

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Monday, December 11, 1995**

**Flag Salute.**

9:00 a.m. - 10:00 a.m.

Board of Health - Pat Pearce, Director.

- 1) Public Hearing - Proposed Amendments to Skagit County Code 12.16 to modify requirements for Demolition and Woodwaste Landfills.
- 2) Public Health Advance Agenda Approval.
- 3) Skagit Community Network Update.
  - a) Public Meeting Update.
  - b) Appointment - District 1.
- 4) Proposed Revisions to Schedule of Charges - Skagit County Health Department.
- 5) Miscellaneous.

10:00 a.m. - 11:00 a.m.

Public Works - Jan Keiser, Director.

- 1) Signature - Bow Hill Roadway Improvement Project - County Road Project #2120-4 Federal Aid Project Prospectus.
- 2) Signature - Bow Hill Roadway Improvement Project - County Road Project #2120-4 Local Agency Agreement.
- 3) Discussion - Sale of Property to Department of Fish and Wildlife for Swan Sanctuary in Area of Debay's Isle Road.
- 4) Miscellaneous.

11:00 a.m. - 11:15 a.m.

Parks Projects Update.

11:15 a.m. - 11:45 a.m.

Economic Development Association of Skagit County Presentation - Washington Certification Project Priority Review.

**CONSENT AGENDA.**

**MISCELLANEOUS.**

Noon - 1:30 p.m.

"Get Acquainted" Luncheon, Texaco's Puget Sound Plant, March's Point, Anacortes.

1:30 p.m. - 2:30 p.m.

Public Hearing - Interim Controls Related to the Establishment of the 5-Acre Minimum Lot Size in Multi-Family, Residential Reserve and Rural Intermediate Zoning Districts.

3:00 p.m. - 3:30 p.m.

Facilities Department - Roger Howard, Manager.

Change

- 1) Signature - First Floor Administration Building Remodel - Order No. 7.
- 2) Discussion - Courthouse Foundation System Update.

3:30 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, December 11, 1995, with Commissioners Robert Hart, Harvey Wolden and Ted W. Anderson present.

BOARD OF HEALTH - Pat Pearce, Director.

1. Public Hearing - Proposed Amendments to Skagit County Code 12.16 to modify requirements for Demolition and Woodwaste Landfills.

Chairman Hart opened the Public Hearing.

Ken Willis, Planning Staff, reviewed the proposed amendment.

There being no public comment, Commissioner Anderson made a motion to close the Public Hearing. Chairman Hart seconded the motion and it passed unanimously.

Chairman Hart made a motion to adopt the code, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15985).

2. Public Health Advance Agenda Approval.

Pat Pearce, Director, presented the agenda for the scheduled Public Health Advance and asked for any suggestions or modifications from the Board.

A discussion followed and it was determined that the advance should be rescheduled for 8:00 a.m., instead of 9:00 a.m., due to appointment conflicts. Ms. Pearce stated that she would look into changing this and advise the Board in this regard.

3. Skagit Community Network Update.

Ms. Pearce introduced Marty Wall as Vice-President of the Community Network.

Ms. Wall presented an update on the recent community meetings and reviewed the future of the program. Ms. Wall also discussed filling the vacant appointments.

A discussion ensued.

The Board commended Ms. Wall on her efforts in this regard.

4. Proposed Revisions to Schedule of Charges - Skagit County Health Department.

John Thayer, Health Department Staff, reviewed the background of the Schedule of Charges, stating that the charges have not been revised since 1994. Mr. Thayer presented the proposed fee revisions to the Board.

A discussion ensued.

Mr. Thayer stated that he will provide a Resolution Calling for Public Hearing in this regard.

5. Miscellaneous.

Ms. Pearce reported that over 100 applications were received for the position of Office Supervisor II and that the top five candidates will begin interviews today. Ms. Pearce commended the efforts of Personnel Director, Stephanie Wood, and Alicia Huschka, Auditor's Office, in this regard.

PUBLIC WORKS - Jan Keiser, Director.

1. Signature - Bow Hill Roadway Improvement Project - County Road Project #2120-4 Federal Aid Project Prospectus.

Ed Hawes, Public Works, Road Engineer, presented the above prospectus in regard to the Bow Hill Roadway Improvement Project and briefly reviewed the project.

Jan Keiser, Director, provided a detailed review of the funding available for these types of projects and discussed the public relations element of this project.

A discussion ensued.

Commissioner Anderson made a motion to approve the federal aid prospectus, as presented. Chairman Hart seconded the motion and it passed unanimously. (Contract #02696).

2. Signature - Bow Hill Roadway Improvement Project - County Road Project #2120-4 Local Agency Agreement.

Mr. Hawes also presented the Interagency Agreement as stated above. Mr. Hawes reviewed the project.

Commissioner Wolden made a motion to approve the Local Agency Agreement as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02696).

3. Discussion - Sale of Property to Department of Fish and Wildlife for Swan Sanctuary in Area of Debay's Isle Road.

Linda Leonhart, Public Works Record Tech, reviewed the sale of property to Department of Fish and Wildlife for a Swan Sanctuary in the area of Debay's Isle Road, providing information on the location and size of this property.

A discussion ensued in regard to the sale of this property for the purpose of using it as part of a plan to develop a swan reserve with a parking and viewing area for the public.

The Board concurred that at this time the County will retain this property.

4. Miscellaneous.

1. Gary Sorenson, Public Works Staff, presented a Resolution in regard to the recent flooding, Waiving the Solid Waste Fees from the November 28 to December 2, 1995, flood.

Ms. Keiser mentioned that many citizens are interested in utilizing this offer of free dumping that is not directly related to actual flood debris.

A discussion ensued.

Chairman Hart made a motion to approve the Resolution, Waiving the Fees, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #15983).

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2. A discussion was held in regard to the lease with George Theodoratus, Concrete, for property located across the street from the Concrete county shop, as it is renewal date is approaching. The Board concurred that the County should retain the property. The Board suggested negotiating for fair market value on this property.
3. Dave Brookings, Public Works Staff, presented a letter to be sent to the Department of the Army to activate restoration of the damaged levees. The Board signed the letter, as presented.
4. Mr. Brookings also presented a proposal submitted by the Department of Fish and Wildlife and the Tribes for discussion. Mr. Brookings reviewed the specifics of this proposal.  
  
A discussion ensued.
5. Mr. Brookings provided copies to the Board of the road damage assessments in regard to the recent flooding.

**PARKS PROJECTS UPDATE.**

Jon Aarstad, Parks Director, presented an update on various parks projects.

1. Mr. Aarstad advised the Board that Dennis Lind, Parks Department Staff, also participates in coaching at the highschool and normally alters his schedule accordingly, which does not affect his 40 hour work week. Mr. Aarstad stated that Mr. Lind schedules his day much like "flex" time, either arriving at work early or staying late to achieve his 40 hour work week and still coach. A discussion ensued. Commissioner Anderson mentioned that he would like to consider this issue in greater detail and Mr. Aarstad suggested that the Board contact him with any questions in this regard.
2. Mr. Aarstad also reported that the topographical map will be available soon for the Firearms Range and reported that a meeting is scheduled for the Big Lake Community in this regard.  
  
A discussion ensued.
3. Mr. Aarstad also presented an update on the Fair master plan and briefly reviewed the information provided. A discussion ensued.

**ECONOMIC DEVELOPMENT ASSOCIATION OF SKAGIT COUNTY PRESENTATION - WASHINGTON CERTIFICATION PROJECT PRIORITY REVIEW.**

Don Wick, Executive Director of Economic Development Association of Skagit County (EDASC) presented information on the Washington Certification Project Priority Review. Mr. Wick discussed the scope of this review and also presented the project list for Skagit County, discussing the priority of the projects.

A discussion ensued.

Commissioner Anderson discussed the fact that the funding for these projects is from timber community dollars and expressed his concern of timber community projects actually receiving this funding, if, in fact, the priority levels of the projects are not in the correct order.

A discussion ensued.

The Board concurred to re-prioritize Presentin Creek to number one on the list.

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Mr. Wick will return with a Resolution in this regard.

**CONSENT AGENDA.**

The Consent Agenda was approved by the Board with the omission of agenda Item #14.

\* Commissioners' Office:

1. Record of the Proceedings from Monday, December 4, 1995.
2. Record of the Proceedings from Tuesday, December 5, 1995.
3. Parking Lease Agreement with Brakefield Elite Physique to provide 24 hour parking, Sunday through Saturday for two County-owned vehicles in parking stalls #1 and #2, located in the east parking lot owned by Brakefields at 302 Second Street, Mount Vernon. This lease agreement is for the term of January 1, 1996, through December 30, 1995, at the rate of \$6.00 per vehicle per month. (Contract #02697).
4. Resolution regarding Community Development Block Grant Applications authorizing County Finance Director Mike Woodmansee and Administrative Officer Bob Taylor to sign application forms and related correspondence pertaining to 1995 Community Development Block Grant applications, in the absence of the Chairman of the Board of Skagit County Commissioners. (Resolution #15984).

\* Senior Services:

5. Contract for Provision of Senior Services for Calendar Year 1996 with the City of Sedro Woolley, Concrete and Mount Vernon for the period of January 1, 1996, through December 31, 1996. The City of Sedro Woolley shall pay for the services provided for this agreement for the sum of \$13,444, (Contract #02698), Concrete, \$4,515 (Contract #02706), Mount Vernon, \$31,235 (Contract #02705).

\* Health:

6. Guest Speaker Contract with Alene H. Morris to provide presentations during 1995 titled "Creating A Life Worth Living" for the fee of \$800 in regard to the Teen Pregnancy Program. (Contract #02699).
7. Guest Speaker Contract with Rick Moreno to provide presentations during 1995 titled "Personal Perspectives on HIV/AIDS for the fee of \$25. (Contract #02700).

• ARIS:

8. Personal Services Agreement with Luis Lopez for the term of September 1, 1995, through June 30, 1996, to organize and run the Mount Vernon High School Doin' It Right Club through the 1995-1996 school year. The contractor will work a minimum of 225 hours during this school year and will receive a stipend of \$2,250 for the year. (Contract #02701).
9. Personal Services Agreement with Robert Crosby for the term of September 1, 1995, through June 30, 1996, to organize and run the LaVenture Doin' It Right Club through the 1995 - 1996 school year. The contractor will work a minimum of 170 hours during the school year and will receive a stipend of \$1,700 for the school year. (Contract #02702).

- Sheriff:
  10. Intergovernmental Service Agreement with the U.S. Immigration and Naturalization Service to establish a formal binding relationship for the detention and care of persons charged with violations of the Immigration and Nationality Act. The rate per diem is \$50 per manday and the rate covers one person per day. This agreement will remain in effect for five years from signature date. (Contract #02703).
  11. Personal Services Agreement with Swanson Inmate Commissary Services, Inc. for the period of five years from signature of agreement to provide equipment for the sale of food products, non-alcoholic beverages, tobacco products and other such articles. (Contract #02707).
  12. Memorandum of Understanding with the Swinomish Indian Tribal Community, acting through the Swinomish Gaming Commission as the Tribe has agreed to set aside 2% of the net win from Class III gaming at the Swinomish Casino as a Community Contribution to provide assistance to non-tribal law enforcement and other government services that are affected by the Casino. The funding allocation is \$60,000, payable in four quarterly payments of \$15,000 each. (Contract #02704).

\* Facilities:

13. Amendment to Personal Services Agreement with Swan Moving and Storage Co. to provide labor and equipment to relocate various Skagit County offices not included in existing contract and labor and equipment needed to perform additional services not to exceed \$5,000. (Contract #02627).

