

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

Tuesday, January 16, 1990

9:00 a.m. Planning Commission Referred Items:

- 1) Preliminary Plat Approval - Tom Perry.
- 2) Modification of Contract Rezone - Ken Fowler.

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

- 1) Signature - Interlocal Agreement with LaConner School District.
- 2) Notice of Intent - Purchase of New Office Furniture.
- 3) Call for Public Hearing - Speed Limit Reduction, Portion of South Skagit Highway, Vicinity of S.R. 9.
- 4) Call for Public Hearing - Consideration to Establish One-Way Traffic on Entner Lane, Dewey Beach Vicinity.
- 5) Update - Post-Incineration Metal Separation.
- 6) Proposal - Analysis of Solid Waste Stream.
- 7) Miscellaneous.

The Skagit County Board of Commissioners met on Tuesday, January 16, 1990, in regular session, with Commissioners Ruth Wylie, W. W. Vaux, and Dave Rohrer present.

PLANNING COMMISSION REFERRED ITEMS:

1) **Preliminary Plat Approval - Tom Perry.**

Dave Hough, Senior Planner, presented to the Board a site plan and a copy of the proposed preliminary plat of Bay Hill. Mr. Hough explained that the applicant, Mr. Perry, has requested permission to subdivide a 35 acre plat located 1/2 mile west of Burlington on the Peterson Road into 105 single family residential lots. The lots will vary from 8,400 to 16,00 square feet, and will be served by P.U.D. #1 for water, and the Burlington sewer facility.

Mr. Hough explained that the applicant received approval for a Planned Unit Development for 83 units on the site in 1981 under the name Seventeen Cedars; however, he did not proceed with the development and the preliminary approval expired. Mr. Hough stated that the Planning Department has recommended approval of the request, and that the Planning Commission, following a public hearing held on December 11, 1989, voted six to one for approval of the request, adding four conditions regarding approval of plans for roadways, drainage and Bylaws of Maintenance, completion or bonding of road, water system and drainage systems prior to final plat consideration, a notification that the property is subject to overflight from the Skagit Regional Airport, and expiration of the preliminary plat three years from the Board of Commissioners' approval.

Mr. Hough informed the Board that regarding drainage, the majority of the storm water will be taken to the south through the Skagit Golf and Country Club. An agreement to develop a storm water management system has been negotiated between Mr. Perry and the Skagit Golf and Country Club.

At this time, Commissioner Vaux motioned approval of the preliminary plat of Bay Hill, with the conditions placed upon the request by the Planning Commission. Commissioner Rohrer seconded the motion, which passed unanimously.

2) Modification of Contract Rezone - Ken Fowler.

Gary Christensen, Associate Planner, provided aerial and 35 mm photographs of the site where Mr. Ken Fowler has requested a modification to an existing contract rezone #R-77-003 to operate a well drilling business within a portion (approximately 1600 square feet) of an existing business in the community of Allen, approximately 1/4 mile southwest of Chuckanut Drive, north of the Cook Road extension. Mr. Christensen further described the property as the old Pepsi Cola distributor and formerly the mushroom factory.

Mr. Christensen stated that both the Planning Department Staff Findings and the Planning Commission recommended approval of the request. The Planning Department further adopted conditions as recommended by the Planning Department, which were provided for the Board's review. The conditions set limits on the use, hours of operation, signage and storage at the property. They further addressed noise, drainage plans, and parking surface, and required preparation of a landscape plan by a certified or registered landscape professional. The landscaping shall occur within six months of permit approval. Conditions further require that the landscaping be guaranteed by a performance bond of 150% of the estimated costs, or other means of guarantee.

Commissioner Vaux noted that the building design does not have to be completed by a certified AIA architect, except under exigent circumstances. He wondered why, then, the consultation of a certified landscaper should be required.

Mr. Christensen explained that the property has been the subject of long standing problems in the past with incomplete landscaping or neglected landscaping, even to the point of violating past conditions set on the property by County government. Additionally, Mr. Christensen explained, the Planning Department has no expertise in determining what plants are appropriate to achieve certain ends such as site blockage and noise abatement, as an expert would.

Commissioner Vaux asked why the Planning Department does not accept a layperson's plans and refer them to an expert for advice at the County's expense instead of charging the applicant.

Mr. Christensen stated that the intent is to have a landscaper involved early in the project, and to force the applicant to have an investment in the landscaping that would encourage better completion and upkeep of the landscaping.

Mr. Fowler agreed that he was not happy with this condition, stating that there is only one landscaper in Skagit County who qualifies as a consultant.

Mr. Christensen maintained the need for a consultant, stating again that previous attempts to conditionally require landscaping have been unsuccessful.

Commissioner Vaux explained then to Mr. and Mrs. Fowler that in order to change the condition regarding landscaping, the Board would either have to remand the matter back to the Planning Commission or hold a public hearing, either of which would delay the approval of the request by approximately three weeks.

The Fowlers indicated that they would rather not delay the approval of their request.

Commissioner Vaux then motioned to approve the recommendation of the Planning Commission and grant the modification of Contract Rezone #R-77-003 of Ken Fowler. Commissioner Rohrer seconded the motion, which passed unanimously.

MISCELLANEOUS ITEMS.

- A. As of this date, January 16, 1990, the Board, by unanimous vote, did approve for signature Warrants #79001 through #79052 (Vouchers #79001 through #79052) in the amount of \$14,035.00 (PR-1-90).
- B. Commissioner Rohrer motioned to approve the Petition for Property Tax Refund of James L. Collinge, 1520 Sneeosh Road, LaConner, WA 98257, in the amount of \$131.29, due to a double assessment of equipment (015789).
- C. The Board reviewed a request by Mike Rickert, Prosecuting Attorney, for financial assistance to attend a National College of District Attorneys seminar from March 18 through 22, 1990 in Boston. The approximate cost of the trip will be \$1,600 to \$1,750, which includes travel, tuition, lodging and meals.

Commissioner Vaux motioned to allow the customary Board allowance of 2/3 of the total cost. Commissioner Rohrer seconded the motion, which passed unanimously.

- D. The Board reviewed a request by Paula Kvam, Records Management Coordinator, for financial assistance to send her employee, Cori Russell, to the Region X Association of Records Managers and Administrators Conference in Boise, Idaho, March 7 through 9, 1990. The total cost of the trip, including registration, meals, lodging and travel, will be \$750. The travel account of the Microfilm Center will cover all but \$150 of the cost.

Commissioner Rohrer motioned to finance the requested amount for Ms. Russell's trip. Commissioner Vaux seconded the motion, which passed unanimously.

- E. The Board approved for signature Out-of-State Travel Requests for employees of Skagit County to travel to various sites in Texas to conduct field review of computer installations which are being considered for purchase by Skagit County. Requests were approved for the following employees:

- Mike Woodmansee
- Paul Mahoney
- Bob Lee
- Mark Leander
- Allen Stewart
- Judy Menish
- Katy Jungquist

- F. Chairman Wylie motioned to adopt the resolution reappointing Chris Loughlin to a three year term on the Skagit County Fair Advisory Board, effective December 31, 1989. Commissioner Vaux seconded the motion, which received unanimous approval. (Resolution #12361)
- G. Commissioner Rohrer motioned to adopt the resolution appointing Louis Requa to a three year term on the Skagit County Fair Advisory Board, effective December 31, 1989. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12362)
- H. Commissioner Vaux motioned to adopt the resolution reappointing Bryan Baker to a three year term on the Developmental Disabilities Administrative Board, effective November 23, 1989. Commissioner Rohrer seconded the motion, which was unanimously approved. (Resolution #12363)
- I. Commissioner Rohrer motioned to adopt the resolution reappointing Barbara Gjertsen to a three year term on the Mental Health Advisory Board, effective February 1, 1990. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12364)
- J. The Board approved for signature a Parks and Recreations Rafters Agreement with River Rats of Bothell, Washington. The agreement is for the period from October 1, 1989, to September 30, 1990, and requires a \$100 performance deposit, as well as a nonrefundable permit fee of \$1.00 per person exiting the Skagit River onto County property. A late payment penalty is also described.
- K. The Board approved for signature the following Parks and Recreations Department Officials Contracts, for the period from January 1, 1990, to December 31, 1990, at current Parks and Recreations Department officials wages.
- Maurie Arntzen
 - Gregory Tate
 - Bill Scerbik
- L. The Board approved for signature the following contracts for Skagit County Senior Services with the Northwest Regional Council:
- Contract #90-3170-21 for \$145,582 for Senior Nutrition Project, project period 01/01/90 to 12/31/90.
 - Contract #90-3150-19 for \$4,474 for Senior Employment, project period 01/01/90 to 12/31/90.

- Contract #90-3190-14 for \$4,000 for Senior Volunteer Project, project period 01/01/90 to 12/31/90.
- Contract #90-3110-06 for \$123,764 for Senior Information and Assistance, Case Management, project period 01/01/90 to 12/31/90.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Signature - Interlocal Agreement with LaConner School District.

The Board approved for signature the renewal of an Interlocal Agreement with the LaConner School District for snowplowing and grading of property owned by the school district. Reimbursement shall occur at cost plus 9%.

2) Notice of Intent - Purchase of New Office Furniture.

This item was postponed until a later date.

3) Call for Public Hearing - Speed Limit Reduction, Portion of South Skagit Highway, Vicinity of S.R. 9.

Commissioner Vaux motioned to call for a public hearing on February 20, 1990, at 10:30 a.m., to consider lowering the speed limit on South Skagit Highway from milepoint 1.00 to milepoint 2.10 from 50 to 35 m.p.h. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12366)

4) Call for Public Hearing - Consideration to Establish One-Way Traffic on Entner Lane, Dewey Beach Vicinity.

Commissioner Vaux motioned to call for a public hearing on February 5, 1990, at 10:30 a.m., to consider the establishment of one-way traffic on a road known as Entner Lane in the vicinity of Dewey Beach. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12367)

5) Update - Post-Incineration Metal Separation.

Mr. Spahr noted that there has been discussion from time to time on metal separation at the incinerator. Of late, it has become increasingly obvious that Skagit County will be required to meet criteria for ash disposal that will include removal of ferrous material and compacting of ash into a homogeneous, impermeable substance prior to disposal.

Mr. Spahr stated that several factors must be weighed when deciding on how to separate ferrous material from the ash. Where the removal will take place is one consideration. Recycling will remove much of the metals from the waste stream, but at what point will those that remain be removed?

Mr. Spahr stated that it is the recommendation of the Public Works Department Solid Waste Division that metals be removed at the landfill site in the post-incineration period. Here the ash can be mixed with other materials to promote homogeneity and compaction. Mr. Spahr indicated that both C&D Salvage, the current County recycling contractor, and Energy Resource Recovery have expressed an interest in being involved in the metal separation.

Mr. Spahr explained that Public Works Department officials will be meeting with member of the Department of Ecology and Northwest Air Pollution Authority to discuss the notion of metal separation, in order to make an informed decision.

A representative of Energy Resource Recovery thought Mr. Spahr's recommendation was possible, and expressed a desire to be involved in the project.

Lewis Nutter of C&D Salvage stated that his company has a proposal to offer, needing only the approval of the Board to begin immediate metals removal. He felt his company could achieve 90% removal of ferrous materials from incinerator ash. He stated that part of the proposal of C&D Salvage is to perform cleaning of the existing material in the landfill liner.

Charlie Decker, owner of C&D Salvage, stated that he has spent approximately \$250,000 developing his system of metal removal, and that the County would be required to invest approximately \$35,000 in installation costs.

Mr. Spahr noted that the Public Works Department is not prepared to make a recommendation as to Mr. Decker's proposal at this time.

Commissioner Vaux and Mr. Spahr discussed a Request for Proposals for this services, as well as the merits of performing metal separation in the post-incineration stage at the Inman Landfill. Commissioner Vaux pointed out that the landfill is only permitted until July 1, 1995.

Don Bockelman, President of the Citizen's Alert activist group, elaborated on the requirements for metal separation by the State. He made allegations that the County's disposal of incinerator ash is performed illegally.

Mr. Spahr restated his recommendation that metal separation be performed post-incineration at Inman Landfill, citing additional reasons of avoidance of dusting during the process, which would become troublesome if it were to occur at the incinerator site.

The Board discussed further the merits of pre-combustion metal separation versus a post-combustion process, and Chairman Wylie noted that portability of the operation should be a consideration because of the limited life of the landfill.

The Board agreed with the notion of meeting with agencies to gain knowledge to make an informed decision on this issue. They further directed Mr. Spahr to research with the County's Chief Civil Deputy the implications of the County's current contractual obligations to C&D Salvage in this matter

Chairman Wylie's absence was excused for the following items:

6) Proposal - Analysis of Solid Waste Stream.

Mr. Spahr referred to the Hazardous Waste Grant that Skagit County is utilizing through a lead agency, Skagit Council of Governments. He stated that one requirement of the grant is to gain an understanding of the extent of

the hazardous waste generation within the County. Mr. Spahr recommended that this be accomplished by an audit of the waste stream. He discussed the advantages of such an audit, and stated that a similar study was performed by the Department of Ecology in 1987.

Rebecca Voerman, Recycling Coordinator, stated that she consulted Matrix Management, a firm that has been involved with many waste stream analyses. Matrix Management advocated the review of 100 samples from both commercial and private waste loads, as opposed to a telephone or written survey. Ms. Voerman also noted advantages to a waste stream audit. She stated that funding of the audit could occur via a D.O.E. grant of \$34,000 on a 75/25 matching funds agreement.

In answer to questions about the previous D.O.E. study, Ms. Voerman stated that not enough samples were taken at that time, and that the study had other purposes which did not include the County's interest in moderate risk hazardous wastes.

Commissioner Vaux felt that, as the cities and municipalities are involved in the funding of hazardous waste planning, they should be given the opportunity to approve the plan.

Bob Ruby, Executive Director of Skagit Council of Governments, discussed SCOG's involvement. He stated that at a meeting the following week, this matter could be discussed and a concensus obtained.

Mr. Spahr stated that his proposal would be for Skagit County to fund their 25% share of the grant, approximately \$8,400, from the Solid Waste Operating Fund.

Commissioner Vaux then motioned to approve the undertaking of an audit of the waste stream and the funding of a matching grant with Hazardous Waste Planning Funds, contingent upon the approval of the city mayors at the next SCOG meeting, and to fund the matching monies from the Solid Waste Operating Fund should the mayors disagree. Commissioner Rohrer seconded the motion, which carried and was so ordered.

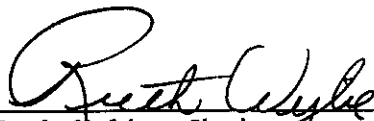
7) Miscellaneous.

- A. Rebecca Voerman reported that quote sheets for the recycling building were received, and came in very high. She stated that in addition to a bid item for a small building, at the Board's direction an addendum was sent out requesting a bid on a 24' x 34' building; however, only 1 of 13 of those sheets was returned.
- B. Commissioner Vaux motioned to cancel the public hearing scheduled for Thursday, January 18, 1990, at 7:30 p.m., regarding additions and amendments to the Skagit County Code solid waste section, Chapter 12.16. Commissioner Rohrer seconded the motion, which carried and was so ordered.


ADJOURNMENT

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

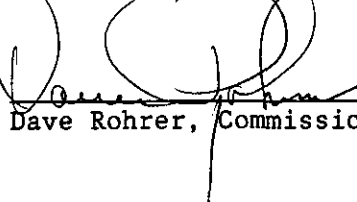
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



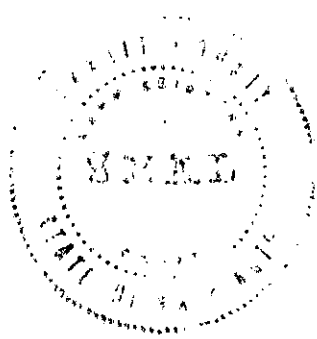
Ruth Wylie, Chairman



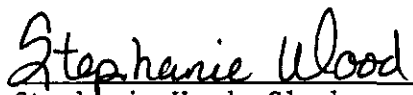
W. W. Vaux, Commissioner



Dave Rohrer, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners