application No. PL07-0792 for the Continued Operation of a Recreational Vehicle (RV) Appliance Repair Business as a Home-Based Business 2, Per Skagit County Code Section 14.16.400(4)(c)

Michele Szafran, Associate Planner, presented the details of the appeal for applicant

Mr. Frank Pape. Ms. Szafran stated the Planning and Development Services Department recommended approval of the proposal followed by approval by the Hearing Examiner.

Chairman Munks opened the Closed Record Appeal at 10:35 a.m.

The appellant Glen Becker, Jr., of 9710 Pulver Road in Burlington, stated he did not receive proper notice of the home-based business application. Mr. Becker also stated he felt this business does not belong in an agricultural area. He went on to say the applicant misrepresented both the scope and nature of the operations being conducted.

David Hough spoke on behalf of the applicant. Mr. Hough stated the applicant's proposal is to continue the operation of the recreational vehicle appliance repair business, and also permit the installation of a 3,000 square-foot shop in connection with the business.

The applicant Frank Pape of 9840 Pulver Road in Burlington, stated he did not make any misrepresentations to the Hearing Examiner.

Bob Blair of Sedro-Woolley, stated the home-based business is located within a multi-dwelling property.

Mr. Black explained the difference between principal dwelling and accessory dwelling.

Mr. Becker made a rebuttal statement.

Mr. Hough made a rebuttal statement.

Mr. Dale Russell of 1204 South 18th in Mount Vernon, stated the Applicant's business does not interfere with the Appellant's line of sight.

Chairman Munks adjourned the Closed Record Appeal at 11:18 a.m.

Chairman Munks stated the Commissioners will return on October 7, 2008, at 9:30 a.m., in the Commissioners' Hearing Room to render a decision on this matter.

E. 11:30 a.m. - 11:45 a.m. Public Comment Period

During public comment period, Ed Lipsey of 33533 Cockreham Island, stated he objected with the Public Works Department's plan to remove the rock from Cockreham Island. Mr. Lipsey went on to say he was concerned that removing the rock would wash away the graveyard that is located in the area.

Ken Goodpaster of Sedro-Woolley, spoke in support of leaving the rock in place on Cockreham Island. He also spoke about his concerns that if the rock is removed and Cockreham Island were to flood, the well located on his property would be in jeopardy.

F. 11:45 a.m. - 12:00 p.m. Proclamation - Skagit Kids Read Week - September 20-27, 2008

Commissioner Dahlstedt read a proclamation declaring September 20-27, 2008, as Skagit Kids Read Week.

IV. CONSENT AGENDA FOR TUESDAY, SEPTEMBER 16, 2008 - ITEMS 1 - 5:

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda for Tuesday, September 16, 2008, items 1 through 5. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, September 9, 2008. **(Approved)**

b) FACILITY MANAGEMENT:

2. Resolution awarding the Concrete Road Shop Sewer System Replacement Project to Excavation West, LLC in the amount of \$14,500, plus applicable sales tax. This contractor was the lowest bidder to meet the qualifications. **(Resolution No. R20080430)**

c) HUMAN SERVICES:

3. Resolution re-appointing Joan Lubbe to serve another three year term on the Skagit County Substance Abuse Board effective October 1, 2008, through September 30, 2011. **(Resolution No. R20080431)**
4. Resolution re-appointing Joan Lubbe to serve another three year term on the Skagit County Mental Health Advisory Board effective October 1, 2008, through September 30, 2011. **(Resolution No. R20080432)**

d) PLANNING & DEVELOPMENT SERVICES:

5. Resolution authorizing the temporary appointment of Carol Ehlers and Herb Goldston to the Skagit County Planning Commission. Ms. Ehlers' current term expires on September 25, 2008, and Mr. Goldston's current term expires on December 8, 2008. They will each be re-appointed to serve until December 31, 2008. **(Resolution No. R20080433)**

V. MISCELLANEOUS:

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

- a) ACH Transfer Request Form and Certification to Trusteed Plans Service

Corporation from Clearing Fund 696 in the total dollar amount of \$240,800.35 (Transmittal No. C-112-08); and

- b) Warrants numbered 281798 through 281916 from Clearing Fund 696 in the total dollar amount of \$1,332,439.89 (Transmittal No. C-113-08); and
  - c) Electronic Payment Certification Form to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$39,249.21 (Transmittal No. C-114-08); and
- 2) Staff brought forth a resolution authorizing purchase of Life Pack-12 Cardiac Monitors for Skagit County Emergency Medical Services Commission.

Commissioner Dahlstedt made a motion to approve the resolution, which was seconded by Commissioner Dillon and passed unanimously. **(Resolution No. R20080434)**

- 3) Staff brought forth a call for bids for directing the procurement of a Seismic Isolation System to protect computer racks from seismic activity.

Commissioner Dahlstedt made a motion to approve the resolution, which was seconded by Commissioner Dillon and passed unanimously. **(Resolution No. R20080435)**

VI. ADJOURNMENT:

Chairman Munks adjourned the proceedings at 11:56. a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Don Munks, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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JoAnne Giesbrecht, Clerk of the Board  
Skagit County Board of Commissioners