

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, January 5, 1987

9:00 a.m. Swearing in Ceremony - Elected Officials - Hearing Rooms B & C.

Flag Salute

- 10:00 a.m. 1. Election of 1987 Chairman of the Skagit County Board of Commissioners.
2. 1987 Committee Assignments - Skagit County Board of Commissioners.

MISCELLANEOUS ITEMS

10:30 a.m. Public Works Department - Gene Sampley, Director:

1. Discussion - Sedro-Woolley Shop Lease.
2. Discussion - Nookachamps Foot Race.
3. Quarterly Status Reports.
4. Miscellaneous Items.

MISCELLANEOUS ITEMS

1:30 p.m. Continuation of Public Hearing - Road Establishment - Garden Street and Various Alleyways in the Plat of Cheasty's Big Lake Tracts and Lakeview Tracts.

2:00 p.m. Resolution - Correcting Levy for Two (2) Taxing Districts.

7:30 p.m. Public Hearing - Proposed Contract with Wright Schuchart Harbor, Co., for the Design, Construction, Testing and Operation of a Refuse Incineration/Resource Recovery Facility. (Note: Hearing to be held in Hearing Rooms A, B and C of the Skagit County Administration Building.)

The Skagit County Board of Commissioners met in regular session on Monday, January 5, 1987, with Commissioners Rohrer, Vaux and Walberg present.

1. ELECTION OF 1987 CHAIRMAN OF THE SKAGIT COUNTY BOARD OF COMMISSIONERS.

Commissioner Vaux motioned to elect Commissioner Walberg as Chairman of the Board for the year 1987. Commissioner Vaux also thanked Commissioner Rohrer for being Chairman in 1986. Commissioner Rohrer seconded the motion. The motion to elect Commissioner Walberg as Chairman of the Board for the year 1987 was carried unanimously.

2. 1987 COMMITTEE ASSIGNMENTS - SKAGIT COUNTY BOARD OF COMMISSIONERS.

The following assignments to committees were made for the year 1987:

- a. Skagit Council of Governments - Chairman Walberg
- b. Northwest Regional Council - Chairman Walberg and Commissioner Rohrer
- c. LEOFF Disability Board - Commissioner Vaux
- d. Skagit County Law Library Board - Commissioner Vaux
- e. Northwest Air Pollution Authority Advisory Board - Chairman Walberg
- f. Skagit County Community Action Agency - Chairman Walberg, Commissioner Vaux and Commissioner Rohrer
- g. Skagit County Finance Committee (with Skagit County Auditor and Treasurer) - Chairman Walberg
- h. Skagit County Risk Management Advisory Committee - Chairman Walberg

MISCELLANEOUS ITEMS

1. The Board approved for publication the Notice of Availability of Adopted Budget for 1987. This notice will be published in the Skagit Argus on January 6, 1987.
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, January 5, 1987, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- a. Vouchers #61861 through #61991 (Warrants #61861 through #61991) in the total amount of \$237,269.94. (P/24)
 - b. Vouchers #11463 through #11795 (Warrants #19760 through #20004) in the amount of \$121,523.98. (C/48)
 - c. Warrants #4691 through #4693 (no voucher numbers) in the amount of \$1,762.62. (P/28)
3. Commissioner Vaux motioned to approve the Record of the Proceedings for

Tuesday, December 30, 1986. Chairman Walberg seconded the motion. The motion was carried and so ordered.

4. Commissioner Rohrer motioned to approve the Record of the Proceedings for Wednesday, December 31, 1986. Commissioner Vaux seconded the motion. The motion was carried and so ordered.
5. Commissioner Vaux motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. George Howell, 401 West Main Street, Concrete, Washington 98237, in the amount of \$54.73, due to senior citizen exemption. (#012386)
 - b. Hopf Construction, c/o David R. Hopf, 432 Colony Mountain Drive, Bow, Washington 98232, in the amount of \$10.89, in order to amend a 1985 affidavit filed in 1986. (#012186)

Commissioner Rohrer seconded the motion. The motion was carried unanimously.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Discussion - Sedro-Woolley Shop Lease.

Gene Sampley explained the history of the County shop located in Sedro-Woolley and leased to the City of Sedro-Woolley for the past several years. The most current lease agreement expired the first of 1987.

Mayor Don Walley of the City of Sedro-Woolley stated that the city is interested in re-leasing the shop. He thought the County might want to declare the shop surplus and sell it to the City until such time as the County might want it back. He pointed out that the City of Sedro-Woolley gave the County land for the Clear Lake Swimming Beach until such time as the City wants it back.

Commissioner Rohrer felt the County might have a use for the property as a transfer station at some point in the future.

Mayor Walley asked the County to lease the shop for \$1 per year to the City of Sedro-Woolley.

Commissioner Vaux felt \$1 per year was fine, however he objected to comparing the Sedro-Woolley shop with the Clear Lake Swimming Beach property.

Commissioner Rohrer motioned to lease the Sedro-Woolley shop to the City of Sedro Woolley at the rate of \$1 per year for a period of four years. The City would be responsible for maintenance and upkeep of the building.

Mr. Sampley asked that the County be additionally insured and provided with a certificate to that effect. He had no objection to the lease term of four years.

Commissioner Vaux seconded the motion to lease the shop to the City at the rate of \$1 per year (plus maintenance and upkeep) for a period of four years. The motion was carried unanimously.

One miscellaneous Public Works Department item was addressed at this time:

Don McKeehen was introduced to the Board to replace Amy Hughes as D.W.I. Task Force Coordinator.

2. Discussion - Nookachamps Foot Race.

Jeff Monsen, Traffic Engineer, presented a map of the proposed route for the Seventh Annual Nookachamps Half Marathon (13.1 miles) to take place on Saturday, January 10, 1987. To allow this race, the following roads will be temporarily closed to through traffic on the morning of January 10, 1987:

- a. Francis Road: 10:00 a.m. to 11:00 a.m., from the intersection with Swan Road to the intersection with State Route 9.
- b. Mud Lake Road: 10:30 a.m. to 12:00 noon, from the intersection with State Route 9 to the intersection with the Swan Road.
- c. Swan Road: 10:30 a.m. to 12:00 noon, from the intersection with Francis Road to the intersection with the Mud Lake Road.

Mayor Walley asked how the County protects themselves from liability with such races.

Mr. Monsen explained that all sanctioned events carry liability insurance with Skagit County additionally insured.

Commissioner Rohrer motioned to approve the Seventh Annual Nookachamps Half Marathon, as presented, with the provision of adequate insurance. Commissioner Vaux seconded the motion. The motion was carried unanimously.

3. Quarterly Status Reports.

Mr. Sampley presented quarterly status reports for the Board's review. A brief discussion was held.

4. Miscellaneous Item.

Commissioner Vaux motioned to call for a public hearing for the purpose of determining whether an ordinance shall be adopted designating a final disposal site for solid waste collected in Skagit County. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #11109)

The public hearing will be held on Monday, January 26, 1987, at 10:30 a.m.

MISCELLANEOUS ITEMS

There were no miscellaneous items at this time.

CONTINUATION OF PUBLIC HEARING - ROAD ESTABLISHMENT - GARDEN STREET AND VARIOUS ALLEYWAYS IN THE PLAT OF CHEASTY'S BIG LAKE TRACTS AND LAKEVIEW TRACTS.

Jay Ensley, Assistant Director of the Public Works Department, recommended the Board establish as dedicated and used the following roads as County roads: Street "A," Street "B," and Garden Street in the Plat of Cheasty's Big Lake Tracts and Plat of Lakeview Tracts. He recommended that traffic on Street "A" be limited to one-way travel in a southerly direction, and traffic on Street "B" be limited to one-way travel in an easterly direction.

Commissioner Vaux asked why the roads were proposed for one-way traffic.

Mr. Ensley stated that due to the narrow width of the roads in certain areas, one-way traffic was recommended.

Commissioners Vaux and Rohrer felt the roads should not be limited to one-way traffic.

Discussion followed regarding the fact that Street "B" is not established all the way to Street "A," although past usage has caused the streets to intersect.

Commissioner Vaux suggested purchasing ten feet of property from Keith Pyatte, who owns Lot 9, Plat of Cheasty's Big Lake Tracts, due to the encroachment of Street "B" onto his property. The County could then grant him a variance to allow the construction of a home on the small lot. Commissioner Vaux also suggested Mark Ammons' cars be towed out of the street when they are parked there (Street "B").

Commissioner Vaux favored accepting the Public Works Department recommendation for establishment of Street "A" and Garden Street as dedicated and used, with

the exception of the one-way traffic recommendation on Street "A." The County would then negotiate with the owner of Lot 9, Plat of Cheasty's Big Lake Tracts, for the purchase of ten feet of his property. Appropriate "No Parking" signs would be placed.

Virginia Govern, owner of Lots 1, 2, 3 and 4, Plat of Cheasty's Big Lake Tracts, asked how far Garden Street would go.

Mr. Sampley explained that the road would be maintained as it exists today.