• Public Works:

14. Letter of Understanding between the County & Burlington Northern/Santa Fe Railroad in regard to railroad grade crossing closures within Skagit County. (Omitted).

**PUBLIC HEARING - INTERIM CONTROLS RELATED TO THE ESTABLISHMENT OF THE 5-ACRE MINIMUM LOT SIZE IN MULTI-FAMILY, RESIDENTIAL RESERVE AND RURAL INTERMEDIATE ZONING DISTRICTS.**

Chairman Hart opened the Public Hearing.

Chairman Hart stated that the Board did not anticipate a decision being made today, mentioning, however, that public comment would be taken today and asked all speakers to limit their comments to three minutes.

Chairman Hart briefly reviewed the background of the Interim Controls and reported that Public Hearings on the new Comprehensive Plan are scheduled for February.

Chairman Hart proceeded to answer various questions from the audience.

Bob Fisher, Burlington, stated his concern of the moratorium and requested that the Board lift the moratorium.

Willard Hendrickson, Sedro Woolley, reviewed the comprehensive plan elements and stated his position of favoring the lifting of the Interim Controls.

Mack Johnson, Mount Johnson, asked that the Board make a decision on the moratorium.

Linda Storbakken, Bow, stated she believes in the Growth Management Act and urged the Board to keep the Interim Controls in place until the comprehensive plan is completed.

Barbara Rudge, Anacortes, reviewed the situation regarding land development and asked the Board to keep the Interim Controls in place.

Doyle McClure, Sedro Woolley, voiced his concern in complying with state law and asked the Board to keep the Interim Controls in place.

Gerald Steel, Friends of Skagit County, Marblemount, spoke in favor of the Interim Controls and asked the Board to strengthen Interim Controls to a 20 acre minimum lot size or at the minimum 10 acres.

Joseph Businger, Guemes Island, asked the Board not to rescind the Interim Controls at this time, maintaining the controls until the comprehensive plan is adopted.

Paul Taylor, Mount Vernon, spoke in favor of rescinding the 5 acre minimum Interim Controls.

Elsa Gruber, LaConner, asked the Board to keep the controls in place until the Comprehensive Plan is in place.

Marianna Kooiman, Guemes Island, urged the Board to keep the Interim Controls in effect until the Comprehensive Plan is implemented.

Margaret Yeoman, Anacortes, spoke in favor of keeping Interim Controls in place.

Jaye Stover, Burlington, in favor keeping controls until Comprehensive Plan.

Sally Turner, Anacortes, spoke in favor of the moratorium until Comprehensive Plan is in place.

Charles Pruett, LaConner, urged the Board to keep the Interim Controls.

Bob Bell, Fidalgo Island, asked the Board to wait until the Comprehensive Plan is in place before doing anything with the Moratorium.

Bill Wells, Anacortes, urged compliance with the Growth Management Hearings Board and urged increasing the Interim Controls to 20 acres.

Konrad Kurp, Fidalgo Island, spoke in favor of keeping the Interim Controls in place.

Kathryn Alexandra, Fidalgo Island, thanked the Board for placing the Interim Controls over the last two years and urged maintaining the controls.

Kathy Hammerstrom, Anacortes, urged the Board to keep Interim Controls in effect.

Bill Foulds, Burlington, urged the Board to lift moratorium to allow small landowners to develop their property and lift the moratorium.

Walter Davis, Bow, asked the Board not to make a change to the Interim Controls at this time until the Comprehensive Plan is completed.

John Abenroth, Burlington, asked Board to rescind the Interim Controls stating that there was a decline in growth when the controls were implemented in the first place.

Anna Schwartz, Rockport, asked that Interim Controls be continued.

Christy Fairchild, Rockport, commended the Board for adopting the Interim Controls and asked that the Board not rescind or modify the Interim Controls.

Brian McGinness, Clear Lake, asked the Board to lift the moratorium.

Kelly Bush, Rockport, thanked the Board for the Interim Controls, urging the Board not to rescind the controls at this time.

Barbara Craner, Mount Vernon, stated she was against lifting the moratorium.

Lyle Craner, Mount Vernon, also stated he is in favor of maintaining Interim Controls.

**Al Brown, Burlington, asked the Board to remove the moratorium.**

Charles Keck, Anacortes, expressed his endorsement of the Interim Controls.

James Morrow, Anacortes, asked that the moratorium be kept in place until the Comprehensive Plan is in place.

Gene Derig, Anacortes, urged the Board to maintain the moratorium.

Mariann Ailer, Sedro Woolley, asked that the Board rescind the Interim Controls.

Louis Requa, Sedro Woolley, urged lifting the controls and stay in compliance with the Growth Management Hearings Board.

**Dan Madlund, Sedro Woolley, asked that Interim Controls be lifted.**

Don Clark, Marblemount, requested that the Interim Controls be rescinded and then look at the Comprehensive Plan better.

June Kite, Conway, urged keeping the Interim Controls in place and to move forward into adoption of the Comprehensive Plan.

Debbie Abel, Marblemount, urged lifting the Interim Controls to allow affordable land for next generation.

Earl Lind, Mount Vernon,

Blair Painter, LaConner, spoke against the Interim Controls and asked the Board to lift the controls.

Andrea Xavier, Mount Vernon,

Diana Weppler, Mount Vernon, asked that the Interim Controls be kept in place.

Darl Kvasager, Burlington, requested that the moratorium be lifted.

Mark Backlund, Anacortes, urged keeping interim controls.

Bud Ovenell, Kirkland, former Burlington resident, asked that the Board does not rescind the Interim Controls.



Debbie Aldrich, Allen, mentioned that the ones in favor of lifting the controls would benefit economically and asked the Board to keep the Interim Controls in place.

Davida Meyer, Rockport, stated that the Interim Controls should not be removed.

Don VanEtten, Mount Vernon, stated that the moratorium has been in place long enough and stated that removing the moratorium is in the favor of peoples property rights.

Wes Hagen, Bow, stated that he is in favor of managed growth and discussed the impact of to the taxpayers regarding having Interim Controls in place or not.

William Stiles III, Sedro Woolley, spoke of the landowners caught in the middle of the Interim Controls and asked that they be rescinded.

James Cook, Sedro Woolley, spoke in opposition of the Interim Controls and asked that the moratorium be lifted.

Chairman Hart stated that written testimony would be accepted for five days, through next Monday. Chairman Hart announced that at that time the Board would begin reviewing the comments and that they would be scheduling a meeting in this regard in the near future.

**FACILITIES DEPARTMENT - Roger Howard, Manager.**

1. Signature - First Floor Administration Building Remodel - Change Order No. 7

Roger Howard presented Change Order No. 7 to the Board. Chairman hart made a motion to approve the change order, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02527).

2. Discussion - Courthouse Foundation System Update.

Mr. Howard also discussed the Courthouse foundation project. Mr. Howard mentioned that John Griffin is the consulting engineer on this project and reported to the Board that the analysis of the footings is necessary before proceeding on this project. Mr. Howard showed an illustration of the foundation of the Courthouse, explaining what will have to take place to explore the foundation of the building. Mr. Howard mentioned that coring samples, photos and other information will be gathered from an exploratory investigation on Tuesday, December 12th.

A discussion ensued.

The Skagit County Board of Commissioners met in Executive Session on Monday, December 11, 1995, at 3:30 p.m. for approximately one hour to discuss Litigation matters.

ADJOURNMENT.

Chairman Hart made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it was carried unanimously.

BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



  
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Robert Hart, Chairman

  
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Harvey Wolden, Commissioner

  
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Ted W. Anderson, Commissioner

ATTEST.

  
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Debby Sims, Clerk  
Skagit County Commissioners