

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, May 7, 1990

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

- 1) Public Hearing - Speed Limit Reduction - Portion of Green Road #6141.
- 2) Public Hearing - Solid Waste Rates for Appliances.
- 3) Resolution - Adjustment of Disposal Rate for Special Waste from the Washington State Department of Transportation.
- 4) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. W.S.U. Cooperative Extension Agency - Plan of Work Update.

2:00 p.m. Continuation of Public Hearing - Ordinance Regulating Security Alarms.

2:30 p.m. Discussion - Speed Limit Reduction/Truck Restrictions on Peterson Road.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Monday, May 7, 1990, with Commissioners Ruth Wylie, W. W. Vaux and Dave Rohrer present.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Public Hearing - Speed Limit Reduction - Portion of Green Road #6141.

Chairman Wylie waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on April 24 and May 1, 1990.

Mr. Spahr located the area on Green Road south of Cook Road on a vicinity map. He explained that a petition has been received, requesting the speed limit be reduced on Green Road south of Cook Road from 35 m.p.h. to 25 m.p.h. He stated that, based on the Engineer's Report, the Public Works Department is recommending that the speed limit be lowered to 25 m.p.h.

Ed Hawes, Traffic Safety Engineer, noted that the deteriorating status of the pavement, as well as the presence of a new industrial concern at the corner of Cook and Green Roads, led him to recommend the speed limit reduction.

Shirley Ceradski, 965 Green Road, identified herself as one of the petitioners. She stated that the neighbors on Green Road have been experiencing problems with motorists using Green Road as a short cut when the train is blocking Cook Road.

There being no further public comment, Commissioner Vaux motioned to close the public hearing. Commissioner Rohrer seconded the motion, which passed unanimously.

Mrs. Ceradski then pointed out that the other end of Green Road (north of Cook Road) is also very bumpy. She asked if the speed limit could be lowered here also.

Mr. Hawes stated that the northern portion was also considered during the engineer's survey, and that it is planned to post "rough roadway" signs, along

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with an advisory 25 m.p.h. speed limit, which can be done without a public hearing.

Commissioner Vaux then motioned to adopt the recommendation of the Public Works Department and reduce the speed limit on Green Road, between milepoint 0.00 and milepoint 0.45, to 25 m.p.h. Commissioner Rohrer seconded the motion, which passed unanimously.

2) Public Hearing - Solid Waste Rates for Appliances.

Chairman Wylie waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on April 24 and May 1, 1990.

Jeff Monsen, Assistant Public Works Department Director, opened the discussion. He provided the Board with a report from the Budget/Finance Director Mike Woodmansee making recommendations for improvements in the cash flow for the County's recycling contractor, C&D Recycling. Also provided was a balance sheet for C&D Recycling showing a revenue loss of \$1,800 for the month of February. Mr. Monsen explained that it is because of this revenue loss that the Board had asked Mr. Woodmansee to look into the recycling operation. One of Mr. Woodmansee's recommendations for helping C&D Recycling to remain viable was to consider imposing a charge for disposal/recycling of appliances, which require special handling and disposal. The imposition of a special charge for appliances would require a change to the Solid Waste Fee Schedule, which can only be done following a public hearing. A fee of \$7 per unit has been recommended by Mr. Woodmansee. Mr. Monsen related that the Public Works Department, in order to see that recycling of appliances continues, is recommending that some type of charge be levied for appliance disposal and passed on to C&D Recycling.

There being no public comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Answering questions from the Board, Mr. Monsen related that the fee for appliances would be a surcharge, and would be levied in addition to any other garbage being presented for disposal.

Charlie Decker, owner of C&D Recycling, suggested that if the appliance has already been stripped, it should be taken free of charge, but Mr. Monsen pointed out that if this is done, the scalehouse attendant will have to make a determination on whether the extent of the stripping is sufficient.

Mr. Decker explained, for Chairman Wylie's benefit, that stripped appliances are accepted by Skagit River Steel and Recycling.

Jeff Crandall, owner of Jet Recycling, insisted that Larry's Auto Wrecking is the only company that accepts his recycled appliances. He felt that the contract signed with Mr. Decker took into consideration the difficulty of appliance disposal, and should not be changed.

In light of the information regarding assessment for appliances in addition to other garbage, Terry Knudsen of Rural Sanitation requested that the public hearing be reopened so that he could give further testimony. Commissioner Rohrer motioned to reopen the public hearing. His motion was seconded by Commissioner Vaux and passed unanimously.

Mr. Knudsen then pointed out his objection to the double charge he will receive if appliances are found within his 30 yard dumpsters. He will have to pay for the tonnage of the appliance, as well as the special waste charge of \$7.00. He

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did, however, admit that he would be able to tell who places appliances in his dumpsters and add an extra charge to their bill.

Mr. Crandall continued to question the need to change Mr. Decker's contract, stating that Mr. Decker should receive enough money from the sale of recyclable material to subsidize whatever losses he suffers from appliance recycling.

Commissioner Vaux pointed out that the only other option posed by Mr. Woodmansee is to go out for new bids for recycling contractor. Since the last time the County accepted bids for recycling contractor only one contractor responded and if this should happen again and the single bid received is high, the County is much worse off.

In answer to Mr. Crandall's questions, Commissioner Vaux stated that the number of appliances being brought for disposal has skyrocketed in recent months, making disposal costly for Mr. Decker. Mr. Crandall felt that some of the tonnage charge could then be applied to appliance recycling. He pronounced that \$3,000 in income to the recycler can be found in the February C&D operating report, which should be enough to operate appliance recycling.

Don Bockelman, a Day Creek citizen, asked whether the County had performed a study of how much a surcharge for appliance will increase illegal dumping.

Commissioner Rohrer pointed out that the only way to perform that type of study is to poll people, asking them whether they intend to illegally dispose of their old appliances.

Commissioner Vaux stated that he felt a decision should be delayed for one week to allow the Budget/Finance Director, Mr. Woodmansee, to provide more information regarding Mr. Decker's financial report.

Mr. Monsen pointed out that the Call for Public Hearing allows the Board to consider not only whether to impose a surcharge, but how much can be charged and whether or not it will pass directly to the recycler or not.

Mr. Bockelman felt that the County should pay people for the disposal of their appliances at County facilities as an incentive to prevent illegal dumping.

Commissioner Vaux motioned to continue the public hearing to May 21, 1990, at 10:00 a.m. to allow time for his earlier suggestion. Commissioner Rohrer seconded the motion, which passed unanimously.

In answer to Mr. Bockelman's suggestion, Mr. Spahr pointed out that the County's Solid Waste Fund runs as an enterprise account by law. If the County purchases appliances as an incentive, tipping fees will have to be raised to fund the purchases, which would consequently result in more illegally dumped garbage.

3) Resolution - Adjustment of Disposal Rate for Special Waste from the Washington State Department of Transportation.

Mr. Monsen explained that as a result of the rainfall experienced in November, a slide occurred on Chuckanut Drive. In the hurry to open the road, DOT was allowed to dispose of the slide debris in the County landfill, and was charged \$45 per ton, or a total of \$55,537.47. Mr. Monsen stated that the Public Works Department is proposing that the DOT's bill be reduced to \$10 per ton, or a total of \$11,912.80, at the request of the DOT.

Discussion ensued on the applicability of the slide debris to the solid waste fee for contaminated soils, Mr. Monsen stating that only part of the debris could be considered for cover material.

Commissioner Rohrer suggested that the old Duke's Hill Quarry could be filled with this type of material. He motioned to accept the recommendation of the Public Works Department and allow the fee reduction. His motion died for lack of a second.

Commissioner Vaux maintained that, since not all of the material is applicable to the contaminated soil fee, only part should be charged at a reduced rate.

It was finally settled that, of the 1200 total tons of debris, the approximately 40% that was water would be taken free of charge; the 20% of usable fill material would be charged at \$10.00, and the remainder would be charged at \$30.00 per ton. This was Commissioner Vaux's motion, which was seconded by Commissioner Rohrer and unanimously approved.

4) Miscellaneous.

A. The Board presented to the Public Works Department the County Road Administration Board Certificate of Good Practice for timely completion of all materials necessary to receive CRAB certification.

CONSENT AGENDA.

Commissioner Vaux motioned to adopt the Consent Agenda of May 7, 1990. Commissioner Rohrer seconded the motion, which passed unanimously.

* Public Works Department:

1. Call for Public Hearing: Speed Limit Reduction - Campbell Lake Road, No. 1390, from 45 m.p.h. to 35 m.p.h. between SR 20 and Rosario Road, #1031 (M.P. 1.51). (Resolution #12480)
2. Resolution: Establish County Crushing Project Funding Authority. (Resolution #12481)
3. Signature - Final Records - Rosario Road. CRP #1031-2. Total Authorized: \$411,393.00, Total Cost: \$346,932.73.
4. Signature - Contract for Professional Services - Butler Lagoon.

* Skagit County Fair Contracts:

5. Commercial Displays and Vendors Contracts: (all contracts run from August 8, 1990 to August 12, 1990)
 - a) Pure Washington Water - for space in the Commercial Tent, at cost of \$200. (Sale of Water Purifiers)
 - b) Carriage House Pony Farm/Rock'n L Pony Farm - for space behind Pony Express Building, - at cost of \$200. (Vendor Pony Rides)
 - c) Discovery Toys - for space in the Commercial Building, at cost of \$220. (Vendor - Educational Toys)
 - d) Skagit Valley Hospital - for space in the Commercial Building, - at cost of \$440. (Vendor - Blood Pressure Screening, information booth)
 - e) KBRC Radio - for space Outside, at cost of \$159.50. (Vendor - Live Radio Broadcasts)
6. Fair Concessionaires: (All contracts run from August 8, 1990 through August 12, 1990)

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- a) Sedro Woolley Kiwanis - Concessionaires charge of \$50.00 plus a guarantee of \$100.00 or 15% of the total gross receipts, whichever is greater.
 - b) Immaculate Concessions - Concessionaires charge of \$50.00 plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater.
 - c) Cafe Long - Concessionaires charge of \$50.00 plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater.
 - d) Old World Cone - Concessionaires charge of \$50.00 plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater.
7. Carnival Agreement: (Contract runs from August 9, 1990, through August 12, 1990)
- Contractor known as Rainier Shows - Contractor charge of \$7,500.00 or 25% of gross from rides and shows, whichever is greater.
8. Record of the Proceedings of April 25, 1990.
9. Record of the Proceedings of April 30, 1990.

MISCELLANEOUS ITEMS.

- A. Don Bockelman, a Day Creek citizen, inquired as to the responses received from the Department of Ecology regarding his request for the County to enter into a relationship with the Department of Ecology to research ozone depleting substances. Mr. Spahr informed him that no response has been received.
- 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, May 7, 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 #3680 through #3638 (Vouchers #2337 through #2340) in the amount of \$963.53. P-09-90
 - 2) Warrant #MW013-55057 (Voucher #MW013-55057) in the amount of \$425. C-19-90
 - 3) Warrants #70784 through #70893 (Vouchers #70784 through #70893) in the amount of \$111,880.95. R-13-90
- C. Commissioner Vaux motioned to adopt the resolution granting an administrative variance to Roger and Jan Peterson for their building permit application of September 20, 1989. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12482)
- D. The Board approved a Dance Hall License for the Alger Tavern for a one year period commencing May 7, 1990.

W.S.U. COOPERATIVE EXTENSION AGENCY - PLAN OF WORK UPDATE.

Kay Haaland, WSU Cooperative Extension Agency County Chairman, updated the Board on the activities of Cooperative Extension. She stated that she is no longer performing livestock agent duties in Skagit County, but has traded off with Snohomish County so that Mike Hackett is providing livestock duty in Skagit

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County, while Ms. Haaland is providing some educational programs for Snohomish County.

Ms. Haaland related that the funding for the Cooperative Extension's postage account has traditionally come from the Federal Government. This year WSU is starting to phase out this use of funds, and will be looking to the County to make up the costs. WSU will use the money they save for more extension agents. Ms. Haaland will be requesting postage funds in her 1991 budget requests.

Ms. Haaland stated that the Cooperative Extension is again planning a joint education booth at the Skagit County Fair with Skagit Conservation Services, as well as other educational groups. She stated that the Fair has requested that they pay \$200 for their booth this year. Chairman Wylie agreed to speak to the Fair manager regarding a reduction for the Cooperative Extension.

Ms. Haaland provided to the Board a report by the USDA Planning Department, an untitled report from "the State", and Skagit County WSU Cooperative Extension's response to the two reports which indicate the major focus of the Cooperative Extension's annual plan of work.

Ms. Haaland offered the Cooperative Extension as a resource for the County's personnel department and wellness committee.

CONTINUATION OF PUBLIC HEARING - ORDINANCE REGULATING SECURITY ALARMS.

Gene Willett, Skagit County Deputy Prosecutor, addressed concerns related at the last session of the public hearing. He stated that, regarding the suggestion that the word "civil assessment" replace the term "fine", the particular verbiage can be changed according to the discretion of the Board; however, the "civil assessment" is still a penalty, no matter what it is called.

He discussed the use of officer discretion when choosing to cite for violation of this new ordinance. He stated that warning notices only would be issued on the first and second false alarms. He noted that intentionally causing a false alarm is a criminal, rather than civil, violation.

Commissioner Vaux discussed how this ordinance would penalize people who are merely trying to help law enforcement do its job.

John Hunter, Chief of Field Services, indicated that without the ordinance, people who are not protected because officers are responding to false alarms are actually the ones being penalized.

Further discussion ensued on the forcing of alarm companies to be responsible for the upkeep and monitoring of private alarm systems.

When no more public comment was heard, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Rohrer motioned to adopt the ordinance regulating security alarms.

Commissioner Vaux refused to second the motion, stating that he has received two calls from citizens opposing the alarm ordinance. He felt enforcement should target the service provider rather than the customer.

Chairman Wylie seconded Commissioner Rohrer's motion, which carried with votes from Chairman Wylie and Commissioner Rohrer. Commissioner Vaux voted negatively. (Resolution #12483)

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DISCUSSION - SPEED LIMIT REDUCTION/TRUCK RESTRICTIONS ON PETERSON ROAD.

Gordon Smith, a resident of Peterson Road, stated that he is petitioning the Board for relief of traffic problems on Peterson Road caused by the increased

truck traffic from the Port of Skagit County and the Tom Perry subdivision. He stated that he performed an informal survey of traffic during non-peak periods, and found that one in five vehicles uses Higgins Airport Way, which is supposed to carry Port traffic, the others using Peterson Road. He requested the diversion of commercial traffic from Peterson Road, or the dead-ending of the road.

Commissioner Vaux and Commissioner Rohrer suggested that a traffic study be performed.

Mr. Smith indicated his mistrust of the studies of the County traffic engineers, since Dave Hough, the County's representative, had allegedly reported at the Tom Perry subdivision public hearing, that traffic had diminished on Peterson Road with the construction of Higgins Airport Way.

Chairman Wylie suggested that the Port may cooperate to keep the truck off of Peterson Road.

Mr. Smith indicated that at one time the Port did help, but is not doing so now.

Commissioner Rohrer maintained that a study is needed, and Mr. Smith agreed to this, as long as it is accurate.

Chairman Wylie offered for the record letters from James C. Holden and Lloyd Cook, who also point out traffic problems on Peterson Road.

Ed Hawes, Traffic Safety Engineer, stated that the Public Works Department had targeted Peterson Road for traffic studies this summer using new equipment they will be getting because of the increase in the intensity of development in the area. He stated that the studies could be performed earlier.

Discussion ensued on the possibilities for posting of restrictions, and Commissioner Vaux motioned to call for a public hearing on Tuesday, May 29, 1990, at 10:00 a.m. to consider truck weight restrictions on Peterson Road. Commissioner Rohrer seconded the motion, which passed unanimously.

MISCELLANEOUS ITEMS.

- a. 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.

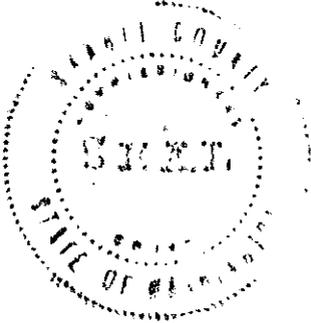
As of this date, May 7, 1990, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #55058 through #55366 (Vouchers #004230 through #004635) in the amount of \$492,017.36. (C-20-90)

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

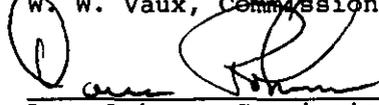




Ruth Wylie, Chairman

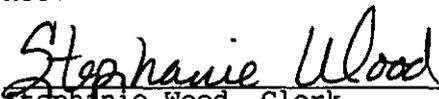


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners