

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, April 10, 1989

- 9:00 a.m. Board of Health:
1. Update - Big Lake Resort and Carousel Apartments Public Water Supply System.
 2. Update - Child Abuse/Neglect Prevention Project.
- 10:00 a.m. Proclamation - Spring for Youth Week - April 15-22, 1989.
- 10:30 a.m. Public Works Department - Jay Ensley, Director:
1. Public Hearing - Vacation of Streets and Alleyways, Plat of Fidalgo City.
 2. Public Hearing - Road Name Change - No. Garl Street and Whitmarsh.
 3. Signature - Drainage Agreement - Joe Leary Slough.
 4. Call for Bids - Bridge Painting.
 5. Signature - Consultant Contract Bridge Loading.
 6. Signature - Professional Service Contract - Appraisals for Chilberg Road.
 7. Bid Award Recommendation - Liquid Asphalt.
 8. Bid Award Recommendation - Asphalt Mix.
 9. Miscellaneous Items.
- 11:00 a.m. Public Works Department - Jay Ensley, Director:
1. Continuation of Public Hearing - Household Hazardous Waste Surcharge to Skagit County's Solid Waste Disposal Rate.
- 7:00 p.m. Public Works Department - Jay Ensley, Director:
1. Public Hearing - Addition of Resource Recovery Facility into Skagit County Solid Waste System.

The Skagit County Board of Commissioners met in regular session on Monday, April 10, 1989, with Commissioners Dave Rohrer, Ruth Wylie, and W.W. Vaux present.

BOARD OF HEALTH:

1. Update - Big Lake Resort and Carousel Apartments Public Water Supply System.

Lorna Haycox, Environmental Health Specialist, reviewed the history of enforcement attempts made by D.S.H.S. to bring the quality of the water supply system at the Big Lake Resort and Carousel Apartments, owned by Jim Stidman, up to standard. She indicated that the Health Department had first become involved in September of 1988, at which time the Board passed a Resolution requesting a building moratorium at that location. Mr. Stidman remains non-compliant in his upgrading of the water supply system; however, has raised the question of a building permit for a gazebo at the resort facility.

After discussion, the Board directed Ms. Haycox to draft a letter for the Board's signature, reiterating the Board's position that no further building or other permits may be issued until such time as the water system is deemed improved by the appropriate agencies.

2. Update - Child Abuse/Neglect Prevention Project.

Heather Parker, R.N., Public Health Nurse, gave information on the Skagit County Child Abuse/Neglect Prevention Project, which began last July. She explained that the purpose of the program is to decrease the incidence of child abuse and neglect by personal contact between Public Health Nurses and low risk families referred by D.S.H.S.'s Child Protective Services.

Carolyn Milat, Public Health Director, described considerations in identifying low risk families and the mechanism for referrals and follow up with Child Protective Services.

PROCLAMATION - SPRING FOR YOUTH WEEK - APRIL 15-22, 1989.

Vera Sullivan of Skagit County Human Services listed the activities being conducted county-wide to promote alcohol and drug free youth in Skagit County.

Commissioner Wylie read the Proclamation and motioned to proclaim the week of April 15-22, 1989, "Spring for Youth" Week in Skagit County. Commissioner Vaux seconded the motion, which passed unanimously.

PUBLIC WORKS DEPARTMENT - JAY ENSLEY, DIRECTOR:

1. Public Hearing - Vacation of Streets and Alleyways, Plat of Fidalgo City.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on March 21 and 28, 1989.

Jay Ensley explained that the Public Hearing is in response to a petition by Mr. Gerald Rumsey for vacation of three streets and alleyways on the north, east and west sides of block 210 in the Fidalgo City Plat near Dewey Beach, and located the area on a vicinity map. He explained that the streets and alleyways in question are unopened, platted County right-of-way. He stated that the Public Works Department has found no use for the property and recommends the vacation requested at the value of the property as fixed by the assessor at just under \$14,000.

Chairman Rohrer indicated that the Board had received a Petition signed by 11 owners of adjacent property opposing the vacation.

Mr. Gerald Rumsey explained his reasons for the vacation request, and suggested he would be willing to deed the County block #149, an area presently used by neighbors for picnicking, in return for the right-of-way vacation around block #210. The Board questioned Mr. Rumsey's involvement with the signators on the petition, and he responded by explaining drainage concerns in the area.

Commissioner Vaux stated that the Board must first decide whether the vacation should be granted, and in the event a favorable decision is made, then a trade may be considered; however, an appraisal of block #149 would need to be completed prior to any consideration of a trade.

Mr. Rumsey then stated his willingness to pay for the right-of-way, if a trade is not accepted.

Commissioner Wylie then motioned to continue the hearing to Wednesday, April 26, 1989, at 1:00 P.M. at the site of block 210. Commissioner Vaux seconded the motion. The motion passed unanimously.

2. Public Hearing - Road Name Change - North Garl Street and Whitmarsh Road.

Chairman Rohrer waived the reading of the Call for Public Hearing, as published in The Skagit Argus on March 28 and April 4, 1989.

Jay Ensley explained that the Burlington City Council has requested these road name changes to correspond with name changes they are considering to these roads where they pass through their city. Mr. Ensley located the roads on a vicinity map.

It was noted that the Burlington City Council will hold a Public Hearing on April 13 to consider public opinion before making a final decision on the change of the road names where they pass through their city.

Commissioner Vaux motioned to close the Public Hearing. Commissioner Wylie seconded the motion, which passed unanimously.

On Mr. Ensley's recommendation, Commissioner Vaux motioned to approve the change of road names of North Garl Street to Burlington Boulevard, and of Whitmarsh Road to East Whitmarsh Road contingent upon the decision of the Burlington City Council to change the same road names. Commissioner Wylie seconded the motion. The motion passed unanimously.

CONTINUATION OF PUBLIC HEARING - HOUSEHOLD HAZARDOUS WASTE SURCHARGE TO SKAGIT COUNTY'S SOLID WASTE DISPOSAL RATES.

Jay Ensley reported that a work session was held on April 5 to further discuss ways to implement the hazardous waste surcharge, at which a recommendation was made to do the following:

1. Change the purpose of the .50 cent per ton recycling planning fund to funding moderate risk hazardous waste planning and an annual moderate risk hazardous waste collection day.
2. Include the surplus \$38,190 presently contained in the recycling planning fund in the fund for moderate risk hazardous waste planning and an annual moderate risk hazardous waste collection day.

Terry Knudsen of Rural Sanitation stated he is satisfied with the current

recommendation of the Public Works Department; however, suggested the surcharge be discontinued once the program is up and running.

There being no further public comment, Commissioner Vaux then motioned to close the public hearing. Commissioner Wylie seconded the motion, which passed unanimously.

Commissioner Vaux then motioned to accept the recommendations of the Public Works Department as outlined above. Commissioner Wylie seconded the motion, which passed unanimously.

3. Signature - Drainage Agreement - Joe Leary Slough.

Jay Ensley and Donald Nelson, Section Manager - Flood Control, explained that a wooden bridge over the Joe Leary Slough on D'Arcy Road has been replaced by the County with a multi-plate pipe arch and fill. The new pipe arch was located somewhat easterly of the old wood bridge, off the County right-of-way, at the request of a property owner. Mr. Ensley requested signatures on an agreement transferring the obligations for maintenance and liability on the newly constructed pipe arch to the property owner, John Peth.

The Board approved for signature the above described drainage agreement.

4. Call for Bids - Bridge Painting.

Commissioner Wylie motioned to adopt the resolution submitted by the Public Works Department calling for bids for bridge painting, 1989 projects, including the North Fork Bridge, Finney Creek Bridge, Dalles Bridge and Government Bridge. Commissioner Vaux seconded the motion. The motion passes unanimously. (Resolution 11996)

5. Signature - Consultant Contract, Bridge Loading.

A contract between Skagit County and ABAM Engineers of Federal Way was approved for signature. The contract is ABAM to perform for structural engineering in the area of load rating calculations and related reports.

6. Signature - Professional Service Contract - Appraisals for Chilberg Road.

The Board approved for signature an appraisal contract between the Skagit County Public Works Department and Wayne Hancock and Associates of LaConner, which expires April 14, 1989.

7. Bid Award Recommendation - Liquid Asphalt.

Jay Ensley read the list of bidders, as follows:

- a) Chevron, U.S.A., Inc.
- b) Koch Material Company
- c) U.S. Oil and Refining Co.
- d) Georgia Pacific Corporation

Commissioner Wylie motioned to adopt the resolution submitted by the Public Works Department to declare all suppliers who submitted bids as eligible suppliers of liquid asphalt products, and that purchase of liquid asphalt products from these suppliers will be subject to availability of the product needed and total cost to the County.

8. Bid Award Recommendation - Asphalt Mix.

Jay Ensley read the list of bidders, as follows:

- a) Associated Sand and Gravel Co., Inc.
- b) Lakeside Industries

Commissioner Wylie motioned to adopt the resolution submitted by the Public Works Department to declare all suppliers who submitted bids as eligible suppliers of asphalt mix products, and that purchase of asphalt mix products from these suppliers will be subject to availability of the product needed and total cost to the County.

9. Miscellaneous Items.

There were no miscellaneous items for discussion at this time.

PUBLIC HEARING - ADDITION OF RESOURCE RECOVERY FACILITY INTO SKAGIT COUNTY SOLID WASTE SYSTEM.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on March 28 and April 4, 1989.

Chairman Rohrer read a short introductory statement to clarify the purpose of the Public Hearing, and gave instructions to the audience.

Jay Ensley, Public Works Director, introduced himself; Bill Ness, Solid Waste/Environmental Engineer; and Bob Bingham, representing R.W. Beck and Associates. He requested of the Board that the panel not be required to answer questions already addressed in previous meetings, and that questions pertain to the acceptance of the Resource Recovery Facility.

Bill Ness reviewed the project history, current status of the project, and contract requirements of the Wright Schuchart Harbor Company and Skagit County. He reviewed the steps necessary to complete the contract and stated that implementation of the metal separation system is the only remaining contract requirement.

Debbie Aldridge of Bow discussed previous Public Hearings and discussions with the Board. She expressed the following concerns:

- 1) Importing of garbage from out of the County.
- 2) Burning of plastics and woods, which creates dioxin.
- 3) Leachate escaping into the water supply.
- 4) Inadequate testing of the facility.

5) Use of R.W. Beck and Associates as consultants.

Lacinda Etherington, 821 S. 11th, Mount Vernon, addressed the assignment of the Resource Recovery Facility from Wright Schuchart Harbor to S.R.R. She said she was disturbed by the failure of the County to seek legal counsel on the reassignment. She voiced concerns about instances when ash may have been transported in uncovered trucks.

Scott Etherington, 821 S. 11th, Mount Vernon, suggested that monetary gains influenced the decision to build a Resource Recovery Facility, in that the County would receive funds through sale of the energy by-product of the incinerator.

Joe Brown of Mount Vernon stated that he approved of the construction of an incinerator, and felt the appropriate decisions had been made by the Board.

John Forsythe of Clear Lake made a statement regarding the ecological chain and the breaking of that chain by man through non-conservationist acts.

Bob Green, 1520 North 19th, Mount Vernon, a member of Citizens' Alert, questioned a newspaper report of a test showing 35 parts per million of lead content in the ash from the incinerator, when the accepted standard is 5 parts per million. He questioned how long the magnet in the metal separation system will last and where the lead will go after the ash is dumped at Inman Landfill.

Helen Day, 122 North 4th, Mount Vernon, questioned whether an Intalia grappler was installed at the incinerator, and wondered if problems existed with the grappler.

Bill Ness answered that an Intalia grappler was not installed, and that no problems are being experienced with the grappler in use.

Ms. Day questioned whether a provision should be made in all future contracts disallowing contractors from resigning prior to completion of the contract, as occurred with the resignation of Gene Sampley from the Public Works Department.

Chairman Rohrer responded that resignations are not a negotiable item in contracts.

Ms. Day questioned whether the Board is currently considering alternatives to plastics for packaging materials in Skagit County.

Commissioner Vaux informed Ms. Day that a legislative bill is currently being considered that would give Counties control of the waste stream, which would allow such considerations to be made.

Ms. Day asked whether the City of Mount Vernon would charge for more cans if residents had several partially filled cans for different recyclables.

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Chairman Rohrer referred Ms. Day to the City of Mount Vernon for an answer to her question.

Dick Werner of Anacortes commended the Board for its works on the Resource Recovery Facility.

Imogene Bowen of Mount Vernon questioned whether the meeting date was announced in sufficient time for community response and attendance.

Bill Ness reported the publication dates of the meeting notice and referred Ms. Bone to the news media for confirmation.

Ms. Bowen voiced her objection to the statements made in news media releases that the Public Hearing would have no bearing on the decision to accept the incinerator. She questioned why a Public Hearing was being held.

Commissioner Wylie responded that the Public Hearing was held because of a request made by citizens at the last discussion in February, and that contractual obligations prohibit the Board from making decisions which are not allowed within the contract.

Virginia Spray, a Skagit County Resident, questioned why a Public Hearing is not part of the acceptance process and also wondered why a recycling plan was not put into effect as a first step, instead of construction of an incinerator.

Don Bockelman, 2863 S. Skagit Hwy., Day Creek, questioned whether the metal separation equipment has been operated and if so, has it shown 80% weight reduction and 95% volume reduction?

Bill Ness reported that the metal separation equipment had been operated and has shown 80% weight reduction; however, they have been unable to document that 95% volume reduction has been reached.

Mr. Bockelman suggested that the contractor has violated the contract stipulation that all rules, regulations and laws be complied with because the ash has not been disposed of properly. He provided for the Board's review a letter from Dr. Richard Cook of Kalamazoo College in Michigan. Dr. Cook had tested a number of samples of ash provided by Mr. Bockelman and questioned why some samples were in the low range, while others tested high, suggesting that a malfunction may exist. Mr. Bockelman agreed to provide the Board with a copy of the letter.

Ken Skead, 480 Wharf Road, Samish Island, asked the Board to clarify their conflicting statements regarding importing of waste from outside the County.

Commissioner Vaux stated that he would vote "no" on any proposition for importing of wastes.

Mr. Skead asked for clarification on the suggestion that expansion might be undertaken at the facility.

Commissioner Vaux stated that there is limited space at the present site of the facility and that expansion would be highly unlikely.

Finally, Mr. Skead reported having witnessed ash escaping from transportation trucks, and questioned whether glassification of the ash is a consideration.

Jay Ensley made final comments on questions from the audience, indicating that ash dusting will be investigated and that questions raised will be answered following the meeting.

Commissioner Wylie stated that she had, during her campaign, indicated that she would consider importing garbage if the incinerator was unable to remain viable on Skagit County solid waste alone.

Debbie Aldridge reiterated previous comments already made.

Bob Green questioned whether Wright Schuchart Harbor will be charged for the delays due to additional testing and consultation.

Bill Taylor, 592 Cedar Drive, Bow, compared solid waste disposal at Inman Landfill to solid waste disposal using the incinerator. He stated the incinerator is a favorable solution to solid waste disposal at Inman Landfill. He professed to be a proponent of recycling, and suggested that a start has been made in Skagit County toward a workable recycling program.

There being no further comment from the audience, Commissioner Vaux motioned to close the Public Hearing. Commissioner Wylie seconded the motion. The motion passed unanimously.

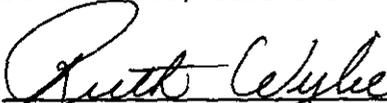
ADJOURNMENT

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



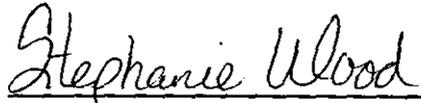
Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners