

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, January 30, 1989

- 9:00 a.m. Executive Session - Personnel.
Flag Salute
- 10:00 a.m. Discussion - Forest Practice Applications.
- 10:30 a.m. Public Works Department - Jay Ensley, Director:
1. Establish CRP - Rosario Road, et al.
2. Miscellaneous Items.
- MISCELLANEOUS ITEMS
- 1:30 p.m. Discussion - County Property at the Hopper Road Interchange.
MISCELLANEOUS ITEMS
- 2:00 p.m. Work Session - Burlington Shop Site Planning.
- 7:30 p.m. Public Works Department - Jay Ensley, Director:
Continuation of Discussion - Consideration of Certificate of Commercial Operation - Resource Recovery Facility. (The location of this meeting is in Hearing Rooms A, B and C of the County Administration Building.)

The Skagit County Board of Commissioners met in regular session on Monday, January 30, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

DISCUSSION - FOREST PRACTICE APPLICATIONS.

Steve Wood, Director of the County Department of Planning and Community Development, presented information for the Board's review.

Mr. Wood introduced Curt Buchanan, Regional Habitat Manager of the Department of Fisheries, and Dick Skvorak, representing the Department of Natural Resources. Also present for this discussion were the following: Betsy Stevenson, Assistant Director of the Department of Planning and Community Development; and Don Nelson, County Flood Control Engineer.

Mr. Wood explained the County's involvement with Class IV Forest Practice Applications, which are those applications for logging of property with intentions to subdivide. He explained problems have occurred when Class III applications were approved for the reforestation of property following logging, and then the owner decided to subdivide the property instead.

Mr. Wood explained RCW Chapter 76.09.060 allows the County to place a six-year moratorium on a parcel after it is logged, before a subdivision could occur.

Mr. Buchanan explained what happens to the stream systems when property is logged and then developed. He expressed concern for the fisheries resource in areas undergoing development.

Discussion ensued.

Mr. Skvorak presented information explaining the processing of Forest Practice Applications. He suggested the County be more involved prior to the approval of applications.

Commissioner Vaux was not favorable to the proposed six-year moratorium option.

Mr. Nelson explained reforestation is usually for the forester rather than for the streams.

Discussion ensued regarding the possibility of outlining sensitive areas for particularly careful review.

Commissioner Vaux stated he did not want to see all of the watersheds treated equally, because they aren't equal.

Commissioner Wylie stated this matter is of great importance.

The Board will consider this matter additionally in the future.

PUBLIC WORKS DEPARTMENT - Jay Ensley, Director:

1. Establish CRP - Rosario Road, et al.

Commissioner Wylie motioned to adopt the resolution initiating a County Road Project (CRP) to authorize engineering funds in the amount of \$10,000 for preparing plans, specifications and estimate of cost for an asphalt overlay on Rosario Road from Mile Point 2.44 to Mile Point 4.33, Cook Road from Mile Point 0.00 to Mile Point 0.40, and Mount Vernon South Road from Mile Point 0.50 to Mile Point 0.84. Commissioner Vaux seconded the motion. The motion was carried unanimously. (Resolution #11912)

2. Miscellaneous Items.

- a. The Board was informed that the Guemes Ferry was in the process of being repaired.
- b. Following a brief discussion regarding the pier remaining in the Swinomish Channel from an old County bridge, the Board approved of

the Public Works Department's recommendation to place markers around the pier.

- c. Jeff Mosen, County Engineer, and Charlie Tewalt, Superintendent of the Operations Division, were present for a brief discussion regarding a request from Skagit County Fire District #14 to have the County install a mercury vapor flood light at the junction of Old Highway 99 and Parkview Lane Road.

Commissioner Vaux requested this item be delayed for two weeks to allow him the opportunity to visit the intersection.

- d. With regard to Shell Oil Company's sludge disposal, Jeff Mosen informed the Board that the Environmental Protection Agency (EPA) and Department of Ecology (DOE) have permitted this sludge disposal. This matter has been referred to the Skagit County Health Department for a response.

MISCELLANEOUS ITEMS

1. Commissioner Wylie motioned to approve the Record of the Proceedings for Tuesday, January 17, 1989; Wednesday, January 18, 1989; and Thursday, January 19, 1989. Commissioner Vaux seconded the motion. The motion was carried unanimously.
2. Commissioner Vaux motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. Lyle R. Wesen, 740 Worline Road, Bow, WA 98232, in the total amount of \$104.03, due to double assessment. (Petitions #007388A and #007388B)
 - b. Goldome Realty, P.O. Box C34040, Seattle, WA 98124, in the amount of \$448.44, due to error in payment. (Petition #000289)Commissioner Wylie seconded the motion. The motion was carried unanimously.
3. The Board approved for signature an Agreement and Addendum to the Agreement between Skagit County and Paul C. Creelman, M.D., and David D. Shilling, M.D., for the provision of Skagit County Jail medical services, effective January 1, 1989, through December 31, 1991.
4. The Board approved for signature the Letter of Understanding between the Skagit County Board of Commissioners and Local #176-JP, Council #2, AFSCME (Skagit County Juvenile Probation Department), in which regular part-time employees become subject to the collective bargaining agreement.

5. The Board approved for signature the Memorandum of Agreement between Skagit County and the Humane Society of Skagit Valley for the Humane Society's provision of dangerous dog enforcement, effective January 1, 1989, through December 31, 1989. Compensation shall be in the amount of \$4,200 per month.

DISCUSSION - COUNTY PROPERTY AT THE HOPPER ROAD INTERCHANGE.

John Lacey, representing the Site Acquisition Division of Atlantic Richfield Company (ARCO), was present to inform the Board of ARCO's interest in acquiring a parcel of land near the Hopper Interchange. Mr. Lacey was in possession of records which showed the County to be the owner of the parcel; however, there is currently an auto dealership on the property.

Mike Woodmansee, Budget and Finance Director, explained the first step will be to contact the current occupant of the property.

Commissioner Wylie explained once County ownership is established, the property could be declared surplus and then sold to the highest bidder.

Jay Ensley, Director of the Public Works Department, explained the right-of-way would have to be vacated. Mr. Ensley will additionally investigate this matter.

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, January 30, 1989, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #814430/900116 through #814691/900395 (Warrants #41013 through #41354) in the total amount of \$386,768.35.

2. Mike Woodmansee, Budget and Finance Director, informed the Board of the following Presidential proposals which would impact County finances:
 - a. The administration proposed to build a fire fighting fund out of gross receipts from natural resource payments received by the Departments of Interior and Agriculture.
 - b. The administration proposed to lift the ban on the export of raw logs from National forests.

CONTINUATION OF DISCUSSION - CONSIDERATION OF CERTIFICATE OF COMMERCIAL OPERATION - RESOURCE RECOVERY FACILITY.

Jay Ensley, Director of the Skagit County Public Works Department, introduced the following persons: Bill Ness, Solid Waste/Environmental Engineer for Skagit County; Jamie Randles, representing Northwest Air Pollution Authority (NWAPA); and Bob Bingham, representing R. W. Beck and Associates.

Mr. Bingham addressed the major concerns which were raised at the January 24, 1989, Commissioners' public meeting, namely:

1. Volume reduction;
2. Power consumption; and
3. Performance testing of neutralization and metal separation systems.

The following persons asked various questions regarding volume reduction:

1. Don Bockelman, 2863 South Skagit Highway, Sedro Woolley;
2. Ken Skead, 480 Wharf Road, Samish Island;
3. Tim Bridges, 207 North Norris, #5, Burlington;
4. Lacinda Etherington, 821 South 11th, Mount Vernon;
5. Jim Foliart, 2077 Mountain View Road, Mount Vernon; and
6. Mark Daniel, La Conner.

Mr. Daniel requested a list of by-products emitted by the facility.

Mr. Bingham stated Skagit County's facility does not contribute to the acid rain problem.

The following persons asked various questions regarding volume reduction (continued):

7. Bob Green, 1520 North 19th, Mount Vernon; and
8. Scott Etherington, 821 South 11th, Mount Vernon.

Gordon Henderson expressed concern regarding leachate at the landfill and ash blowing from trucks on the way to the landfill.

With regard to power consumption, Mr. Bingham summarized the power consumption calculations of the neutralization system and metal separators.

The following persons asked various questions regarding power consumption:

1. Mr. Skead;
2. Ms. Etherington; and
3. Mr. Daniel.

Mr. Daniel suggested the facility be turned on for 14 days to answer everybody's questions.

Mr. Bingham explained it is not practical to have 500 people at the facility monitoring every meter for 14 days.

Allison Bigelow, 123 Lawrence, Mount Vernon, questioned operation and maintenance of the shredder.

Mr. Bingham stated he stands by the test evaluation which is more extensive than many plants. He added that this facility clearly met the performance guarantees.

Mr. Skead questioned the performance guarantee for electrical production.

Mr. Foliart asked questions regarding power, costs and water.

Ms. Etherington questioned the annual availability.

Mr. Bockelman asked what percentage of the time did the plant exceed the NWAPA permit requirements.

Mr. Bingham stated he did not recall the percentage, however NWAPA had no problems with the test results.

Mr. Randles and Mr. Bingham additionally responded.

Mr. Bridges posed a question regarding the 90 percent annual availability.

Mr. Ness responded.

Sherry Dufka, 753 Samish Point Road, Bow, asked for a definition of "maximum continuous rating."

Mr. Bingham explained that meant the amount of garbage processed through the incinerator.

Jim Bertolino, 533 Section, Guemes Island, asked if the County will be assessing liquidated damages.

Commissioner Vaux responded that currently that question is before the County's attorney in Seattle.

Bekky Love, 126 North 8th, Mount Vernon, asked if all soot blowers and air cannons were operating during the test.

Mr. Bingham stated they were.

Mr. Foliart requested the Board refuse to accept the Certificate of Commercial Operation at this time.

Mr. Bridges felt the incinerator did not pass the tests, and therefore, should not be accepted at this time, but should be retested for another 14-day period.

Mr. Etherington stated the performance guarantees were not met consecutively continuously. He suggested the facility be retested for a 29-day period.

Helen Day, 122 North 4th, Mount Vernon, asked if County residents will pay the same as city residents for garbage disposal.

Commissioner Vaux explained the County doesn't have control over the cost of hauling or what Rural Sanitation charges.

Ms. Day spoke regarding the need to reduce plastic waste.

Holly Graham, Box 258, La Conner, requested information regarding the County's proposed recycling plan.

Mr. Ness invited her to attend the recycling meeting Wednesday, February 1, 1989, at 7:30 p.m.

Ms. Graham encouraged everyone to recycle plastic, as well as other materials.

Mark Backlund, 1423 Gibraltar Road, Anacortes, didn't feel the facility met the performance guarantees.

Zell Young, P.O. Box 433, Mount Vernon, stated the facility doesn't appear to be capable of doing what it's supposed to do.

Chuck Mason, felt the test results could not be contested. He felt liquidated damages should not be assessed if the citizens are delaying the operation of the facility.

Tope Ryan, Box 423, La Conner, asked what will happen to the incinerator if a recycling program is implemented.

Ms. Day asked what kind of experts will be retained by the County to determine if performance guarantees are continuously met.

Mr. Ensley responded that in-house personnel and NWAPA will continue to monitor the facility.

Glenn Bordner, 3520 Shoshone Drive, Mount Vernon, noted that the Skagit County Commissioners are very concerned with quality of life. The toxicology study being conducted by Western Washington University is evidence of this concern.

Dero Forslund turned his speaking time over to Ms. Etherington.

Ms. Etherington asked various questions. She noted that Exhibit C was revised four times. She felt there was not 100 percent annual availability in the contract. She asked the Board to retest the facility.

Mr. Green concurred that the facility should be tested again. He expressed concern regarding dioxins emitted by the facility.

Charlotte Johnson, of Mount Vernon, also expressed concerns regarding dioxins.

Mr. Bockelman asked a number of questions.

Mr. Daniel asked where and what quantity of toxins will be found.

Mr. Skead also expressed concern regarding emissions.

Jim Demko, Box 523, La Conner, stated the people need to take political action now.

Mr. Randles responded that everyone can take action on their own with regard to woodstoves, automobiles and recycling.

Glenn Johnson, a Mount Vernon farmer, explained 40 percent of the waste stream can be composted. He noted we are burning our food and killing our agricultural base.

Ms. Bigelow requested the Board run another test or deny the Certificate of Commercial Operation altogether.

Mr. Green again expressed concerns regarding dioxins.

Ms. Love asked what happens if the citizens start a huge recycling program and don't have enough garbage to burn. She hoped Skagit County wouldn't burn out-of-county waste.

Mr. Henderson requested the facility be retested and the County obtain a second opinion.


Mr. Bridges urged the Board to require additional testing.

Commissioner Vaux motioned to continue this discussion until 1:30 p.m., Friday, February 3, 1989, in the Commissioners' Hearing Room (Room 202a). Commissioner Wylie seconded the motion. The motion was carried unanimously.

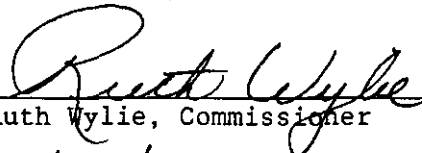
ADJOURNMENT

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

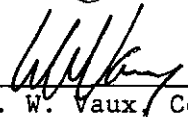
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman

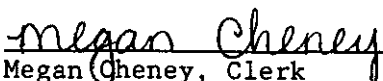


Ruth Wylie, Commissioner



W. W. Vaux, Commissioner





Megan Cheney, Clerk
Skagit County Board of Commissioners