Commissioner Rohrer agreed to the request for a "Dead End" street sign.

Donald W. Gilbert suggested naming Street "A" Autumn Lane.

Mike Loyd, of the Public Works Department, suggested the citizens submit a petition for a road name.

Commissioner Vaux motioned to close the public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to approve the Public Works Department recommendation, for establishment of Street "A," Street "B," and Garden Street, with the exception of the one-way traffic recommendation. The Public Works Department will negotiate with Keith Pyatte and the owner of Lot 30 for the purchase of a portion of their properties due to the encroachment of the road. Proper signing of the roads would also take place. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

RESOLUTION - CORRECTING LEVY FOR TWO (2) TAXING DISTRICTS.

Paul Mahoney, Skagit County Assessor, explained that the Anacortes School District reduced their bond levy from \$400,000 to \$275,000, while the Sedro-Woolley School District reduced their bond levy from \$275,000 to \$175,000.

Commissioner Rohrer motioned to approve the tax levies of the various districts, as presented this day, for the fiscal year of 1987. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #11112) This resolution supersedes Resolution #11104, adopted on December 30, 1987.

MISCELLANEOUS ITEMS

The Board approved for signature a signatory authorization sheet and Contract #87-3235-13 with the Northwest Regional Council, Area Agency on Aging, for 1987 funding of the Senior Health Screening Program in the Health Department.

PUBLIC HEARING - PROPOSED CONTRACT WITH WRIGHT SCHUCHART HARBOR, CO., FOR THE DESIGN, CONSTRUCTION, TESTING AND OPERATION OF A REFUSE INCINERATION/RESOURCE RECOVERY FACILITY.

Chairman Walberg waived the reading of the Notice of Public Hearing, as published in the Skagit Valley Herald on December 24, 26, and 31, 1986, and on January 2, 1987; and in the Skagit Argus on December 30, 1986.

Chairman Walberg introduced Commissioner Rohrer; Commissioner Vaux; Megan Cheney, Clerk of the Board; John Moffat, Deputy Prosecuting Attorney; Michael Rickert, Prosecuting Attorney; and Gene Sampley, Director of the Public Works Department.

Mr. Sampley introduced Jeff Clunie and Bob Bingham, representatives of R. W. Beck and Associates, consulting engineers. Mr. Sampley also introduced Alan Larson, Manager of Wright Schuchart Harbor, Co.

Mr. Larson introduced the following: Bill Frederick, Project Director; Fred Farrar, Project Manager; Art Butler, Engineering Manager representing Schuchart and Associates; Alan Christianson and Tom Patton of Zurn Industries, the boiler supplier; Bruce Alex, Wright Schuchart Harbor's Contracts Manager; Linda Schmidt, Wright Schuchart Harbor's Labor Relations Manager and E.E.O. Administrator; Paul Cutrona, Business Development Manager; Mailand Frank, President of Energy Resource Recovery; and John Hicks, local counsel.

Mr. Sampley explained the purpose of this hearing and presented and entered into the record by reference the following items:

1. Contract with Contract Documents:

- Exhibit "A" Request for Proposals
- Exhibit "C" Acceptance Testing Protocol and Procedures
- Exhibit "D" Technical Scope Document
- Exhibit "E" Contractor's Response to R.F.P.
- Exhibit "F" Facility Site Property Description
- Exhibit "J" Referendum 39 Solid Waste Grant
- Exhibit "K" Schedule of Operating Charges
- Exhibit "L" Schedule of Renewals and Replacements
- Exhibit "M" Adjustment of Schedule of Operating Charges

Exhibits "B," "G," "H," and "I" will be included in the Contract upon acceptance by the County per the Contract.

2. The following resolutions executed by the Skagit County Board of Commissioners regarding Skagit County Refuse-to-Energy Facility:

- Resolution #10889 dated June 30, 1986
- Resolution #10973 dated September 15, 1986
- Resolution #11057 dated November 25, 1986

Resolution #11088 dated December 22, 1986
Resolution #11090 dated December 22, 1986

3. Record of the Proceedings of the Board of Skagit County Commissioners:

November 18, 1986, 11:00 a.m.

Item #1: Presentation of the Resource Recovery Evaluation - R. W. Beck and Associates

Item #2: Consideration of Resolution - Resource Recovery Selection

November 25, 1986, 1:30 p.m.

Continuation - Consideration of Resource Recovery Selection Resolution

4. Resolution #10951 dated August 18, 1986, executed by the Board of Skagit County Commissioners adopting the December, 1985, Skagit County Solid Waste Management Plan Update

5. December, 1985, Skagit County Solid Waste Management Plan Update

Mr. Sampley read the findings and recommendations of the Director of Public Works regarding the terms and conditions of the contract negotiated with Wright Schuchart Harbor, Co. for the design, construction, testing and operation of a refuse incineration/resource recovery facility. Mr. Sampley outlined the original project goals, presented graphs of the increasing waste stream since 1982, explained the process used to select the contractor, and reviewed the relevant experience of R. W. Beck and Associates and Wright Schuchart Harbor, Co.

Bob Bingham presented various diagrams of the proposed facility and explained how the contract addresses the technical issues requested in the R.F.P. He felt that the performance guarantees will adequately protect the County.

Jeff Clunie addressed the potential areas of risk: (1) technical soundness; (2) environmental; (3) economic; and (4) control of facility by County both during construction and operation of the facility. Mr. Clunie stated that he felt the risk areas have been fairly allocated between the contractor and the County.

Mr. Sampley stated that he felt the County project has a contract and contractor that will address the County's needs over the next 20 years.

At this time, the Board asked for input from the public.

Fred Martin, 601 South 4th Street, La Conner, stated that he felt the Board had taken the proper steps with this project.

Leif Burkland, 1582 Dunbar Road, Mount Vernon, felt the project should have been put to a vote of the people.

Randy Duggan, 1427 Country Club Drive, Burlington, was impressed by the thoroughness of this project.

Dero Forslund, of Rockport, felt Energy Resource Recovery (E.R.R.) lacked the necessary experience.

Jim Kerlee, 1112 Colchester Drive, Port Orchard, stated that he represented the carpenters in the area who support Wright Schuchart Harbor for the project contractor because they hire local people.

Jim Evans, 2371 Morford Road, Sedro-Woolley, commended the Commissioners. He stated that he has dealt with Wright Schuchart Harbor many times as a labor representative.

Ray Garret, business agent representing plumbers and pipefitters, favored the incinerator project.

Ken Ward, of Concrete, declined to speak at this time.

Ernie Bennett, of Mount Vernon, stated that he was the president of the Skagit-San Juan Labor Council. He supported the selection of Wright Schuchart Harbor.

Charles Decker, of Mount Vernon, stated that the County needs the incinerator. In order for recycling to work, people have to start at home. When it gets to the incinerator, it's too late to recycle very much. Mr. Decker noted that he currently is under contract with the County to recycle at the landfill.

Val Ellis, representing himself, was opposed to the purchase of land for the facility and the travel to foreign countries.

Rob Tiffany, 751 Gailee Road, Burlington, commended the Board and Gene Sampley. He believed that incineration is the answer and supported the project as presented.

Hazel Lindstrom, 1351 Colony Road, Bow, was opposed to the proposed contractor. She felt the people should have been allowed to vote on the issue.

Ernie Ward, 1699 Beaver Marsh Road, Mount Vernon, presented the following items to the Board: (1) a loose-leaf cost comparison between Wright Schuchart Harbor and Thermal Reduction Company; and (2) Re-evaluation of the Skagit County Resource Recovery Project, dated December 11, 1986. Mr. Ward stated

that he is a subcontractor for Thermal Reduction Co. He felt there has been mismanagement and possible deception with regard to the proposed facility. He asked to speak again.

Jack Middleton, 1068 Wilson Road, Bay View, asked how the proposed project designed to process up to 200 tons of solid waste per day could be allowed if the Special Use Permit only allows the facility to process up to 150 tons per day.

Mr. Sampley explained that a certain amount of the waste stream is not processible through the plant. He noted that the County is planning to slow the growth rate through a recycling program.

Jim Johnson, secretary-treasurer of the Construction and Building Trades Union in Everett, supported Wright Schuchart Harbor as the contractor for this project. He appreciated this opportunity for people in the area to be put to work. Mr. Johnson asked to reserve the right to speak again, if he so desired.

Helen Day, of Mount Vernon, did not wish to speak at this time.

Zell Young, of Mount Vernon, felt the problem was being ignored in the effort to build an incinerator. Mr. Young favored taxing sources of refuse to finance disposal costs. He encouraged recycling as the answer to the garbage problem.

Don Bockelman, 2863 South Skagit Highway, Sedro-Woolley, asked who will pay for the incinerator.

Mr. Sampley explained that the incinerator will be financed through limited general obligation bonds. Bonds will be financed through tipping fees.

Mr. Bockelman asked what happens if the project is not completed.

Mr. Sampley explained that if the contractor is at fault, the contractor pays. If the County is at fault, the County pays.

Mr. Bockelman questioned the heating value figure chosen, and felt there were loopholes in the project's contract. He asked to speak again.

Mr. Clunie explained the studies used to arrive at the heating value proposed for the facility. The contractor is not excused from meeting their performance guarantees if the proposed heating value is not attained.

Mike Murdock, of Mount Vernon, questioned the potential emission of dioxins and other toxic compounds. He favored composting and recycling over incineration. Also, Mr. Murdock felt the matter should be put to a vote of the people.

Mr. Sampley stated that the Northwest Air Pollution Authority has thoroughly discussed the air pollution issue. With regard to composting and recycling, these processes are certainly encouraged, however, the County has no control over this. Currently, \$0.50 per ton of waste is being assessed for a recycling program.

Debbie Aldrich, 1451A Bradley Road, Bow, expressed concern with the toxicity of the ash and protection of ground water.

Mr. Sampley explained that the landfill is fully lined to protect the ground water.

Jeff Clunie explained that fly ash will be mixed with bottom ash to minimize toxicity.

Ms. Aldrich also questioned the burning of toxic materials.

Mr. Clunie explained that households dispose of hazardous waste regularly. Until special handling areas are established, these materials will be disposed of in the landfill one way or another.

Ms. Aldrich asked how Puget Power is involved in the project.

Mr. Sampley stated that the County is negotiating with Puget Power for the sale of all electricity generated by the facility.

David Elsberry, 918 Curtis Street, Sedro-Woolley, was impressed with R. W. Beck's qualifications and past performance.

Ernie Ward felt the County's calculations of the waste stream were erroneous.

Mr. Sampley submitted for the record the analysis of the projected waste stream.

Mr. Ward felt the operating expenses and tipping fees will increase drastically. He asked why the County decided not to sell steam.

Commissioner Vaux stated that no such decision has been made. Without a definite agreement with a steam buyer, Skagit County is not willing to purchase the equipment to make the steam.

Mr. Ward asked to speak again.

Don Bockelman asked if the Commissioners understand the basic process.

Commissioner Walberg stated that through the incineration process the volume of garbage in the landfill will be reduced by 90 percent.

Mr. Bockelman felt the County was not addressing the leachate collection problem in dollars.

Mr. Sampley noted that this facility will have one of the finest environmental control systems on the market.

Mr. Bockelman concluded by stating that he did not agree with the proposal. He presented the Board with a letter expressing his opinions.

Mr. Collins, 2421 Moody Street, Mount Vernon, commended the Board for the proposed contract. He did, however, blame the Board for not properly educating the public. He stated that the fly ash at the end of the process is neutralized.

Charles Decker stated that Thermal Reduction Company is actually recycling less than Skagit County.

Dero Forslund asked what upriver residents will be paying for garbage service.

Commissioner Vaux stated that the disposal cost is approximately 1/3 of the tipping fee cost. Approximately 2/3 of the cost is for hauling the garbage.

Mr. Sampley stated that the Sauk area will have transfer bins.

Zell Young asked if nonferrous metals will be removed.

Chairman Walberg pointed out that the removal of nonferrous material must be done before it gets to the incinerator.

Mr. Young felt the nonferrous metals would be released into the atmosphere through the incineration process.

Ernie Ward asked how long the contract was in effect.

Mr. Sampley explained that the contract was for 20 years.

Mr. Ward asked that all of the incurred costs go into a separate fund.

Mr. Sampley stated that Fund #405 has been established strictly for the incineration facility.

Chuck Mason, of Anacortes, and business representative for the Carpenter's Union, felt time was wasting. He encouraged the Board to sign the contract and get the project moving.

Mr. Forslund felt building an Italian incinerator was just as bad as driving a Toyota car.

As there were no additional comments, Commissioner Vaux motioned to close the

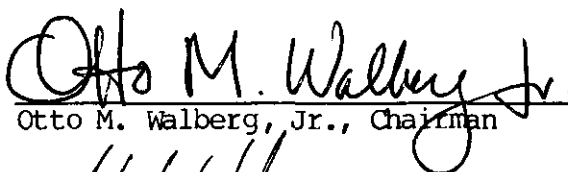
public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Commissioner Vaux motioned to continue deliberations on this matter until 1:30 p.m., Tuesday, January 6, 1987, in the Commissioners' Hearing Room. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

ADJOURNMENT

Commissioner Vaux motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Otto M. Walberg, Jr., Chairman

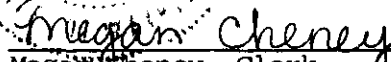


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner





Megan Cheney, Clerk
Skagit County Board of Commissioners