

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Monday, October 30, 1989

8:30 a.m. Continuation of Public Hearing - 1990 Solid Waste Disposal Rates.

9:30 a.m. Proclamation - Skagit County Centennial Committee.

10:30 a.m. Public Works Department - Mark Spahr, Director:

- 1) Public Hearing - Speed Limit Reduction - a) West Big Lake Boulevard, and b) Cook Road at Allen Elementary School.
- 2) Call for Public Hearing - Speed Limit Reduction - South Skagit Highway.
- 3) Call for Bids - Four New 1990 Model Pickup Trucks.
- 4) Discussion - Cellular Phone Update.
- 5) Miscellaneous.

MISCELLANEOUS ITEMS.

1:30 p.m. Bid Opening - Cape Horn Et Al Guardrail Installation.

MISCELLANEOUS ITEMS.

2:00 p.m. Planning Department - Scott Kirkpatrick, Director:

- 1) Planning Commission Referred Items:
 - a) Henry Dykstras' Preliminary Plat for Classic Ridge.
 - b) Keith Knoernschilds' Comprehensive Plan Amendment/Rezone for Valley Moving and Storage.
- 2) Update - Lake Cavanaugh Fire Station.
- 3) Update - Northern State Hospital.

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

CONTINUATION OF PUBLIC HEARING - 1990 SOLID WASTE DISPOSAL RATES.

Mr. Spahr opened the discussion by introducing to the audience and the Board Rebecca Voerman, the County's new recycling coordinator.

Regarding the concern expressed at the last session on the possibility of asbestos contaminants in the incinerator, Mr. Spahr stated that Skagit County's safety consultant took samples of fly ash from 6 to 8 locations at the incinerator. The samples were then tested at Northwest Laboratories in Seattle. Mr. Spahr stated that each sample showed no asbestos content. He further stated that ambient air testing was performed on the incinerator environment and the samples sent for analysis in Chicago. The test results will return later today.

Mr. Spahr presented a resolution to rescind Resolution #12263, which was passed by the Board at the previous session on solid waste rates, to change the operating hours of the Inman Landfill. Mr. Spahr explained that further

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review of the resolution disclosed that the hours of operation during the winter months should end at 4:30 p.m., rather than at 3:30 p.m., as was stated at the last meeting. A second resolution was presented which establishes the corrected operating hours at Inman Landfill.

Commissioner Vaux motioned to adopt the resolution rescinding Resolution #12263, which established new operating hours for Inman Landfill. Commissioner Wylie seconded the motion, which passed unanimously (Resolution #12264)

Commissioner Vaux then motioned to adopt the resolution establishing the summer hours of Inman Landfill as 8:30 a.m. to 6:00 p.m. Monday through Friday and 8:30 a.m. to 5:30 p.m. Saturday and Sunday, and during winter hours as 8:30 a.m. to 4:30 p.m. seven days a week, to be divided by Daylight Savings Time and Standard Time. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12265)

Regarding the continuation of the discussion of 1990 solid waste disposal rates, Bill Ness, Solid Waste/Environmental Engineer, explained a revenue summary compiled by the Public Works Department. Mr. Ness stated that actual figures are available for 1989 from January through September, but that amounts for October through December are projected amounts. He stated that revenue from each solid waste category was reached by multiplying the yearly quantity by the proposed rate. The total revenue reached from solid wastes fees was \$2,975,113.36. Mr. Ness stated that when funds received from grants, energy sales and other sources are included, and expenditures for purchasing of batteries are subtracted, a total revenue of \$3,709,000 is reached. A copy of the revenue summary was provided to the Board, as well as to each member of the audience.

Don Bockelman, a Day Creek resident, stated that petroleum contaminated soil disposal rates should be raised. He stated that the County should not subsidize the cost of spills on one hand, and be punitive toward individuals disposing of tires on the other. He felt this was "totally ridiculous". He further stated that he wished to see Skagit County contact the Department of Ecology to apply for a grant to locate a tire recycling facility in Skagit County.

Mr. Ness stated that at the last meeting a recycling facility was identified in Lewis County. Mr. Ness stated that the facility was contacted and would bring a 27 foot trailer to Skagit County at a cost of \$550 plus \$75 per month, which they would pick up again when full. Mr. Ness stated that in order to offer this service, Skagit County would have to charge \$69 per ton for tire disposal.

Mr. Bockelman clarified that his wish was for the recycling facility to be located in Skagit County, and could be funded by the \$1.00 surcharge that D.O.E. has placed on all tire sales.

Mr. Spahr indicated to Mr. Bockelman that that avenue will be pursued, and Mr. Bockelman suggested that Dale Clark of D.O.E. be contacted.

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Stan Kersey, representing the City of Burlington, asked for clarification on the leachate and septage costs, and was shown a copy of the proposed resolution establishing 1990 solid wastes rates.

Mr. Bockelman discussed the testing of the fly ash for asbestos with Mr. Ness. It was established that the samples were all taken on the same day. Mr. Ness and Mr. Bockelman disagreed on whether asbestos levels would be found if testing were performed on subsequent days.

Terry Knudsen of Rural Sanitation asked if the figure of \$3,709,000 was the original figure discussed when the public hearings began. Mr. Ness replied that the original figure was \$3,600,000, but was adjusted after reviewing 1988 data, and after adding a \$100 per ton asbestos charge.

Mr. Ness, answering a question from Commissioner Vaux, stated that he figured in a growth factor of 0 when computing revenues for 1990 because he felt that recycling will remove enough solid waste from the waste stream to account for any growth that may occur in 1990.

Both Commissioner Vaux and Commissioner Wylie disagreed with this statement, and Chairman Rohrer felt that the amount of money received for recyclable materials is not enticing the public to begin recycling at this time.

Mr. Kersey made the statement that he recycles not for the money he receives from the recycling transfer station for his materials, but because he knows he is making a difference in the amount of material being landfilled and because it saves him the money he would spend for commercial hauling of his garbage.

Will West of North Cascade Disposal of Concrete asked for clarification regarding transfer of recyclables at County solid waste transfer stations, and was informed that this would be accomplished free of charge for clean, separated recyclables.

Mr. Spahr agreed that a valid point is made in questioning the use of a 0 growth rate; however, the bottom line revenue is still needed for the solid waste budget to break even. Mr. Spahr stated that the \$100,000 that appears to be a surplus will be used to reimburse the \$800,000 from the Road Fund. Previously the Solid Waste Budget has been only paying the interest due to the Road Fund. Mr. Spahr further stated that it would seem that the Board would like a very precise number for each category and, as amounts vary widely depending on the industrial, building, and commercial activity in the County, it is not possible to achieve a precise calculation.

Commissioner Vaux contended that if some increase in growth is not figured in, then the total revenue figure is meaningless. He motioned to continue the public hearing to Tuesday, October 31, 1989, at 11:00 a.m., and to instruct the Public Works Department to prepare new figures to include a 5% growth factor.

The Board discussed cardboard recycling with Terry Knudsen and recycling in the City of Burlington with Stan Kersey.

Al Foss, representing Seattle City Light, stated that the proposed increase to the out-of-county collected garbage on the short strip of highway which falls within Whatcom County near Marblemount is his concern. He stated that Seattle City Light, whose facility is located on this short strip of highway, thinks of itself as a citizen of Skagit County. He stated that they support Skagit County through contributions to various civic organizations including United Way, the hospital districts, and the Concrete School District. He stated that 65% to 70% of their employee base is composed of Skagit County citizens. He stated that much of their business is done in Skagit County, indicating that a number of taxable purchases are made at local stores. He urged the Board to reconsider the out-of-county commercial rates.

Commissioner Vaux indicated that he felt there is a historic precedent set which obligates Skagit County to accept garbage from that area, but that if no such precedent existed, it would be a borderline issue whether it should be accepted at any price.

Mr. West gave a statement in support of Seattle City Light, and Mr. Foss stated that he did not see where it costs Skagit County any more to accept their wastes than wastes from elsewhere in the County.

Ken Bechtel, a landfill worker, stated that part of the reason for the higher price is because Mr. West hauls his loads only as far as the Sauk Landfill, and the County must pay Rural Sanitation to transport them the rest of the way to the incinerator.

Commissioner Wylie felt that the rate proposed is not unreasonable for acceptance of out-of-county wastes, and reminded the Board that the area in question does not support any Skagit County levies. She seconded Commissioner Vaux's motion to continue the hearing. A vote was called and the motion passed unanimously.

PROCLAMATION - SKAGIT COUNTY CENTENNIAL COMMITTEE.

Commissioner Vaux read the proclamation declaring the "Voyage Into The Second Century", sponsored by the Skagit County Centennial Committee, the official centennial celebration event, and motioned to adopt the proclamation. Commissioner Wylie seconded the motion, which passed unanimously.

Members of the Centennial Committee displayed for the Board a quilt constructed by various community members and featuring centennial memorabilia.

Tim Boles, Centennial Committee member, reported on ticket sales for the "Voyage", which will take place on November 11, 1989. He stated that unforeseen circumstances regarding additional taxes have necessitated the committee to approach the Board with a request to underwrite \$3,000 worth of fireworks for the "Voyage". He stated that \$7,000 in license plate surcharge funds is expected from the State to fund the cost of the "Voyage" itself.

Helen Smith, Centennial Committee Chairman, described the fireworks show and seconded Mr. Boles' request for subsidy by the Board.

After brief discussion, Commissioner Vaux motioned to approve the allotment of \$3,000 to the Centennial Committee for fireworks, in the event that sufficient funds do not remain in the budget to pay for them after all expected expenses are tallied. Commissioner Wylie seconded the motion, which passed unanimously.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Public Hearing - Speed Limit Reduction - a) West Big Lake Boulevard, and b) Cook Road at Allen Elementary School.

Mr. Spahr presented an Engineer's Report compiled by Ed Hawes, Traffic Safety Engineer, which was compiled during a safety review of Skagit County Roads.

Mr. Hawes reviewed his report, which recommends postings on West Big Lake Boulevard near Big Lake School and on Cook Road at Allen Elementary School of "20 m.p.h. when children present". He described the boundaries of the areas in question.

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

Commissioner Vaux then motioned to accept the recommendation of the Traffic Engineer's Report and authorize postings of "20 m.p.h. when children present" on West Big Lake Boulevard near Big Lake School and on Cook Road at Allen Elementary School. Commissioner Wylie seconded the motion, which passed unanimously.

2) Call for Public Hearing - Speed Limit Reduction - South Skagit Highway.

In accordance with action previous taken, the Board approved for signature a resolution calling for a public hearing on November 6, 1989, at 10:30 a.m. to consider lowering the speed limit on South Skagit Highway from the intersection of Walberg Road easterly to milepoint 9.07 from 50 m.p.h. to 35 m.p.h. (Resolution #12266)

3) Call for Bids - Four New 1990 Model Pickup Trucks.

Commissioner Vaux motioned to adopt the resolution calling for bids for the purchase of four new 1990 half-ton pickup trucks for the road maintenance fleet on November 13, 1989, at 1:30 p.m. Commissioner Wylie seconded the motion, which was unanimously approved. (Resolution #12267)

4) Discussion - Cellular Phone Update.

Tom Sheahan, Department of Emergency Management Director, explained that the Cellular One Company has contacted Skagit County to assess the interest of the County in cellular telephone service. Mr. Sheahan stated that he arranged a meeting of local emergency management administrators, where a presentation was given by Charlotte Bonesteal of the Cellular One Company on cellular telephone

service. He stated that the company has not sited a transmitting tower in Skagit County yet, but has been dealing with the City of Anacortes for a site on Mount Erie, and expects to be on-line in January. Mr. Sheahan stated that cellular service encompasses the entire northwest area, save for Skagit County.

Mr. Sheahan provided brochures on several available models of cellular phones. He compared these models with the present system used. He stated that the government cost for the service, aside from the unit acquisition costs, is \$15 per month for access and \$0.15 per minute for usage, although high volume users may elect to be billed strictly at a per minute charge with no access charge.

Mr. Sheahan offered to keep the Board informed on the status of the company's service availability.

5) Miscellaneous.

There were no miscellaneous items from the Public Works Department.

MISCELLANEOUS ITEMS.

- A. The Board approved for signature Contract #2490-75340 between the Skagit County Human Services Department and Rehabco to provide Developmental Disabilities services from November 1, 1989, to June 30, 1990, under Skagit County's basic agreement with D.S.H.S. #7000-60795.
- B. Commissioner Wylie motioned to adopt a resolution authorizing a budget line item change in the amount of \$950.00 from the Postage Fund of the County Clerk's Office Budget to the Office Supplies Fund. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12268)
- C. The Board approved for signature a Waste Management Grant Application to the Department of Ecology to fund \$50,000 of a \$66,660 Health Department project involving illegal dumping enforcement, abandoned dump monitoring and landfill ground water monitoring from January 1, 1990, to December 31, 1991.
- D. Commissioner Vaux motioned to adopt the Records of the Proceedings from Monday, October 23, 1989; Tuesday, October 24, 1989; and Wednesday, October 25, 1989, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.
- E. Commissioner Vaux motioned to approve the Petition for Property Tax Refund of John G. Torset, 3341 East Moody, Mount Vernon, WA 98273, in the amount of \$202.50, due to a senior citizen exemption (012389).

BID OPENING - CAPE HORN ET AL GUARDRAIL, INSTALLATION.

Chairman Rohrer waived the reading of the Notice of Call for Bids, as published in The Skagit Argus on October 11, 18 and 25, 1989, and in The Daily Journal of Commerce on October 13, 20 and 26, 1989.

The following bids were received and opened:

- a) Coral Construction Company
P.O. Box 347
Wilsonville, OR 97070

TOTAL BID: 123,776.95
Proposal Bond Enclosed

- b) Petersen Brothers
2008 East Valley Highway
Sumner, WA 98390

TOTAL BID: \$159,269.35
Proposal Bond Enclosed

- c) Junlo Corporation
2646 S.E. 73rd Avenue
Portland, OR 97206

TOTAL BID: \$121,325.75
Proposal Bond Enclosed

The Public Works Department requested to be allowed to review the bids received and to return at a later date with a recommendation for award. The Board granted this request.

MISCELLANEOUS ITEMS.

There were no miscellaneous items for discussion at this time.

PLANNING DEPARTMENT - SCOTT KIRKPATRICK, DIRECTOR:

1) Planning Commission Referred Items:

- a) Henry Dykstras' Preliminary Plat for Classic Ridge.

Dave Hough, Senior Planner, provided aerial photos of the proposed Plat of Classic Ridge off of Peterson Road in Burlington. He stated that Mr. Henry Dykstra has requested approval of a Preliminary Plat Request to allow the division of 6.24 acres into 16 single family residential lots. Mr. Hough explained that sewer service would be provided by the City of Burlington. A 9 to 0 vote in favor of the approval of the Preliminary Plat was entered by the Skagit County Planning Commission at its October 16, 1989, meeting. Four conditions were set upon the approval, which included submittal of roadway section, a revised drainage plan and Bylaws of Maintenance for the drainage system. Additional conditions required a recorded avigation easement and a procedure for notifying purchasers of aircraft overflights.

The Board briefly discussed the drainage system with Bruce Lisser, and then Commissioner Vaux motioned to adopt the recommendation of the Planning Commission and approve Henry Dykstras' Preliminary Plat for Classic Ridge. Commissioner Wylie seconded the motion, which passed unanimously.

b) Keith Knoernschilds' Comprehensive Plan Amendment/Rezone for Valley Moving and Storage.

Gary Christensen, Associate Planner, provided aerial photos of the Koernschild property, one mile south of Mount Vernon, adjacent to and east of Old Highway 99, the proposed location of Valley Moving and Storage. Mr. Christensen stated that a request has been made by Mr. Knoernschild for the purchasers of his property, Valley Moving and Storage, to reclassify an approximate 1.58 acre parcel from Agricultural zoning to Commercial-Limited Industrial to operate their moving and storage business. A 9 to 0 vote in favor of approval of the request was entered by the Planning Commission at its October 16, 1989 meeting. Sewer, drainage, fire and water services are all from established districts.

Commissioner Wylie confirmed that access to the business would be off of Old Highway 99.

Pat Kelly of Valley Moving and Storage explained that his business is currently located in Mount Vernon, and that he wishes to move to this site.

Commissioner Vaux motioned to adopt the recommendations of the Planning Commission and approve the Comprehensive Plan Amendment and Rezone of Keith Knoernschild for Valley Moving and Storage. Commissioner Wylie seconded the motion, which passed unanimously.

2) Update - Lake Cavanaugh Fire Station.

Mr. Kirkpatrick reminded the Board that Georgia Pacific has donated property in the Lake Cavanaugh area for the purpose of building a fire station for the Lake Cavanaugh Fire District. He stated that both the Fire District and Georgia Pacific have submitted requests for fee waivers for the permits necessary to build the structure. An approximate total of \$300.00 would need to be waived to complete the permitting process.

Gary Christensen, Associate Planner, noted that Steve Wood, past Director of Planning and Community Development, had indicated that the Board had approved of the waiver, but no supporting resolution has been found.

The Board directed Mr. Kirkpatrick to research the files of the more recently constructed fire stations and determine whether fee waivers were granted in those cases, returning to the Board with the results.

3) Update - Northern State Hospital.

Mr. Kirkpatrick stated that he has requested a discussion of this topic with the Board to familiarize himself with plans for the Northern State Hospital Campus. He stated that he has been contacted by a group of Tacoma consultants representing the State General Administration regarding a study of nine buildings at the Northern State. Additionally, he has been cited as a reference by Sheriff Gary Frazier in correspondence regarding a proposal to establish a juvenile rehabilitation facility at the Northern State. Mr. Kirkpatrick stated that he has knowledge of two proposed uses for the property, which is presently owned by State agencies; as a mental health treatment hospital and as a juvenile rehabilitation facility.

Mr. Kirkpatrick stated that the Planning Department is interested in the projects only as they pertain to applicable building codes and permitting processes.

JoAnn Angevine, Human Services Director, who had been asked to attend the discussion, stated that, in addition to the mental health hospital, she understood that a 16 bed juvenile minimum security facility was planned for the site, which would be associated with Job Corps, an existing youth training facility. She stated that it is her understanding that the facility will not accept offenders who have committed crimes against people, and that those assigned to the facility will have less than six months remaining on their sentences.

Mr. Kirkpatrick asked direction of the Board on whether he should be taking an active role in the permitting process for the two proposed facilities and in the consultant's study.

Roger Howard, Facilities Manager, stated that the consultant's study pertains only to the structure of each building and does not address their potential use.

Ms. Angevine suggested that the Board and interested individuals meet with Nick Cockrell of the General Administration to discuss the current plans for the Northern State Campus.

The Board agreed and directed Ms. Angevine to invite Mr. Cockrell as soon as possible.

3) Miscellaneous Items.

A. Mr. Kirkpatrick related that the Planning Department staff has been asked to speak on agricultural zoning issues to a number of Skagit County interest groups. He stated that the most frequently asked questions are:

- Is the Comprehensive Plan regarding agricultural land use strong enough?
- What will be done if it is not?

Mr. Kirkpatrick discussed other frequently asked questions and what policy statements will be made.

The Board discussed with Mr. Kirkpatrick his ideas for changes to the Comprehensive Plan. Commissioner Vaux requested that the Planning Department submit to the Board within 30 days a resolution for consideration that would refer decisions regarding agricultural lot variances to the Planning Commission rather than the Hearing Examiner. Secondly, Commissioner Vaux requested that by the end of the year, a resolution be submitted mandating the establishment of homes granted by agricultural lot variances within close proximity to roads or right-of-ways to discourage builders from locating residences so as to disturb the ability to farm the maximum amount of agricultural area.

Commissioner Wylie asked that a resolution be submitted clarifying the connection of family members who may be considered for agricultural lot variances.

Chairman Rohrer asked what steps are being taken to facilitate enforcement of conditions set by the Planning Department, Hearing Examiner and Planning Commission. Mr. Kirkpatrick responded that he is in the process of putting a system in place whereby enforcement duties can be performed.

Finally, the Board requested that they be furnished with a schedule of the Hearing Examiner's upcoming calendar items.

- B. Dave Hough, Senior Planner, stated that a Declaration of Non-Significance has been received regarding property in the unincorporated area near Sedro Woolley, north of the Cook Road and west of Glenwood Acres. He stated that the City of Sedro Woolley is requesting to annex this property, which belongs to the Sedro Woolley School District, to construct a playfield associated with the District.

Mr. Hough stated that two main objections the Planning Department has to this annexation are, 1) that the Cook Road, which is already a highly traveled thoroughfare and in dire need of traffic revision, would be negatively impacted by such a project, and 2) that the annexation would create irregular boundaries for the incorporated area of Sedro Woolley, touching other incorporated area in only one spot. He stated that the Board has the option to request that the Boundary Review Board assume jurisdiction in this case.

The Board discussed with Mr. Hough the authority of the Boundary Review Board, and the steps for a request for assumption of jurisdiction.

The Board directed Mr. Hough to respond to the City of Sedro Woolley's communication, and when the City files a Notice of Intention to annex the property, to bring it to the Board's attention for action.

ADJOURNMENT

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

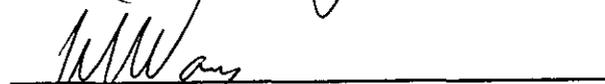
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman



Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners