

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, April 16, 1990

10:00 a.m. Public Works Department - Mark Spahr, Director:

- 1) Signatures - Emergency FCAAP Flood Control Grants.
- 2) Signature - Clemson Contract.
- 3) Signature - Contract Termination - Gibraltar Landfill.
- 4) Discussion - C&D Recycling Contract.
- 5) Discussion - Earth Rally One-Half Price Day.
- 6) Update Discussion - Incinerator Settlement.
- 7) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. Discussion of County Participation in Coordinated Water Plan Cost Overruns.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Monday, April 16, 1990, with Commissioners Ruth Wylie and W. W. Vaux present. Commissioner Rohrer's absence was excused.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Signature - Emergency FCAAP Flood Control Grants.

Don Nelson, Flood Control Section Manager, presented five grant agreements from the State Department of Ecology for emergency flood control projects related to repairs performed during the winter's flooding. He stated that verbal approval, followed by written approval was received to perform these repairs, and these grant agreements formalize and finalize the grants.

The Board approved for signature the following grants:

- Grant #G0090101 - Samish River Dike Repair Project
- Grant #G0090099 - Utopia Road Stabilization Project
- Grant #G0090100 - Swift Creek Bank Stabilization Project
- Grant #G0090097 - Whitmarsh Bank Stabilization Project
- Grant #G0090098 - Nookachamps Creek Dike Restoration Project

2) Signature - Clemson Contract.

Jeff Monsen, Assistant Public Works Director, presented a contract for sponsored research by the Clemson University Research Foundation for signature. He stated that this contract formalizes a shift of the group from Western Washington University, previously under contract with Skagit County, to Clemson University. The group's sponsored research includes provision of services for environmental monitoring and reporting around the Skagit County Resource Recovery Facility. The amount of the support funds paid by Skagit County is \$567,670.15.

The Board approved this contract for signature.

3) Signature - Contract Termination - Gibraltar Landfill.

Mr. Monsen and Mr. Spahr presented a resolution for consideration which terminates the current lease agreement with Mr. and Mrs. Earl Morgan for the site known as the County's Gibraltar Landfill, which is scheduled to be abandoned.

RECORD OF THE PROCEEDINGS

Monday, April 16, 1990

Page #2

Mr. Monsen explained that an access agreement is not yet agreed upon to facilitate monitoring of the site, but that the Public Works Department believes it in the County's best interest to terminate the open-ended lease agreement, suspending lease payments, before negotiating an access agreement.

After discussion, Commissioner Vaux motioned to adopt the resolution terminating the lease agreement with Mr. and Mrs. Earl Morgan for the Gibraltar Landfill site, effective January 1, 1990. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution #12461)

4) Discussion - C&D Recycling Contract.

Ms. Voerman stated that, at the Board's request, she met with Mike Woodmansee, County Budget/Finance Director, regarding the losses being sustained by the County's contracted recycling firm, C&D Salvage. She reviewed Mr. Woodmansee's comments regarding the County's contractual agreement and obligations under that agreement:

- The amount of monthly reimbursement, \$5,200, was clearly an amount of Mr. Decker's choice at the initiation of the contract.
- Expenses for the month of February totaled \$9,923.63 for C&D Recycling, an amount which was anticipated in Mr. Decker's proposal.
- The losses are mainly due to low revenues from recycling.

Mr. Woodmansee provided the following options:

- Go out for a new bid for a recycling contractor.
- Separate the appliances from the other recyclables and pay Mr. Decker for each appliance handled. This payment would be funded by a charge to the person disposing of the appliance.
- Increase Mr. Decker's monthly payment. Should this option be chosen, Mr. Woodmansee recommended not pinning the payment to a fluctuating recycling market.

Ms. Voerman favored the option which would reimburse Mr. Decker for his handling of appliances. She checked with other counties and found that some others were charging for the handling of appliances. Mr. Woodmansee had suggested that \$7.00 each be charged for appliance handling, and that a monthly report of activities be required from Mr. Decker.

Ms. Voerman and Mr. Decker discussed stripping and disposal of appliances, and Mr. Decker agreed that \$7.00 per appliance would cover his costs.

At this point, Commissioner Vaux motioned to call for a public hearing on May 7, 1990, at 10:00 a.m., to consider an amendment to the solid waste fee schedule for handling of appliances. Commissioner Wylie seconded the motion, which carried and was so ordered.

5) Discussion - Earth Rally One-Half Price Day.

Ms. Voerman reviewed the clean up projects being put on by each city. She stated that Burlington has no plans for a clean up project. Concrete is having a free yard and garden waste clean up, as is LaConner. The City of Sedro Woolley has no plans for a clean up project, but the City of Mount Vernon plans to offer free yard and garden waste disposal all this week.

Ms. Voerman stated that the City of Mount Vernon would like some help disposing of the larger wood, branches and brush that will arrive with the other yard and garden wastes. They have asked to be allowed to add this debris, at no charge, to the burning portion at the County disposal site.

The Board granted this request, and instructed Ms. Voerman to assure that separated compostable or burnable yard wastes are also accepted free from the public at the County refuse sites. Ms. Voerman was also instructed to assure that the half-price disposal fee was the same at the landfill and incinerator.

6) Update Discussion - Incinerator Settlement.

Mr. Spahr stated that a target date of April 20 was set for finalizing a closing agreement with Wright Schuchart Harbor on the construction of the Resource Recovery Facility. It appears that this will not occur, however, because of some remaining problems with the language of the audit, and of one settlement issue identified by Wright Schuchart Harbor. A meeting with them for further discussion is scheduled for April 30.

Mr. Spahr indicated that the cost issues for the construction have been addressed in the Agreement in Principal signed earlier by both parties.

Don Bockelman, a Day Creek citizen, asked if Wright Schuchart Harbor will retain any liability if the DOE and EPA find ash toxicity which requires special handling.

Mr. Spahr stated that now, as in the original agreement, Wright Schuchart Harbor incurs liability for ash only if a problem results from their improper handling of it. Mr. Spahr stated that the County assumes the responsibility for lead levels present in the ash, as the County is responsible for the lead that enters the incinerator through the waste stream. Mr. Spahr indicated that, through a waste stream composition study, the County is attempting to identify the generators of the lead to assign some of the responsibility to them. He stated that he will be reporting on the ash quality in the near future.

7) Miscellaneous.

A. Mr. Monsen submitted Amendment #1 to the Cooperative Agreement between the Washington State Parks and Recreation Commission and Skagit County. He reminded the Board that this agreement was entered into to enable Skagit County to perform snow plowing for the State Parks. Through the winter, Skagit County exceeded the amount contracted for snow plowing at two sections, the Shadow of the Sentinels Nature Trail and the Baker Lake Highway, with the permission of the State Parks. The contract amendment would raise the reimbursement in the amount exceeded for snow plowing.

The Board approved the contract amendment for signature.

B. Mr. Monsen presented a resolution awarding a bid for four new dump trucks to Morgan Brothers of Everett. Mr. Monsen stated that the original bid from Morgan Brothers, the lowest bidder, was for a unit that did not meet the bid specifications for the front axle setback. A decision at first was made to reject the bid unless Morgan Brothers would agree to provide the correct axle setback at the quoted price. Morgan Brothers later agreed to do this, and legal counsel indicated that this is an acceptable deviation, as long as the dollar amount of the bid does not change.

Commissioner Vaux motioned approval of the resolution awarding the bid for four new dump trucks to Morgan Brothers of Everett, for \$321,355.64. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution #12462)

CONSENT AGENDA.

Commissioner Vaux motioned to approve the Consent Agenda of April 16, 1990, as

submitted. Commissioner Wylie seconded the motion, which carried and was so ordered.

* Public Works Department:

1. Signature - CRP #9500-1, Revision #3 - Cap Horn and Concrete Sauk Valley Road - Additional construction funds to cover overruns on the Sauk Valley Road, in the quantity of guardrail installed, and to authorize funds for installation of guardrail on Sulphur Springs Road (Change Order #2). (Resolution #12463)
2. Final Order of Vacation - Unnamed Alleyway - Plat of Alger. Order was previously signed on March 26, 1990, and later discovered to not contain legal description of property.

* Human Services Department:

3. Amendment #4 to Contract #2200-73630 with the Department of Social and Health Services. Changes the reimbursement per service unit on the Geriatric part of our grant award. There is no change in dollar amount.

* Petition for Property Tax Refund:

4. Thornton Benson, 9832 116th Street N.E., Arlington, WA 98223, in the amount of \$27.34, due to the sale of the property to another party. (015089)

* Health Department:

5. Call for Public Hearing - Updating the schedule of charges for environmental health and laboratory fees - to be held May 1, 1990, at 9:00 a.m. (Resolution #12465)

* Board of County Commissioners:

6. Record of the Proceedings of April 9, 1990.
7. Record of the Proceedings of April 10, 1990.
8. Record of the Proceedings of April 11, 1990.

MISCELLANEOUS ITEMS.

- A. Jon Aarstad of the Parks and Receptions Department discussed the bid for Skagit County Fair printing with the Board. He clarified that Fair contracts will continue to be signed on the Board's Consent Agenda. He presented miscellaneous invitations to the Board.
- B. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, April 16, 1990, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #79562 through #79611 (Vouchers #75962 through #97611) in the amount of \$12,945.00. (PR-07-90)

- C. Terry Rousseau, Director of the Juvenile Probation Department, introduced to the Board Mary Tautges, a new Probation Officer Aide. He also introduced Dave Yount, a long-time employee of the County, who has just received a promotion to Probation Officer.

DISCUSSION OF COUNTY PARTICIPATION IN COORDINATED WATER PLAN COST OVERRUNS.

Commissioner Vaux, who is the Chairman of the Skagit County Water Utilities Coordinating Committee, a group charged with preparation of a Coordinated Water Plan for Skagit County, explained that the Skagit WUCC has received, through Skagit County, the lead agency, a grant of \$65,000 from the Department of Health for completion of the water plan. In-kind matching funds in staff time will account for the County's 50% match, or \$65,000. An estimate of approximately \$200,000 has been made for completion of the plan, leaving a deficit of approximately \$70,000. Commissioner Vaux stated that, although it has not been decided how these overruns will be distributed between the three major water users, Skagit County, Skagit PUD #1, and the City of Anacortes, there has been some preliminary discussion. Commissioner Vaux suggested that he receive authorization to participate in meetings to negotiate the shares of the three entities.

Lorna Haycox, Environmental Health Specialist and staff person assigned to the water plan, indicated that there is a need to know the funds available for consulting services in order to refine the scope of work and negotiate with the consultant. She discussed ways in which the scope might be refined to decrease the cost.

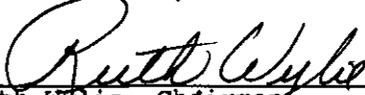
Commissioner Vaux read a letter discussing water rights on the Skagit River for King County from the East King County Water Committee Chairman to its Board. Ms. Haycox was directed to draft a response to this letter.

The Board agreed to authorize Commissioner Vaux's negotiation of shares for cost overruns.

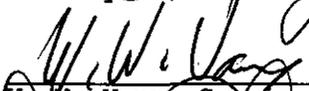
ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Ruth Wylie, Chairman



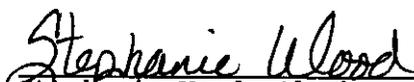
W. W. Vaux, Commissioner



Dave Rohrer, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners