

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, August 10, 1987

8:30 a.m. Work Session - Road Supervisors and Road Superintendent.

Flag Salute

9:00 a.m. Board of Health:

1. Variance Request of Shirley Jefferts to Construct an On-site Sewage Disposal System with a Reduced Vertical Separation to Seasonal Water Table at her Chuckanut Drive Property.
2. Discussion of Long Term Manure Handling Problems at a Skagit County Poultry Operation.

10:30 a.m. Public Works Department - Jay Ensley, Acting Director:

1. Continuation of Public Hearing - Lease of County Property.
2. Call for Public Hearing - Consideration of Road Establishment - Hall Place.
3. Request for Out-of-State Travel.
4. Discussion - 35 m.p.h. Speed Limit Ordinance.
5. Miscellaneous Items.

MISCELLANEOUS ITEMS

1:30 p.m. Bid Opening - Solid Waste Containers.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Monday, August 10, 1987, with Commissioners Walberg, Vaux and Rohrer present.

BOARD OF HEALTH:

1. Variance Request of Shirley Jefferts to Construct an On-site Sewage Disposal System with a Reduced Vertical Separation to Seasonal Water Table at her Chuckanut Drive Property.

Tom Karsh, Environmental Health Specialist III, noted the staff report and attachments which were submitted to the Board last week with regard to Appeal/Waiver Request #9-87 by Shirley Jefferts. Ms. Jefferts was requesting a variance from the required vertical separation (distance between the bottom of a drainfield trench and the seasonal high groundwater table). She also requested a refund of the \$130 variance application fee.

Mr. Karsh drew a diagram of the proposed design. He explained that the County

Code requires 36 inches of vertical separation between the trench and the groundwater table. Since this area has a water table of approximately 24 to 32 inches, Mr. Karsh explained that the soil would not allow adequate purification of wastewater to meet County Code. The property owned by Ms. Jefferts contains a two-bedroom apartment, a small country store, and more recently a sandwich and ice cream shop.

Mr. Karsh explained that the staff recommended denial of the waiver request as submitted. He stated that several alternatives were as follows: installation of an approved mound or sand filter fill sewage system, or approval from the Board of Health and State Department of Social and Health Services for some other type of substandard system.

Ms. Jefferts explained that her drainfield, which was located on her neighbor's property, was recently plowed up. Prior to that, the system worked fine.

Lou Ankney, a septic system designer, explained that the design submitted to the Department of Planning and Community Development was based on a minimum of six inches of vertical separation. When the design was submitted, 42 inches of dry soil was present. The neighborhood is on a public water supply, and therefore, does not drink the groundwater.

Dale Mullen stated that he felt the County regulations should be uniformly enforced. He felt Ms. Jefferts was being unfairly singled out for enforcement of the code in an area where very few people are able to meet the code.

John Thayer, Director of Environmental Health, explained that in February or March of 1986, the Health Department issued a license to the Bow Country Store, located at 549 Chuckanut Drive, Bow. At that time, there were no questions asked with regard to the septic system. Earlier this year, an ice cream and sandwich shop was added.

Shirley Halgren, 877 Samish Island Road, Bow, explained that she paid all of the necessary permits to open a sandwich and ice cream shop. She felt someone complained about the septic system because they didn't want her in business.

Don Halgren, 877 Samish Island Road, Bow, explained that Ms. Jefferts is only trying to repair an existing system.

Commissioner Vaux felt a mistake was made between the Health Department and the Department of Planning and Community Development.

Mr. Karsh explained that Health Code regulations place additional responsibility and liability on the County to protect the health of persons to be served by these establishments.

Corinne Story, Environmental Health Specialist I, explained that she informed Ms. Jefferts of regulations imposed by the County in order to obtain a license

for food preparation. She noted that she followed up with a letter explaining the need to obtain approval from the Department of Planning and Community Development with regard to the existing septic system.

Chairman Walberg did not fault any party. He noted that the applicant was requesting to relocate the new drainfield on her own property.

Mr. Karsh explained his concern regarding surfacing wastewater during the wet season and possibly hydraulic failure. Since residents in this area are on a public water system, the quality of the groundwater was not a major concern. Mr. Karsh was of the opinion that the State Department of Social and Health Services would not approve the design as submitted. The only wet season testing in the area showed the groundwater table to be at 28 inches at the Rhododendron Cafe.

Mr. Ankney stressed the need to make the repair as economical as possible.

Commissioner Rohrer stated that he would not vote to close down the business.

Commissioner Vaux motioned to instruct Ms. Jefferts through Mr. Ankney to work with Mr. Karsh on a design of a system less than a mound system which will have a minimum vertical separation of 12 inches between the high water mark and the bottom of the trench.

In answer to a question from Commissioner Rohrer, Mr. Ankney stated that the expense of a pump is not a great expense.

Commissioner Rohrer seconded Commissioner Vaux's motion. The motion was carried unanimously.

With regard to Ms. Jefferts' request for refund of the \$130 variance application fee, Chairman Walberg was not favorable to this request.

Commissioner Rohrer motioned to grant the requested refund of the \$130 variance application fee.

Commissioner Rohrer's motion died for lack of a second.

Commissioner Vaux motioned to refund one-half of the requested \$130 fee (\$65). Commissioner Rohrer seconded the motion. The motion was carried with votes from Commissioner Vaux and Commissioner Rohrer. Chairman Walberg voted against the motion.

2. Discussion of Long Term Manure Handling Problems at a Skagit County Poultry Operation.

Corinne Story, Environmental Health Specialist I, explained that in 1983, there were a number of poultry operations that were sources of repeated fly

infestations and complaints. As a result of this, an ad hoc committee was set up to set minimum standards (Best Management Practices or BMP's) for poultry operations that, if violated, would result in a fine being levied.

Ms. Story explained that the Health Department has received sporadic complaints concerning excessive flies over a number of years stemming from the egg farm on Avon-Allen Road. In 1986, the Wolfkill Corporation took over the farm, instituted clean-up measures, and, as outlined in a letter from Jerry Wolfkill, "assumed the responsibility of operating the farm in a manner consistent with the Best Management Practices for Poultry Farms."

The Skagit County Health Department began closely monitoring the farm in mid March 1987 to ensure compliance with BMP's. Monitoring of the farm throughout the summer has shown a very pronounced fluctuation in getting the manure out of the barns. Although the solid waste code mandates that during the months of March 1 through October 31, manure shall be cleaned from all occupied pens no less frequently than once every seven days, the manager of the farm is not complying.

Ms. Story explained that last week Jerry Wolfkill and Dennis Cobb, the manager of the farm, were put on notice that a fine of \$100 per day will be issued unless a consistent seven-day manure removal schedule is put in effect beginning August 3. The levied fine could be appealed to the Board of County Commissioners.

Ms. Story explained that the manure is pumped into a truck and transported to a dairy farm for incorporation into their manure lagoon.

Annie Hernandez, who lives in the neighborhood, explained that Jerry Wolfkill doesn't live there. She has tried to contact him before calling the Health Department. She claimed he blamed their inability to comply with regulations on problems with employees and equipment breakdown. She noted that Wolfkill Corporation was involved last year when the previous manager left the farm in such poor condition.

Bruce Solwold, 924A Avon-Allen Road, Bow, stated that he has lived in front of the egg farm for 12 years. Every time a new manager takes over the farm, they clean it up just enough to get by. Then they allow the operation to deteriorate into the terrible state it is now.

Ms. Story stated that the purpose of the fine will be to cause the farm to operate the farm sufficiently to meet regulations. The Health Department wants to get out of the maintenance program for egg farms.

Mike Olpine, also a neighborhood resident, felt there was no reason why the Wolfkill Corporation shouldn't be assessed retroactive fines.

Bonnie Olpine stated that they live near the farm, and the smell and flies from the farm is intolerable. Additionally, the Allen Elementary School is

afflicted with the smell and flies. She asked the Commissioners to get tough this time.

Discussion followed regarding possible charges for reinspection.

Mr. Olpine suggested the Health Department inspect the operation on a weekly basis, and bill the Wolfkill Corporation for these inspections.

Commissioner Vaux asked Ms. Story to send a copy of her memo to the Board to Ron Wolfkill, President of Wolfkill Corporation in Monroe.

Ms. Story will inspect the operation today, and inform Commissioner Vaux of her findings.

PUBLIC WORKS DEPARTMENT - Jay Ensley, Acting Director:

1. Continuation of Public Hearing - Lease of County Property.

Roger Howard, Facilities Manager, explained that he had notified Bennie Dickinson of this scheduled item before the Board. However, Mr. Dickinson was not present.

As there were no further comments, Commissioner Vaux motioned to close the public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Commissioner Rohrer motioned to allow the Skagit Valley Chapter of Vietnam Veterans of America until October 16, 1987, to comply with insurance requirements for lease of the County-owned house at 1426 Walter Street, Mount Vernon. Commissioner Vaux seconded the motion. The motion was carried unanimously.

2. Call for Public Hearing - Consideration of Road Establishment - Hall Place.

Jay Ensley, Acting Director of the Public Works Department, explained that a petition had been received to establish Hall Place as a County road. However, Mr. Ensley requested that this item be postponed until next week, in order to allow the County Auditor sufficient time to verify the signatures.

3. Request for Out-of-State Travel.

Commissioner Rohrer motioned to approve an out-of-state travel request for Bill Ness, Solid Waste Engineer, to travel to St. Louis, Missouri, on August 18 and 19, 1987, to review the manufacture and operations of proposed shredders for the resource recovery project. The total cost of this travel is

expected to be \$740. Commissioner Vaux seconded the motion. The motion was carried unanimously.

4. Discussion - 35 m.p.h. Speed Limit Ordinance.

This item was delayed until next week.

5. Miscellaneous Items.

The Board received Construction Status Reports for the month of August 1987. Discussion of various projects followed.

MISCELLANEOUS ITEMS

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, August 10, 1987, the Board, by a unanimous vote, did approve for payment the voucher included in the above-mentioned list and further described as follows: Voucher #PV-706689 (Warrant #25432) in the total amount of \$33,000.00. (C-31-87)

2. Commissioner Rohrer motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. Big Scoop Restaurant, c/o Youngquist and Betz, 904 South Third Street, Mount Vernon, Washington 98273, in the amount of \$90.65, due to removal of penalty per Assessor's Office. (#000487)
 - b. Alvin B. Olson, 716 Washington Avenue, Burlington, Washington 98233, in the amount of \$227.44, due to double payment of first half taxes. (#009587)

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

3. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, August 3, 1987, and Tuesday, August 4, 1987. Commissioner Vaux seconded the motion. The motion was carried unanimously.

BID OPENING - SOLID WASTE CONTAINERS.

Chairman Walberg waived the reading of the Notice of Call for Bids, as published in the Skagit Argus on July 21, and July 28, 1987, and in the Daily Journal of Commerce on July 28, 1987.

The following bids were received:

1. Capital Industries, Inc.
5801 3rd Avenue South
Seattle, WA 98108

Bid deposit enclosed.

Bid price for all three 20-cubic yard containers: \$ 8,070.00
Bid price for all nine 40-cubic yard containers: \$26,910.00
Total out-of-pocket cost to Skagit County: \$37,708.44

2. Cascade Container-Fab Co.
P.O. Box 5009
Vancouver, WA 98668

Bid deposit enclosed.

Bid price for all three 20-cubic yard containers: \$ 8,265.00
Bid price for all nine 40-cubic yard containers: \$27,457.50
Total out-of-pocket cost to Skagit County: \$38,330.24

3. Westside Iron Works, Inc.
111 North Front Street
Mount Vernon, WA 98273

Bid deposit enclosed.

Bid price for all three 20-cubic yard containers: \$14,000.00
Bid price for all nine 40-cubic yard containers: \$69,000.00
Total out-of-pocket cost to Skagit County: \$89,225.00

4. Western Systems and Fabrication
North 2403 University Road
Spokane, WA 99206

Bid deposit enclosed.

Bid price for all three 20-cubic yard containers: \$10,200.00
Bid price for all nine 40-cubic yard containers: \$35,955.00
Total out-of-pocket cost to Skagit County: \$49,755.00

5. DeWald Northwest Co.
33710 Oakville Road
Albany, Oregon 97321

Bid deposit enclosed.

Bid price for all three 20-cubic yard containers: \$ 7,365.00

Bid price for all nine 40-cubic yard containers: \$25,371.00

Total out-of-pocket cost to Skagit County: \$35,027.52

6. Lynnwood Truck Equipment
2224 196th S.W.
Alderwood Manor, WA 98036

No bid enclosed.

The Public Works Department will review the bids prior to making a recommendation for award of bid.

MISCELLANEOUS ITEMS

1. Jerry McInturff, Skagit County Auditor, informed the Board of the undependable condition of the Auditor's microfilm camera. He explained that they were recently informed that two rolls of film were totally blank, which means that several thousand documents must be re-filmed.

Mr. McInturff suggested either a new camera be purchased for the Auditor's Office, or the task of microfilming Auditor's records be turned over to the Skagit County Microfilm Center.

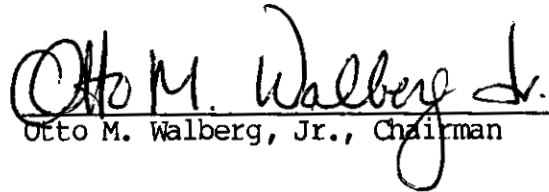
The Board instructed Mr. McInturff to obtain cost estimates for the purchase of a new microfilming camera.

2. The Board approved for signature an amendment to Contract #1440-47765 between Skagit County and the Skagit County Council on Alcoholism for the period beginning July 1, 1987, and continuing through December 31, 1987. Reimbursement in an amount not to exceed \$15,000 will be made to the Skagit County Council on Alcoholism for assessment of all Department of Social and Health Services referred clients under terms of the 1987 Alcohol/Drug Abuse Treatment and Shelter Act.

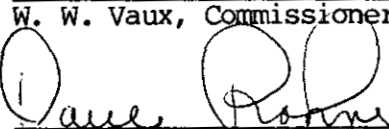
ADJOURNMENT


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