

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, January 9, 1984

9:00 a.m. Board of Health:

1. Discussion of procedures for resolving complaints pertaining to agricultural practices on dairy farms.
2. Discussion of facility violations at two (2) Skagit County food and beverage establishments.

MISCELLANEOUS ITEMS

10:30 a.m. Executive Session - labor negotiations and personnel.

2:00 p.m. Planning Commission Referred Items:

1. Sterling View Estates Preliminary Plat - Nagatani Brothers, Inc.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session with Commissioners Norris, Mansfield, and Rohrer present.

BOARD OF HEALTH

The Skagit County Commissioners met as the Board of Health with the following matters on the agenda:

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1. Discussion of procedures for resolving complaints pertaining to agricultural practices on dairy farms.
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John Thayer provided a history of this problem. Each year the Skagit County Health Department responds to a small number of complaints (22 in 1983) relating to problems of excess flies, odors, surface water contamination from manure generated on specific dairies because of alleged poor agricultural practices.

The majority of the complaints pertain to a few facilities with multiple operational problems. The Health Department responds to these complaints utilizing State and local Board of Health regulations for keeping of animals and disposing of dead animals. However, the State Legislature, in 1979, severely restricted the use of nuisance complaints against farmers provided that the individual was using "good agricultural practices". Clarification from the Skagit County Prosecuting Attorney confirmed that legal action would be taken against farmers only in the circumstances where the Skagit County Health Officer declared a "health hazard". Due to the absence of a detailed listing of what constitutes "good agricultural practices", the Health Department is severely restricted in finding and enforcing solutions of the unacceptable agricultural problems noted. Additional legal tools (such as the Best Management Practices for Poultry Operations adopted by the Skagit County Board of Health in 1983) are necessary if the Skagit County Health Department is to adequately respond to these complaints.

Mr. Thayer then discussed specific problems of five different case histories.

These case histories involved mainly spreading manure in the wet season with ensuing problems of it running off into creeks, dead animals not buried in a timely fashion, manure flowing through road ditches into salt water, particles of manure splattering cars, houses.

John reported there currently are a number of agencies available to work with farmers to improve BMP's on dairy farms. The Agricultural Extension Service provides information such as expertise on herd sizing, manure handling, insect control and farm management. The extension Service is available at the farmer's request. They have no policing powers.

The Soil Conservation Service works closely with farmers. They have funds available to provide on a matching basis for such construction projects as improving drainage, providing surface water run-off collection and dispersion improvements (gutters and drains to keep surface water from mixing with manure.. They have no policing powers.

The Department of Ecology has policing powers over unauthorized discharges of pollutants to surface and ground water. DOE, working with the Skagit County Health Department, has in a few cases confirmed violations of surface water pollution, instructing the responsible person to cease the discharge. The DOE can levy fines but are hesitant to do so. Their manpower is limited to the point that timely follow-up of complaints is difficult.

Mr. Thayer concluded with saying that it is the nuisance problems that are the most difficult to deal with because of constraints in the power to enforce the solution to the problem.

Chairman Norris said that most dairy farmers in this area do a very good job in disposing of the waste on their farms. It is the exception to this that is being discussed here. However, a policy should be developed for those few exceptions.

Commissioner Mansfield stated there should be concern with protecting the residential areas against real problems such as those being discussed, however, the reverse is also true, in that, we can't have these residential areas encroaching on a legitimate industry (dairy farming).

The Board agreed that the Health Department should make every effort to coordinate efforts along these lines with DOE and that the Board of Health would give every support needed to accomplish this. The Board also felt perhaps a committee should be formed to help further formulate the BMP's.

Jerry VanderVeen, a local dairy farmer, said there were about 120 dairy farmers in the area and mentioned the "Right to Farm Act". The farmers want to cooperate, but feel overwhelmed sometimes by all the agencies involved.

After further discussion, it was agreed that the Health Department would work with DOE and SCD and focus their attention on these few farmers who needed some direction with more acceptable management practices

2. Discussion of Facility Violations at two Skagit County food and beverage establishments.

John Thayer reported. The first situation involves a tavern which, during an April 2, 1982, routine inspection, was advised that their restroom's handwashing facilities needed updating to meet the requirements of the Food Service Sanitation Manual. Specifically, "each lavatory shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet". (Chapter 6-502). Current facilities include separate hot and cold water spigots with a hot water temperature of 140 degrees F. Tempered water encourages handwashing both by employees and customers while at the same time reduces the risk of scalding and cold water handwashing. The establishment was again inspected on November 2, 1982, and the violation was not corrected. The latest inspection on December 22, 1983, showed no change. There still has not been any compliance.

The Board felt that after two years of noncompliance, the Health Department should follow through. It was suggested that a final one month compliance date be set, and if this goes unheeded, then enforcing policies should be used.

The second situation involves a local grocery with lack of adequate produce utensil washing sinks and lack of adequate food contact work surfaces. This establishment also has had ample time to comply with the Health Department's findings.

The Board felt that a final one month compliance date should also be applied in this case; and, if the establishment does not comply, enforcement measures should be taken.

Chairman Norris made a motion to adjourn the Board of Health meeting. Commissioner Mansfield seconded it. The motion was carried unanimously.

MISCELLANEOUS ITEMS

Robert Taylor, Commissioners Assistant, presented the following items to the Board:

1. Commissioner Mansfield made a motion to approve a Taxpayer's Claim for Reduction of Assessments on Destroyed Real or Personal Property for Zell Young in the amount of \$421.60 (Petition 6056). Commissioner Rohrer seconded the motion. The motion was carried unanimously.
2. Commissioner Mansfield made a motion to approve a Taxpayer's Claim for Reduction of Assessments on Destroyed Real or Personal Property for Gary Veal in the amount of \$158.10 (Petition 835998). Commissioner Rohrer seconded the motion. The motion was carried unanimously.
3. Commissioner Mansfield made a motion to approve the Record of the Proceedings for Tuesday, January 3, 1984. Commissioner Rohrer seconded the motion. The motion was carried and so ordered.
4. Commissioner Rohrer made a motion to approve the Record of the Proceedings for Thursday, December 29, 1983. Commissioner Norris seconded the motion. The motion was carried and so ordered.
5. The Board approved for signature a contract with Charles Sandifer to conduct a Defensive/Supportive Communication Seminar for County employees.

6. Commissioner Mansfield made a motion to adopt Resolution #9917, declaring an emergency exists effective 7:00 a.m., January 4, 1984, and authorizing expenditure of funds as required to meet said emergency. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Steve Nissley from Skagit County's Soil Conservation District stated his agency wanted to do a study and develop a plan for the Samish Basin as a flood problem. He stated there were funds available through the Department of Ecology but local government would be asked to contribute 5% of the cost of the study. He requested the Board of Commissioners send a letter to the Department of Ecology requesting this study be made.

The Board agreed that this study is needed and would send a letter to the Department of Ecology requesting a study be conducted by the Soil Conservation District on Samish Basin.

PLANNING COMMISSION REFERRED ITEMS


Commissioner Mansfield made a motion to continue the one Planning Commission referred item to Tuesday, January 10, 1984, at 2:00 p.m. so all interested parties could be present. Commissioner Rohrer seconded the motion. The motion was carried unanimously.


ADJOURNMENT

Commissioner Mansfield made a motion to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

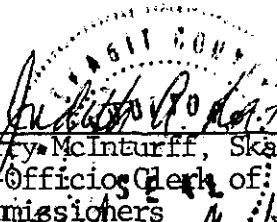
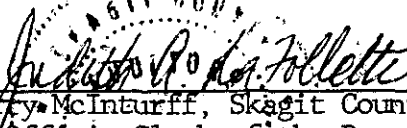
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Bud Norris, Chairman


Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner

ATTEST:



Jeffrey McInturff, Skagit County Auditor and
Ex-Officio Clerk of the Board for County
Commissioners