

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONER

Tuesday, May 23, 1989

- 9:30 a.m. Signature - Biennial Mental Health Contract.
- 10:00 a.m. Discussion - Skagit County Planning Commission Recommendations:
- 1) Approval, Skagit County Fire District #7 Comprehensive Plan and Rezone #R-89-002.
 - 2) Approval, Seaview Division 3 Preliminary Plat.
- 10:30 a.m. Public Works Department - Solid Waste:
- 1) Discussion - Sludge Disposal.
 - 2) Discussion - Incinerator Landscaping.
 - 3) Resolution - Sale of Surplus Equipment.
 - 4) Resolution - Appointment of Selection Committee for Hazardous Waste Management Plan Consultant.
 - 5) Signature - Contract for Recycling at Skagit County Solid Waste Disposal Facilities.
- 3:00 p.m. Consideration of Appeal of Hearing Examiner's Decision on Variance Request #V89-011 of Thomas Cain.

The Skagit County Board of Commissioners met in regular session on Tuesday, May 23, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

SIGNATURE - BIENNIAL MENTAL HEALTH CONTRACT.

JoAnn Angevine, Human Services Department Director, presented a contract between Skagit County and the Department of Social and Health Services (DSHS) for a total of \$1,291,812.00 in State DSHS funds for provision of public mental health services for the period from July 1, 1989, through June 30, 1990. She stated that these funds are strictly from DSHS to Skagit County, and that no subcontractor or provider is identified within the contract, so that the Board would not be endorsing any entity as a subcontractor of services by entering into the contract. Ms. Angevine stated that there has been no increase in funds from last year, except for a 35% increase (from \$188,000 to \$248,000) in funds for involuntary treatment programs.

The Board approved the contract for signature.

DISCUSSION - SKAGIT COUNTY PLANNING COMMISSION RECOMMENDATIONS:

1. Approval, Skagit County Fire District #7 Comprehensive Plan and Rezone #R-89-002.

Steve Wood, Planning and Community Development Director, explained that application #R-89-002 of Fire District #7 is for construction of a satellite fire station in the Lake Cavanaugh area, where the zoning is Residential. They have requested a rezone to Public Use. Mr. Wood stated that the Planning

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Commission met on May 8, 1989, and recommended approval of the request. Staff findings also favored the request. The recorded motion of the Planning Commission, Staff Findings, photographs of the site and a vicinity map were provided to the Board. Mr. Wood reviewed the options available to the Board as follows:

- 1) To uphold the decision of the Planning Commission.
- 2) To remand the matter back to the Planning Commission for further consideration.
- 3) To hold a hearing to consider public comment on the matter.

There being no public comment, Commissioner Vaux motioned to accept the recommendation of the Planning Commission in this matter. Commissioner Wylie seconded the motion. The motion passed unanimously.

2. Approval, Seaview Division 3 Preliminary Plat.

Dave Hough, Senior Planner, explained that a request was received from San Juan Fidalgo Properties for a preliminary plat of Seaview, Division 3, on the west side of Fidalgo Island, dividing 16.7 acres into 21 residential lots. He provided an assessor's map of the area, as well as Staff Findings and a Recorded Motion of the Planning Commission, which recommended approval of the preliminary plat with conditions. Mr. Hough summarized those conditions imposed by the Planning Commission, and stated that the preliminary plat would be valid for a period of three years following acceptance by the Board.

John Leonard, surveyor, answered questions regarding the location, water system and sewage for the lots.

There being no public comment, Commissioner Wylie motioned to approve the recommendation of the Planning Commission, as stated in the Recorded Motion of May 8, 1989. Commissioner Vaux seconded the motion, which passed unanimously.

3. Miscellaneous Items.

Steve Wood presented a grant application for \$175,000 in 75% matching funds from the Department of Ecology Centennial Clean Water Fund. He explained that the money would be used in the development of a nonpoint watershed action plan for the Nookachamps watershed, based on its position in the countywide watershed ranking. The 25% in matching funds from the County would be contributed in the form of County labor. The improvement of the Nookachamps watershed would be a two-year program to begin in 1990.

The Board approved the grant application, as submitted, for signature.

PUBLIC WORKS DEPARTMENT - SOLID WASTE.

1. Discussion - Sludge Disposal.

Bill Ness presented a memo from himself to the Board regarding incineration of wastewater grit, screening, scum and sludge from a proposed secondary sewer

treatment plant to be located in the City of Anacortes. He stated that one of the major decisions facing the designers, Ch₂M Hill, is the disposal method for this byproduct. The grit and screenings have been deemed suitable for either incineration or for landfill, and the sludge has been found suitable for either incineration or composting. Mr. Ness stated that the purpose of the discussion today is to investigate the possibility of incineration of these waste products at the Skagit County Resource Recovery Facility. He suggested the possibility of trading the incineration of the waste products for disposal of the County's leachate.

Stan Kersey, representing the City of Burlington, made a statement regarding leachate from the City of Burlington.

Jim Rice, Anacortes Mayor, explained the options for disposal of sludge. He stated that composting is being investigated; however, incineration is estimated to be 1/3 less costly than composting. He requested the Board's tentative approval of incineration now, so that the City could go forward with the planning of the specifics of their treatment plan to comply with their timelines.

Ken Willis, Skagit County Environmental Health Specialist, indicated that sludge has valuable potential as a composting material and that, although economic analysis is not within the scope of the Health Department, they would like to see that potential utilized.

Mayor Rice pointed out that Anacortes is approximately 8.2 miles from a composting site, while the incinerator measures only 5.2 miles, making composting, additionally, a transportation problem.

A letter from R.W. Beck and Associates, consultants on the Resource Recovery Facility, was reviewed, in which a recommendation is made for 20% to 25% drying of sludge material prior to incineration. Bob Bingham, representing R.W. Beck and Associates, stated that the Resource Recovery Facility will support the incineration of sludge; however, a separate feeding unit will need to be installed because of the possibility for noxious odors being emitted from the facility. He gave the opinion that, with the population growing in Skagit County, it might be wise to install such a unit to handle increased needs in the future.

John Wiseman, representing the City of Mount Vernon, believed that the current regulatory climate makes disposal of sludge on farmlands virtually impossible, and voiced support of a sludge handling facility at the incinerator.

Robert Wubbena, President of Economic and Engineering Services, Inc., contracting with the City of Anacortes, made a statement on the need for a decision on the issue now, so that reports can be completed and recommendations made for the proposed treatment facility.

When questioned by the Board, Mr. Bingham stated that there is no scope in the current agreement with Skagit County for analysis of this issue; however, the

contract contains an additional services clause and could be modified to include a consultation on sludge incineration.

Commissioner Vaux then motioned to direct the Public Works Department to proceed with answering of questions regarding the proposal of the City of Anacortes for the incineration of sludge, and to utilize R.W. Beck and Associates for questions regarding use of the incinerator. Commissioner Wylie seconded the motion. The motion passed unanimously.

2. Discussion - Incinerator Landscaping.

Bill Ness reviewed a letter received from Mr. Peter Harvard of Harvard and Associates Landscape Architects, who contracted for design of the landscape plan for the Resource Recovery Facility grounds. The letter states that due to present site conditions, the landscape plan is in need of revision, and should Skagit County choose to go to bid with the present plan, legal advice will be sought by Harvard and Associates on limiting their liability for problems encountered with the plan under the present condition of the site.

Mr. Peter Harvard addressed the Board, stating his understanding that the landscape work would be performed under a negotiated contract with a professional contractor, who would be chosen with the help of Harvard and Associates. He stated his concern for the possibility of improper installation of landscaping features without plan revision, as the plan is at best in a rudimentary state, and because of erosion and irrigation problems now present at the site. He felt that the County would suffer should an inexperienced contractor be chosen at this point in development of the plan.

Commissioner Vaux then made the recommendation that, working with Harvard and Associates, a contractor be obtained through a Request for Proposals and Qualifications for development of landscaping at the incinerator.

Commissioner Wylie motioned to direct the Public Works Department to prepare a Request for Proposals and Qualifications for landscape design at the incinerator. Commissioner Vaux seconded the motion, which passed unanimously.

3. Resolution - Sale of Surplus Equipment.

Jay Ensley explained that confirmation had not yet been received from Whatcom County on their acceptance of the counter-offer made by Skagit County on a surplus garbage compactor from Inman Landfill; therefore, presentation of the resolution would be postponed until confirmation is received.

4. Resolution - Appointment of Selection Committee for Hazardous Waste Management Plan Consultant.

Bill Ness presented a memo clarifying the anticipated roles of the Board, Skagit Council of Governments (SCOG) and the Hazardous Waste Management Planning Committee regarding the choice of a consultant to assist in development of a Hazardous Waste Management Plan.

He explained that he was assisted by Bob Ruby, SCOG President, in determining the membership of the Hazardous Waste Management Planning Committee, which will be responsible for a recommendation on the selection of a consultant. As determined by Mr. Ness and Mr. Ruby, the committee would consist of the following persons:

- a) SCOG Chairman (acts as Chairman of the Committee) (Bob Ruby)
- b) SCOG Secretary (Don Childs)
- c) Engineer (Bill Ness)
- d) One Board member
- e) Two representatives of the Cities, appointed by SCOG
- f) One member of the Citizens' Solid Waste Advisory Committee, appointed by the Board.

Commissioner Vaux commented that he did not feel that the Board's interests were adequately represented by the proposed make up of the committee.

The Board directed Mr. Ness to arrange a meeting between himself, Bob Ruby and Commissioner Vaux, to re-evaluate the composition of the committee.

5. Signature - Contract for Recycling at Skagit County Solid Waste Disposal Facilities.

In accordance with action previously taken, the Board approved for signature a contract with C&D Salvage and Recycling for recycling at all County waste transfer sites, for the cost to the County of \$5,200 per month, or \$62,400 per year, for a period of three years. (Resolution #12068)

CONSIDERATION OF APPEAL OF HEARING EXAMINER'S DECISION ON VARIATION REQUEST #V89-011 OF THOMAS CAIN.

Grace Roeder, Associate Planner, submitted to the Board staff photos, a site plan, and assessor's maps of the site in question located at 445 Chuckanut Drive, Bow. She additionally submitted the Staff Findings and the Hearing Examiner's file regarding the matter. Ms. Roeder explained that on April 19, 1989, a Public Hearing was held with the Hearing Examiner to review the request of Mr. Thomas Cain for a variance to divide 1.5 acres containing an existing residence from a parcel of 52 acres, and to be given permission to construct a new residence on the remaining 50-odd acres. It was the decision of the Hearing Examiner to allow the subdivision of the property; however, construction of a new residence on the remaining acreage was denied on the basis of the agricultural zoning of the area.

Ms. Roeder then read the letter of appeal from Mr. Cain, which requests the Board to hold their own Public Hearing to consider the matter, due to extraneous circumstances. The letter explained that the property had previously belonged to a Mr. Jim Hood, who lost it in the late 1970's when he pledged it as collateral for his brother's unsuccessful farming operation. Mr. Cain stated that he wished to allow Mr. Hood to purchase back the 1.5 acres containing the existing house and barns, which he is presently renting, for \$20,000, with \$2,000 down; an arrangement Mr. Hood finds satisfactory.

Ms. Roeder explained the three options available to the Board:

- 1) To remand the matter back to the Hearing Examiner for further consideration.
- 2) To hold a Public Hearing of their own.
- 3) To uphold the decision of the Hearing Examiner.

Mr. Cain then made a statement explaining the proposed sale of the land and home to Jim Hood. He cited the following requests which have been granted under similar circumstances, with the remaining parcels of agriculturally zoned land approved for construction of new residences:

- a) 04/19/86: Norman Dahlstad request to subdivide 3 acres from a parcel of 60 acres at 1306 Highway 537, Mount Vernon.
- b) 02/03/88: Paul Thompson request to subdivide 2.3 acres from a 42.3 acre parcel at 1292 McClean Road, Mount Vernon.
- c) 01/04/89: Ronald Vought request to subdivide 2 acres from a 40 acre parcel at 681 Warline Road, Bow.

Mr. Cain stated that there would be no negative impact to the Blanchard community by the granting of this request. He introduced Mr. Hood, who declined to make a statement, but offered to answer questions.

When questioned, Steve Wood, Planning and Community Development Director, stated that if new home construction were allowed on the remaining acreage, only one home could be built unless a request was made for additional residence sites.

Commissioner Vaux explained his opposition to home building on existing farmland, stating that it is slowly eroding our agricultural land, and has caused alarm amongst the farming community. He motioned to uphold the decision of the Hearing Examiner in this matter.

Mr. Cain and Mr. Hood made statements regarding previous variance requests granted and the history of the property.

Commissioner Wylie indicated her agreement with Commissioner Vaux and seconded the motion.

Barbara Ohmdal of Best Realty stated that she had sold Mr. Cain the farm and is his neighbor. She urged the Board to reconsider, as the remaining parcel is in excess of the minimum 40 acres required for construction on agriculturally zoned lots, even without the subdivided lot. She referred to the case cited by Mr. Cain regarding the Vought variance as an example of residential construction on a substandard lot. She further pointed out that there are a number of residences on the same road, so that impact to the community would be minimal. Finally she requested greater consideration of the request because of the number of extenuating circumstances it presents.

Commissioner Vaux and Commissioner Wylie indicated that their motion and second would stand. The motion to uphold the decision of the Hearing Examiner was unanimously approved.

MISCELLANEOUS ITEMS.


1. Commissioner Wylie motioned to approve a resolution appointing Betty Crippen, 1330 Glenwood Drive, Mount Vernon, to the Fair Advisory Board, expiring on May 22, 1992. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12069)
2. The Board approved for signature the following Skagit County Fair entertainment contracts:
 - a) Professional Services Agreement with Cabaret Beret for three performances by their six-member band, featuring music from the 1930-40's and 1960-70's, on August 10, 1989, for a fee of \$2,000.
 - b) A contract for country singer Judy Rodman to perform two shows on August 12, 1989, for the fee of \$5,000.
3. Jay Ensley presented a message of confirmation from Whatcom County acceptin Skagit County's counter-offer for a surplus garbage compactor at Inman Landfill.

Commissioner Wylie then motioned to approve the resolution declaring a used 1986 Caterpillar 816B landfill compactor a surplus item, and selling it to Whatcom County for the sum of \$80,000. (Resolution #12070)

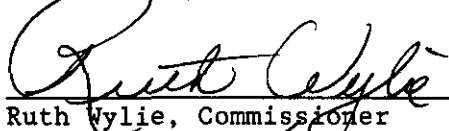
ADJOURNMENT

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



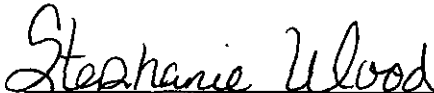
Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners