

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, March 27, 1990

9:00 a.m. Board of Health:

- 1) Administrative Appeal - Ray Wibbens Solid Waste Violation of December 6, 1989.

10:00 a.m.

- 1) Resolution - Modifying Skagit County's Indirect Cost Assessment Policy.
- 2) Resolution - Establishing 1990 Cost Allocation to County Road Fund.

MISCELLANEOUS ITEMS.

10:30 a.m.

- 1) Concrete Chamber of Commerce.
- 2) Skagit County Humane Society.

11:00 a.m.

- 1) Taste of Skagit Festival.
- 2) Anacortes School District.

1:30 p.m.

Bid Opening - Aggregate Crushing Project.

2:00 p.m.

Department of Planning and Community Development - Scott Kirkpatrick, Director:

- 1) Resolution - Requesting Planning Agency to Conduct a Study and Make Recommendations for Forest Practices Policies.
- 2) Enforcement Update.
- 3) Staffing Update.
- 4) Miscellaneous.

3:30 p.m.

Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, March 27, 1990, with Commissioners Ruth Wylie, W. W. Vaux and Dave Rohrer present.

BOARD OF HEALTH:

- 1) Administrative Appeal - Ray Wibbens Solid Waste Violation of December 6, 1989.

A proposal for disposition of this matter was submitted by Mr. Michael Lewis, attorney for Mr. Wibbens, prior to the hearing for the Board's review.

Chairman Wylie opened the discussion by first allowing comments from the Health Department staff.

John Thayer, Environmental Health Supervisor, stated that Judith Meadows and Ken Willis, Environmental Health Specialists, made a site visit to the Wibbens sheetrock dump since the last discussion of this appeal. The pair determined that approximately 20 to 25 gallons of water per minute is exiting the dump site via the lower holding pond, which feeds into Friday Creek. Measurements were taken of the site; however, the depth of the site is still unknown. It was determined that a quantity of unknown waste materials is mixed in with the sheetrock.

Mr. Thayer stated that since the preliminary testing performed by the Health Department showed an increase in sulfides in the water exiting the site, there is evidence that the sheetrock contained in the dump is breaking down. It is the view of the Health Department that the conditions at the site will continue to deteriorate. Mr. Thayer cited previous experience with abandoned and closed landfills as documenting evidence. He stated that the Health Department has chosen to act on the basis that sheetrock is a dangerous material per the opinion of the Department of Ecology. Mr. Thayer stated that the Wibbens site violates both State and County laws, and that it poses great potential for ground water and surface water contamination, as well as contamination of neighboring present and future wells. These factors would most likely act as a liability to the County.

Mr. Thayer made the following suggestions for resolution of the matter:

- Acknowledge that a violation has occurred.
- Establish Mr. Wibbens as the person responsible for the site clean up.
- Establish a schedule of fines to ensure compliance.
- Be prepared to utilize county forces to clean up the site, in the event of Mr. Wibbens' default.
- Be prepared to place a lien on the Wibbens property if the county must assume responsibility for clean up of the site.

Mr. Lewis was invited to respond.

Mr. Lewis reviewed his proposal to the Board, which involved removal of material nearest the neighbor's existing well, capping of the site, drainage improvements, and site monitoring. He invited the Board to focus on the actual hazards of the site, rather than the potential threats cited by the Health Department. He maintained that the site is not an imminent threat. Mr. Lewis suggested that Mr. Wibbens would be willing to have the Health Department perform monitoring of the site, and to oversee the capping of the dump. Mr. Lewis gave more information on the alleged benign nature of gypsum. He alluded to a letter submitted to the Board from a Dr. Brackett, who is employed by a gypsum manufacturer, which indicates that gypsum is not a dangerous element when it is disposed of under dry, anaerobic conditions.

Mr. Lewis indicated that he has researched the possibility of contamination of the fish hatchery downstream from the dump, and has found that the hatchery has found no contamination in the water at the hatchery.

Mr. Lewis advocated a cautious, conservative approach to the problem, and again stated that his client would agree to anything short of removal of the material in the dump.

Commissioner Rohrer asked Mr. Lewis what his client intends to do if contamination of groundwater is found several years from now at the site.

Mr. Lewis responded that "the Health Board retains jurisdiction over this problem". He then admitted that perhaps five years of monitoring would not be enough, as was stated in his proposal.

Judith Meadows then made her statement. She estimated that, using the State standards for well monitoring and being exceedingly cautious in her estimate, it would cost, at the very least, \$80,000 to \$100,000 to monitor the Wibbens site for the 20 years required by State law. This estimate does not include financial assurance funds.

Ms. Meadows stated that she contacted representatives of the fish hatchery also and learned that the salmon is an anadromous fish, which means that it is sensitive to changes in water pH. Changes in pH is one characteristic of a deteriorating sheetrock dump. Ms. Meadows stated that mortality in salmon is not apparent at the hatchery level, but will show up when the fish enter the ocean where their salt water "pumps" are impacted.

At this point, Chairman Wylie noted her concern that apparently there is more information to be had on this subject. The future potential for contamination also concerned Chairman Wylie.

Mr. Thayer explained that the only way to determine with surety that there is contamination at the dump site is through a costly process involving core samples and sinking of a groundwater well. Mr. Thayer pointed out that preliminary testing and scientific evidence supports the belief that contamination does exist, or will exist in the future.

Mr. Lewis strongly objected to the statements of the Health Department personnel. He stated that Mr. Thayer has made attempts to cloud the issue and confuse the Board by indicating that dump monitoring would be costly and technical. Mr. Lewis stated that the Wibbens dump is relatively small, and is therefore not analogous to a large public landfill. He stated that he is not willing to concede that the State laws governing landfills apply to the Wibbens dump site, and he condemned Mr. Thayer's attempts to convince the Board that it will be cheaper for Mr. Wibbens to clean up the dump than to monitor it.

Commissioner Vaux then made a statement. He maintained that two issues exist for the Board to consider - does a health hazard exist sufficient to demand removal of the material, and if so, who will be responsible for the removal.

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Commissioner Vaux maintained that the creation of the dump was a risk taken by Mr. Wibbens and those utilizing the dump in view of the fact that information was widely available that should have made these individuals at least suspect that they were engaging in illegal activity. Commissioner Vaux stated his feeling that the water conditions at the dump will only get worse, and that a message must be sent to others that this activity will not be tolerated. He felt that the Board should look for a way to remove the material without bankrupting Mr. Wibbens, but still to send the message to the public.

There was discussion amongst the Board members regarding the possibility of material removal. It was discovered that Mr. Willis and Ms. Meadows, in conjunction with Charlie Tewart, Road Operations Superintendent, had compiled a rough estimate of the costs for removal and disposal. An estimate of \$147,744 was figured for disposal of the material at Inman Landfill, based on 4,800 cubic yards of material. Trucking and loading was figured at \$28,305, which includes \$15 per hour for labor.

At this point, Commissioner Vaux proposed that the Board establish the demand that the material be removed by Mr. Wibbens, and a final date for completion of removal. He motioned the same, with Commissioner Rohrer seconding. The motion passed unanimously.

Commissioner Vaux indicated that interim negotiations would commence between Mr. Wibbens' representative and the County for removal solutions.

Commissioner Rohrer then motioned to set the final date for removal of material at October 1, 1990. Commissioner Vaux seconded the motion, which passed unanimously.

RESOLUTION - MODIFYING SKAGIT COUNTY'S INDIRECT COST ASSESSMENT POLICY.

Mike Woodmansee, Budget/Finance Director, explained the fee calculations for this and the following resolution.

Commissioner Vaux then motioned to adopt the resolution modifying Skagit County's indirect cost assessment policy for recovery by interfund billing the costs incurred for the Road Fund by various County departments. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12538)

RESOLUTION - ESTABLISHING 1990 COST ALLOCATION TO THE COUNTY ROAD FUND.

In conjunction with the above resolution, Commissioner Vaux motioned to adopt the resolution establishing the 1990 cost allocation to the County Road Fund at \$358,023, as calculated on the attachment to the resolution. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12439)

CONTRACTS FOR SIGNATURE:

Skagit County Humane Society.

The Board approved for signature the annual contract with the Skagit County

Humane Society for enforcement of the Skagit County Dangerous Dog Ordinance, at the rate of \$4,200 per month, or \$50,400 per year, for a one year period.

The contract with the Skagit County Humane Society for humane work for the calendar year 1990 was also approved by the Board. A yearly payment of \$16,000 was allotted.

Concrete Chamber of Commerce.

The Board approved for signature a contract with the Concrete Chamber of Commerce for a County donation of \$3,250 from the Hotel/Motel Tax Fund. The donation is to be used for printing of brochures and walking maps to promote tourism in Concrete.

Dave Lowry of the Concrete Herald Printing Company and Ruth Knott, Concrete Chamber President, were present to sign for the Chamber.

Taste of Skagit Festival.

The Board approved for signature a contract with the Taste of Skagit Festival for a County donation of \$3,000 from the Hotel/Motel Tax Fund for administration of the 1990 Festival.

Dr. C. Duane Lowell was present to sign the agreement as a representative of the festival.

Anacortes School District.

The Board approved for signature an interlocal cooperative agreement with the Anacortes School District to provide County funds of \$7,500 to the school district towards the cost of playground equipment at Fidalgo School.

Dr. C. Duane Lowell was present to sign the agreement as a representative of the school district.

BID OPENING - AGGREGATE CRUSHING PROJECT.

Chairman Wylie waived the reading of the Notice of Call for Bids, as published in The Skagit Argus on March 6 and 20, 1990.

The following bids were received and opened:

- 1) Olson and Taylor, Inc.
P.O. Box 130
Arlington, WA 98223

Total Bid: \$348,750.00

- 2) Associated Sand and Gravel Co., Inc.
P.O. Box 2037

Everett, WA 98203

Total Bid: \$493,500.00

- 3) Delhur Industries, Inc.
P.O. Box 1116
Port Angeles, WA 98362

Total Bid: \$417,500.00

The Public Works Department was allowed to review the bids and return at a later date with a recommendation for approval.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:

1) Resolution - Requesting Planning Agency to Conduct a Study and Make Recommendations for Forest Practices Policies.

Mr. Kirkpatrick presented this resolution, which had been requested by the Board at last week's session. Commissioner Rohrer motioned approval of the resolution. Commissioner Vaux seconded the motion. Unanimous approval was received. (Resolution #12440)

2) Enforcement Update.

Mr. Kirkpatrick inquired of the Board whether the direction he has indicated in his past enforcement updates conforms to the wishes of the Board regarding permit compliance enforcement. The Board agreed that it does.

3) Staffing Update.

Mr. Kirkpatrick reported that he has extended an offer to a potential candidate for the Plans Examiner position open in the Planning Department.

4) Miscellaneous.

A. In accordance with action previously taken, the Board approved for signature the resolution approving the Comprehensive Plan Amendment and Rezone request #R-89-011 of Keith Johnson. (Resolution #12441)

B. In accordance with action previously taken, the Board approved for signature the resolution approving Comprehensive Plan Map and Zoning Map Amendments for Public Use Lands, Z-90-003. (Resolution #12442)

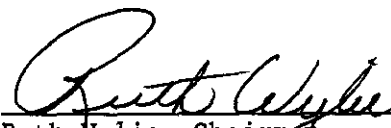
C. Mr. Kirkpatrick discussed with Commissioner Vaux a stop work order that had been issued to a project on Marine Drive. Mr. Kirkpatrick had no new information and promised to look into the matter.

ADJOURNMENT

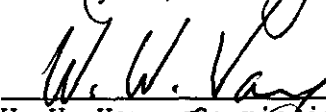
Commissioner Vaux motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





Ruth Wylie, Chairman

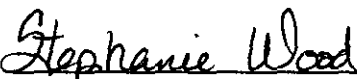


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners

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SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, March 27, 1990

7:00 Continuation of Public Hearing - Additions and Amendments to Skagit County Code's Solid Waste Ordinance, Chapter 12.16, Regarding the Prohibition of Importation of Waste Generated Outside Skagit County.

The Skagit County Board of Commissioners met in regular session Tuesday, March 27, 1990, with Commissioners Ruth Wylie, W. W. Vaux, and Dave Rohrer present.

CONTINUATION OF PUBLIC HEARING - ADDITIONS AND AMENDMENTS TO SKAGIT COUNTY CODE'S SOLID WASTE ORDINANCE, CHAPTER 12.16, REGARDING THE PROHIBITION OF IMPORTATION OF WASTE GENERATED OUTSIDE SKAGIT COUNTY

Chairman Wylie opened the meeting, noting that this was the fourth meeting on this matter. She requested that Mike Rickert, Skagit County Prosecuting Attorney, provide a summarization of the response to the requests that were received at the hearing on February 26 and an explanation of the changes incorporated into the proposed ordinance.

Mr. Rickert said the main issues are: the beauty of Skagit County; a proposed special clause which allows the county to burn garbage from other areas, under special circumstances; and, that this ordinance is limited to county-owned landfills and not private landfills. Mr. Rickert said that his recommendation to the Commissioners is based on constitutional law. A law can be passed that will conform to constitutional muster as long as facilities are limited to county-owned facilities. As constitutional law stands now, interstate commerce cannot be prohibited. The ordinances, as drafted now, conform to constitutional standards.

Mr. Rickert reviewed the two proposed ordinances. Commissioner Wylie's proposed ordinance includes a clause that speaks to the citizens of Skagit County, the quality of life and maintaining it. It includes a contaminated medical waste and sewer sludge clause. Commissioner Wylie's proposed ordinance also contains a special circumstance clause, (2)(b) the existence of surplus capacity at a disposal site owned and/or operated by Skagit County. Commissioner Vaux's proposed ordinance is identical to Commissioner Wylie's ordinance, but the special circumstance clause has been omitted. Commissioner Vaux's proposed ordinance says that the county will not take solid waste from outside the county unless there is a health hazard. Mr. Rickert concluded that the Board of Commissioners will have to make a decision to either pass Commissioner Wylie's proposed ordinance, Commissioner Vaux's proposed ordinance, or another ordinance that would be acceptable.

Commissioner Wylie asked for public testimony and requested that remarks be limited to three minutes.

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Jan Wiggers, 902 District Line Road, Burlington said she would like to see the strictest possible ordinance passed as even the strictest laws will not take care of everything that needs to be taken care of in this rapidly growing county. She indicated that draft two is the better draft in that respect.

Keith Wiggers, 902 District Line Road, Burlington agreed with the above, indicating that he would go with the second draft, the more restrictive one. He said he would not be opposed to importing medical waste from other areas. This would be one exception he could accept.

Tope Ryan, 1906 Grip Road, Sedro Woolley, stated he would choose Commissioner Vaux's ordinance. He said that when the petition was being circulated the concern of most of the people was about a private tire incinerator plant being brought into the county. He said he believes that is why most people signed the petition. The county has a responsibility to protect the health of the citizens of the county. This should supersede the commerce clause. Mr. Ryan said he felt Commissioner Vaux's ordinance was very good.

Shirley Viscalla, 202 South 4th, Mount Vernon, said she would like to see the elected leadership of Skagit County challenge the commerce law. Skagit County has the chance to be a leader.

Cynthia Pilalis, 841 McLean Road, Mount Vernon, agreed there should be a precedent that would not allow anyone to start an incinerator on private land. She stated that she was against the incinerator because of the pollution going into the air. The community is growing and there will be more waste in the future. A long range plan should be developed for recycling and the prevention of waste.

Wendy Alter, 278 Barrel Springs Road, Burlington, stated that most of what she wanted to say had already been said. She urged the board to show courage and farsightedness in being willing to break some new ground in looking to extend this ordinance to cover privately owned facilities. She concluded that she would urge the adoption of draft two.

Danny Kemp, P.O. Box 42, La Conner, said the big thing is private industry. He talked about an initiative passed in Whatcom County that prohibits the importation of private waste and private incinerators. It is being contested now. Mr. Rickert indicated that he has been following this case.

Debbie Aldrich, 1451 A Bradley Road, Bow, asked if a private company is permitted to come in and build a tire incinerator, could the county be sued for permitting a company to come here and contaminate the air, water, etc. In terms of the tire incinerator company, the same company has built a tire incinerator in Arkansas. They break the law and pay the fines. There is a lot of cancer there. She added that she did not think it was commerce when you have a situation like the one that has recently occurred in Canada, where they had a huge fire. She expressed concern that the same thing could happen in Skagit County. Ms. Aldrich said she liked Commissioner Vaux's ordinance better than Commissioner Wylie's, although she indicated she would like to see

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a stronger ordinance.

Rusty Kuntze, 1063 Bayview-Edison Road, Mount Vernon, questioned bringing in garbage from outside the county and at the same urging citizens to use recycling. He was also concerned about the ordinance not applying to private companies. He discussed a Supreme Court case in New Jersey where an ordinance had been passed to ban all out-of-state garbage. He asked that the Board of Commissioners take a strong and courageous stand in protecting the health and welfare of Skagit County's citizens and firm up and strengthen the rules and regulations that would allow an individual to come in and put in a tire incinerator.

Bond Owens, 1627 1/2 Douglas Street, Mount Vernon, said he would adopt Commissioner Vaux's ordinance but that rules and procedures should be looked at that would allow a private entrepreneur to come in and despoil this beautiful county.

Tim Bridges, 211 North Section, Burlington, said he would agree with most of everything that has been said. He added that he would prefer draft two. He definitely would object to wording that makes it only county operated facilities and that both county operated and privately owned facilities should be included in the ordinance.

Howard Mizuta, 1954 Skagit County Road, Mount Vernon, stated he agreed with what had been said. He is primarily concerned with the private sector. As a dentist he sees people every day and bodies cannot tell the difference between county incineration and private incineration. He stated that this country's system of laws is dependent on change and allows for change. A very strict ordinance needs to be passed that would be challenged by the private sector rather than the other way around.

Howard Armstrong, 402 North 17th, Mount Vernon, stated he would prefer draft two. He added that he would find it hard to believe that the county does not have the right as well as the responsibility to protect its environment.

Zell Young of Mount Vernon stated that the reason he signed the petition was to prevent a tire incinerator plant being opened in the county. He added that his fear is that within the next decade things will be changing in Skagit County. The world itself is going to have a shortage of food, not a surplus. Pollution from these incinerators may make the farmlands hazardous. The most powerful ordinance possible should be written and although it may be defeated it would educate other counties as well as Skagit County.

Frank Wil, 4210 Brent, Anacortes, stated he felt the commissioners could come up with an ordinance that would protect the citizens of Skagit County from a for profit garbage man. He said he would not want to see a for profit garbage man in his back yard.

Chuck Wheeler, 11 Tulalip, La Conner, stated he agreed with what had been said and felt that Commissioner Vaux's proposed ordinance was the better one. He

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added that he feels strongly that restrictions should be put on private companies that try to come in to this county.

Ray Kelley, 1356 Janicki Road, Sedro Woolley, stated that he was present because of the tire incinerator. He briefly discussed an article that had been in People Magazine about a house being built by Dennis Weaver out of 3,000 used tires. He said he is interested in this, not only as a builder, but because of the shortage of lumber. He emphasized that he did not want to see a tire incinerator plant in Skagit County.

Judy Kelley, 1356 Janicki Road, Sedro Woolley said she felt the reason most people were in attendance at the hearing was to see a strong ordinance written to prevent the building of a tire incinerator or anything else that was toxic. She said she felt disappointed that this ordinance does not cover this.

William Blunt of Hamilton declined to speak.

Patsy Blunt of Hamilton declined to speak.

K. Kurp, 486 B Salmon Road, stated he felt the issue was, would the government do what the people have asked them to do. He felt that everyone knows the environment needs protection. The private sector should be included in the ordinance.

Lucinda Etherington, 821 South 11th, Mount Vernon, stated she was the co-author of the Don't Dump on Skagit petition. She indicated that over 7,200 signatures had been gathered to ask for the ban of solid waste importation into this county by the public as well as the private sector. She emphasized that the Board of Commissioners declared Skagit County a nuclear free zone and that again, they are being asked that Skagit County ban a certain substance, solid waste generated outside of Skagit County. She asked that three words be added to the draft ordinance, "and or permitted" at 12.16 (1). The addition of these three words would bring the proposed ordinance into better harmony with the intent of the petition.

Michael Dillard, M.D., 1451 Peterson Road, Burlington, stated he is a family practitioner and that he sees a tremendous amount of respiratory diseases and sinus infections in his practice. He emphasized that research has shown time and time again that air pollution aggravates respiratory diseases. He says he sees more sinus infections in this county than he has ever seen anywhere and emphasized that a tire incinerator would aggravate these problems. He would not like to see a tire incinerator here.

Scott Etherington, 821 South 11th, Mount Vernon, said he felt there was a blessing in disguise here, the liability of solid waste in terms of dollars to local governments. Costs are increasing and will sky rocket. He stated his belief that further pollutants could not be tolerated. He emphasized the need to put together a strict ordinance with stiff fines and penalties.

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Michael Eisenberg, 1539 Peace Lake, Bow, said he did not want to see a private garbage dump or incinerator here.

Vince Sellen, Box 549, La Conner, said strong measures are needed to prevent people from coming in and polluting the environment here.

Dan O'Donnell, La Conner, stated that he did not like either draft. He suggested that a local monopoly on waste incineration should be established.

Don Bockelman, 2863 S. Skagit Highway, Sedro Woolley, stated that as one of the co-authors of the petition he did not like either ordinance. He added that he had seen the focus shift away from an ordinance that protects us from contamination to interstate commerce. He emphasized that they have a right to petition government, have done so, and would like to see a change.

Ken Skead, 843 Samish Island, Bow, stated he agreed with 99% of what had been said so far. The ecological system is starting to fail and everything contributes, not just the incinerator, but cars, etc. He emphasized the need for everyone to contribute their efforts in the prevention of pollution.

Patty Pirnack, 750 Church Road, Bow, stated that she agreed with everyone who had spoken. She said that she had collected a lot of signatures and many people were concerned about the tire incinerator and medical waste being transported to this valley. There should be an ordinance that protects the valley from the private sector as well as the public sector. She asked that Lucinda Etherington's suggestion be added to the ordinance.

Imogene Bowen, 113 South 11th, Mount Vernon, said that at the time the incinerator was built people were told it was built to fit this county. She objected to the special circumstances permitted in Commissioner Wylie's resolution. She emphasized the need for an ordinance that is specific and has teeth.

Bond Owens, 1627 1/2 Douglas Street, Mount Vernon, stated he agreed with everything that had been said. He asked the Board of Commissioners how they felt about a tire burning incinerator in Skagit County? Commissioner Rohrer replied that no permits had been issued and that he did not have an opinion. Commissioner Wylie stated she would be concerned about the air but emphasized that the issue at this hearing is the ordinances. Commissioner Vaux stated he would not want a tire burning incinerator in this county.

Chairman Wylie asked Mike Rickert to speak to the entire ordinance.

Mr. Rickert stated that the issue is the tire incinerator. One of the reasons people signed the petition is they did not want a tire incinerator in the county. He advised that his job is to research cases and constitutional law and present the facts to the commissioners. Garbage is considered commerce. The Supreme Court protects garbage as commerce. To try and say we aren't going to allow a tire incinerator is not what the Supreme Court says we can do. The courts are not wavering on this. The Supreme Court is clear about it.

Chairman Wylie asked for any other comments from the audience.

Shannon Warwick, 2308 Franklin Road, Mount Vernon, stated she wished to add her opinion to the 99% of the people who are against dumping of waste in Skagit County. She said that she would vote for "hedging our bets".

Ray Kelley asked about the feasibility of adding Ms. Etherington's proposal to the ordinance. Mr. Rickert indicated that those three small words would bring up the constitutional commerce clause issue.

Don Bockelman advised that he had been involved in two lawsuits with Skagit County. He stated he believed the Supreme Court would see this as a process issue and that Skagit County is not trying to inhibit interstate commerce.

Keith Wiggers emphasized that there seems to be a common goal. If a company comes next week and wants to put in a tire incinerator, how can this be handled? Mr. Rickert replied that the method of fighting this is to tighten up land use regulations to make it tough for out-of-state developers and garbage for profit people to do this. He emphasized that he felt it was important to handle this through conventional channels. Also, there would be more chance of this getting to the Supreme Court quicker if handled this way.

In answer to a question from a member of the audience, Commissioner Wylie stated that she felt the best way to address this situation is through land use regulations. Commissioner Rohrer added that everyone has a right to ask for a permit. Commissioner Vaux also agreed that through the county zoning ordinances and the comprehensive plan the issue can be controlled. He stated that it would not be easy for someone to put an incinerator in. By strengthening the zoning ordinances and comprehensive plan it can be impossible.

Don Bockelman asked Mr. Rickert to guarantee the county will pass a zoning ordinance that would prohibit contamination of the county from outside garbage. Mr. Rickert replied that he could not guarantee such a thing.

Chris Thompson, 3101 Cherokee, Mount Vernon, stated that of the six or so dentists he knows in the county, not one of them would like to see a hazardous waste disposal site or tire burner. He added that most of them have chosen to live here and would like to preserve the way of life. He stated he felt the message was that an ordinance needs to be adopted showing the county is against hazardous waste disposal, specifically a tire burner. He stated that of the two ordinances, draft two is the best one.

Lucinda Etherington stated that a number of communities across the nation are banning certain goods from their communities and have done it for years. She felt that this could be done here.

Since there were no further comments Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was carried unanimously.

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Chairman Wylie indicated that this matter would be on the agenda Monday, April 2, 1990 at 9:30 a.m. A decision will be made at that time.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

ATTEST:

Stephanie Wood for
Jean Copping, Acting Clerk
Board of County Commissioners

Ruth Wylie, Chairman

W. W. Vaux

W. W. Vaux, Commissioner

Dave Rohrer

Dave Rohrer, Commissioner

