

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

Monday, October 15, 1990

10:00 a.m. - 11:30 a.m.

Public Works Department - Mark Spahr, Director:

- 1) Public Hearing - Notice of Intent to Sell County Property Off of Rosario Road.
- 2) Public Hearing - Consideration of Supplementing the Guemes Ferry Schedule with Additional Runs.
- 3) Update Report - Curbside Recycling Planning Committee.
- 4) Addendum No. 1 - Lease Agreement for Riverview Building.
- 5) Supplement No. 1 - Landscaping Contractor - Incinerator.
- 6) Resolution - Waiving Bid Requirement for Emergency Purchase of Cement.
- 7) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:30 p.m.

Work Session - Solid Waste Advisory Committee.

2:30 p.m. - 3:30 p.m.

Update - Toxicology Study.

The Skagit County Board of Commissioners met in regular session on Monday, October 15, 1990, with Commissioners W. W. Vaux and Dave Rohrer present. Chairman Wylie's absence was excused.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Public Hearing - Notice of Intent to Sell County Property Off Rosario Road.

Commissioner Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus on October 2 and 9, 1990.

Mr. Spahr explained that the purpose of the public hearing is to determine whether to sell property located off of Rosario Road, between the properties of Mr. Jewett and Mr. McCorkle, at a public auction, and if a sale is imminent, to set a minimum bid price. He explained that the property, originally thought to be right-of-way, was donated to the County many years ago by a relative of Mr. McCorkle's. Mr. McCorkle and Mr. Jewett applied for the vacation of the property in an equal split between the two, but it was later learned that the deed identifies the parcel as "property"; therefore, it must be sold at auction.

Commissioner Vaux then opened up the floor for discussion.

Roger Jewett, one of the adjacent property owners to the west, stated that the County has owned the property for 37 years. The reason for his and his neighbor's interest in the property was for the purpose of using it as a storm drain for Mr. McCorkle future development plans. In light of the fact that it cannot be vacated to the adjacent neighbors, Mr. Jewett felt that it was too much trouble for the County to go through on his account to surplus and sell the property.

When Commissioner Vaux questioned Mr. Jewett's reversal of position on the matter, Mr. Jewett stated that,

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now that the status of the property has changed, he sees no reason to bother the County just for storm drainage.

Commissioner Vaux stated that he understands that the purpose of the sale of surplus county property is to get the property the County has no use for back onto the tax roles. He stated that this practice has been used extensively in the past, and that he is still in favor of it.

Commissioner Vaux invited further comments from the audience, and when there were none, Commissioner Rohrer motioned to close the public hearing, with Commissioner Vaux seconding. The motion carried and was so ordered.

Commissioner Vaux then stated that he disagrees with setting a minimum bid at this time.

Mr. Spahr noted that State statutes require the identification of a minimum bid if the surplus property value exceeds \$500. Mr. Spahr stated that the property is presently assessed at approximately \$2,500.

The Board inquired of Katie Jungquist, Chief Deputy Treasurer, whether a minimum bid could be set at less than \$500 for property whose assessed value exceeds \$500.

Ms. Jungquist indicated that a minimum bid of less than \$500 could be established, but that the minimum bid should at least recoup the Treasurer's costs to auction the property.

Commissioner Rohrer then motioned to surplus the property located between the McCorkle and Jewett properties near Rosario Road, and to establish a minimum bid for the parcel at an amount equal to the Treasurer's costs for the auction of the property. Commissioner Vaux seconded the motion, which carried and was so ordered.

2) Public Hearing - Consideration of Supplementing the Guemes Ferry with Additional Runs.

Commissioner Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus on October 2 and 9, 1990.

Mr. Spahr submitted the Guemes Island Ferry Committee report of September 13, 1990, in which a proposal was made for supplementation of the Guemes Ferry schedule with additional runs. Those runs proposed to be added to the schedule were:

Additions to Monday-Friday schedule:

- 8:30 a.m.
- 1:30 p.m.
- 4:30 p.m.

In lieu of evening runs occurring at 8:00, 9:00, 10:30 p.m. and 12:00 a.m., the following runs were proposed for the Friday and Saturday evening schedule:

- 8:00 p.m.
- 9:30 p.m.
- 10:00 p.m.
- 11:00 p.m.
- 12:00 a.m.

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In effect, this adds three additional runs to the weekday schedule, and, while rescheduling Friday and Saturday night runs, actually adds only one additional run to those evenings.

Commissioner Vaux asked a member of the Ferry Advisory Committee to explain the reason for these proposed changes.

Max Benjamin, Ferry Advisory Committee member, stated that the changes were recommended by the majority of those present at a community meeting on Guemes Island, to be implemented for a one-year trial period.

Alan Bush stated that the schedule has been in existence as it stands for a number of years. The implementation of additional runs will eliminate the possibility of "overruns". The 4:30 p.m. ferry during weekdays will alleviate some of the congestion on the 5:00 p.m. run, and will eliminate the ferry having to make extra runs to accommodate those wishing to ride the 5:00 p.m. ferry.

Mr. Benjamin stated that the changes and addition to the weekend evening runs are to allow islanders to attend evening social events.

Commissioner Vaux reviewed a letter received from Bruce Knotson, who indicates that he does not want the Friday 9:00 p.m. run changed to 9:30 p.m. so that his wife can take the earlier ferry home from work.

Mr. Spahr presented a resolution that would implement the recommendations of the Ferry Advisory Committee, but he stated that it does not identify a one-year trial period, and makes the changes effective November 15, 1990. Mr. Spahr stated that the ferry may not return from dry dock by November 15, and that he would like the new schedule to go into effect after the ferry returns from dry dock, not before.

At this point, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion.

Doyle Hancock of Anacortes asked if any significant change in cost would occur because of the supplementation of the ferry schedule with additional runs.

Commissioner Vaux replied that there would be only a slight increase in cost.

George White asked if now were the appropriate time to discuss a change in ferry rates.

Commissioner Vaux replied that Mr. White should await the Miscellaneous Items portion of the agenda to bring up this matter.

Commissioner Vaux then called for a vote on the motion to close the public hearing, and the motion was carried and so ordered.

Commissioner Vaux then motioned to adopt the resolution amending the Guemes Ferry Schedule as was proposed by the Ferry Advisory Committee and identified in Attachments A and B to the resolution, to take effect when the Guemes Ferry returns to service, and continue until June 1, 1991. Prior to the expiration of the new schedule, the adoption of the new schedule as a permanent timetable shall be considered. Commissioner Rohrer seconded the motion, which carried and was so ordered. (Resolution #12681)

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3) Update Report - Curbside Recycling Planning Committee.

Ric Boge, Recycling Coordinator, gave a summary of the outcome of the October 10, 1990, meeting of the Curbside Recycling Planning Committee. He stated that the committee agreed to move toward the implementation of curbside recycling services for the cities of Anacortes, Burlington, Mount Vernon and Sedro Woolley, as well as the more densely populated areas adjacent to the cities. The committee developed a timeline for implementation of the service, with a target date of July 1, 1991, for service availability. The committee decided to initially collect newspapers, aluminum, tin and glass. It was additionally recommended that two types of plastics be collected. It was decided not to collect yard waste at this time. Monthly regularly scheduled visits by a recycling trailer to outlying areas was recommended.

Mr. Spahr explained that the collection of yard and garden wastes has become an issue with the committee. He stated that each city has its own informal composting project, but recognizes the need to formalize their projects at some time in the future.

4) Addendum No. 1 - Lease Agreement for Riverview Building.

Jeff Monsen, Assistant Director - Solid Waste Division, stated that his division wishes to lease additional space in the Riverview Building where they currently maintain part of the office. This would allow the transfer of all solid waste personnel to the Riverview Building office site. He presented a lease agreement for an additional 800-850 square feet of office space on the floor below the current space. The lease payment would be in the amount of \$637.50 monthly, increasing to \$650 per month in one year. The lease also acknowledges the transfer of the building from the ownership of the Riverview Building Company to Lee Property of Vashon Island.

Commissioner Rohrer motioned to approve the lease presented by Mr. Monsen. Commissioner Vaux seconded the motion, which passed unanimously. (Contract #00215)

5) Supplement No. 1 - Landscaping Contractor - Incinerator.

Mr. Monsen presented a supplement to the agreement with Landscape Associates increasing the contract amount from \$24,600 to \$49,880 to include the irrigation system and other changes directed by the Board of Commissioners.

Commissioner Rohrer motioned to approve the supplement presented by Mr. Monsen. Commissioner Vaux seconded the motion, which passed unanimously. (Contract #00404)

6) Resolution - Waiving Bid Requirement for Emergency Purchase of Cement.

Mr. Spahr explained that, via an agreement with Snohomish County, Skagit County will be able to restore the County Line Road using the rotomill, splitting the costs 50/50 with Snohomish County. Skagit County will be the leader in this project, billing Snohomish County for half of the costs.

Mr. Spahr explained that the two counties had originally planned to use an asphalt binder on the road, but excess clay in the soil has necessitated the use of portland cement as a stabilizing agent, which will cost approximately \$15,000. Since the bid process would delay the project sufficiently that it could not be completed this year, Mr. Spahr requested that the department be allowed to make an emergency purchase of the cement using the telephone quote procedure.

Commissioner Rohrer motioned to adopt the resolution waiving the bid requirements for the purchase of

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portland cement for the County Line Road and substituting the telephone quote procedure. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12682)

7) Miscellaneous.

- A. George White of Guemes Island stated that the Frequent User Card for the Guemes Ferry currently can be used for admission of cars or trucks on regularly scheduled ferry runs, but does not include motorcycles. Presently, motorcycles are charged \$2.00 per trip regular fare, whereas if they were allowed to use the Frequent User Card, they would pay only \$1.47 per trip. Mr. White asked that motorcycles be included in those conveyances which are allowed to take advantage of the Frequent User Pass.

Mr. Spahr was asked to look into the matter and report back to the Board.

- B. Mr. Spahr reminded the Board that they had recently given approval for the closure of Young Road in two different sections for the purpose of the construction of a water line for the City of Anacortes. The contractor now indicates that he is three weeks behind schedule, and would like to prolong the closure beyond the time approved by the Board.

Mr. Spahr stated that the Public Works Department has had telephone calls from the local school district, which is concerned about the ability of the school bus to use the road; from a local farmer, who is concerned about harvesting his potato crop; and from a local resident, who has concerns for traffic safety. The closure of the first portion of Young Road expired on October 12, 1990, and Mr. Spahr stated that the contractor who is installing the pipe is proposing that the closure be extended. He has offered to open the western portion of the road to allow through traffic during the daytime, closing it between 5:00 p.m. and 7:00 a.m. because the size of the hole made in the road would be a danger to motorists at night. This arrangement would continue until the installation is completed. The closure of the eastern portion of the road would then be modified to include the times when the contractor will actually be working there, which will probably be through November 21, 1990.

It was noted that the construction firm performing the work is Wilder Construction.

After discussion, Commissioner Vaux directed the Public Works Department to prepare a resolution for the Board's signature that would close Young Road from LaConner-Whitney Road to Best Road until October 26, 1990, and from Best Road to Bradshaw Road until November 21, 1990. Commissioner Vaux further directed that the school district be contacted, and if they are willing to allow the road to remain closed to local traffic only, to continue the closure as it is.

CONSENT AGENDA:

Commissioner Rohrer motioned to approve the Consent Agenda of October 15, 1990. Commissioner Vaux seconded the motion, which carried and was so ordered.

* **Petitions for Property Tax Refunds:**

1. Dorothy Tyminiski, P.O. Box 2, Sedro Woolley, WA 98284, in the amount of \$896.00 due to a senior citizen exemption. (011590)
2. Mary A. Lentz, P.O. Box 438, Sedro Woolley, WA 98284, in the amount of \$397.83, due to a senior citizen exemption. (011790)

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3. Charles B. Elliott, 612 Puget Street, Sedro Woolley, WA 98284, in the amount of \$551.61, due to a senior citizen exemption. (011990)
 4. Viola M. Merrill, 701 37th Street, Anacortes, WA 98221, in the amount of \$856.14, due to a senior citizen exemption. (011890)
 5. Iris Jensen, 971 Fruitdale Road, Sedro Woolley, WA 98284, in the amount of \$351.01 due to a senior citizen exemption. (012090)
- * Human Services Department:
6. Form Amendment #2200-73630(6) with DSHS. Adds Children's Hospital Alternative program and funds with \$34,496. Adds Children's Enhancement Project for underserved or difficult-to-serve children and funds with \$25,296. Awards one-time funding of \$6,641 for Children's System Development and Capacity Building. (Contract #00267)
- * Health Department:
7. Guest Speaker Contract with Michael Putnam to present "My Experience as a Person With AIDS" on October 1 and 4, 1990, for \$75.00. (Contract #00722)
- * Out-of-State Travel Requests:
8. Jim Coapstick, Sheriff's Office, to travel to Portland, Oregon, from October 11 through 13, 1990, to attend a meeting of the Northwest Fraud Investigators. Cost of travel is \$200.00.
- * Commissioners' Office:
9. Resolution appointing Mary Good to NSRSN Advisory Board. (Resolution #12683)
 10. Record of the Proceedings from October 8, 1990.
 11. Record of the Proceedings from October 9, 1990.

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, October 15, 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 #80816 through #80873 (Vouchers #80816 through #80873) in the amount of \$15,120.00. (PR-19-90)
 - 2) Manual Warrant #MW031-6097 in the amount of \$100.00. C-44-90)
 - 3) Warrant #72162 (Voucher #72162) in the amount of \$278,963.34. (R-27-90)
- B. The Board approved for signature an Out-of-State Travel Request for Dennis Lind of the Parks and Recreation Department to travel to Springfield, Oregon, to attend the NRPA Regional Conference and

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Winning Recreational Alternative Program (Drug Prevention through Parks and Recreation) from November 5, 1990, through November 9, 1990. The Board also signed a Participant Letter of Commitment in conjunction with the seminar, promising that the program will be used by the Skagit County Parks and Recreation Program at one site, and will serve a minimum of 100 youths.

Chairman Wylie was present for the following item.

UPDATE - TOXICOLOGY STUDY.

Mark Spahr, Public Works Director, introduced Dr. Ron Kendall, Director of the Institute of Wildlife and Environmental Toxicology located at Clemson University in South Carolina; and Dr. George Cobb, Analytical Toxicology Section Leader for the Institute of Wildlife and Environmental Toxicology. The Institute is under contract with Skagit County to perform a toxicology study of the effects of Skagit County's Resource Recovery Facility on the surrounding environment and wildlife. A map of the six study sampling sites was provided to each member of the Board, and a copy of the pre-incinerator study findings had been previously supplied to each Board member.

Dr. Kendall reviewed the history of the study. He stated that in 1988-89, the Institute began discussions with County officials regarding a study of environmental contaminants before and after the construction of a waste-to-energy incinerator. A proposal was subsequently submitted by the Institute and accepted by Skagit County. At the time, the program was located at Western Washington University. It has since moved to its present location at Clemson University in South Carolina, although a field station is still maintained in the northwest. Dr. Kendall indicated that he and his colleagues are pleased with the way in which the work is proceeding in light of the complexity of the tests, and remain very interested in the Skagit County project.

Dr. Cobb then gave a more detailed history of the events leading up to the submittal of the pre-incinerator report. He stated that the Institute's proposal was submitted on January 15, 1988. Discussion on the proposal continued until March, when the project was funded. In May the agreement between the County and the Institute was signed, and work began on July 7. Three sets of samples were taken prior to the start-up of the incinerator, although vandalism which required replacement of some of the sampling equipment caused some inconvenience in the sampling process. In October, the Institute began negotiating with labs for the pre-construction dioxin analysis that needed to be done. Few labs had the capabilities to perform this type of study to the high standards necessary, but an agreement was eventually finalized with a lab in California.

In December of 1988, a graduate student, Sharon Rudolph, was hired to tend to additional sampling needs.

From March through May of 1989 the dioxin analysis was performed.

In June, a sampling attempt was made, but it was found that one of the sampling houses had been destroyed and one sampling pump was found to be defunct.

In September, the Institute moved to Clemson University.

By 1990, all of the metals extraction had been completed. To date, the mercury analysis has not been done because it has taken time to negotiate with Clemson University for use of testing equipment. The equipment is now available, and mercury testing is going on this month. Metals and PCB analysis has been completed. A draft report was then provided to Bill Ness, a former employee of the County's Solid Waste Division.

During the spring and summer of 1990, seven samples for post-incinerator analysis (years two and

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three) were taken. Air samples, soil cores, and earth worm and small mammal samples from each test site.

Dr. Cobb stated that the Institute believes that if dioxin fallout occurs, it will be detectable in the air and/or the soil. The study is looking at three different types of food chains for dioxin fallout - the carnivores, herbivores and general, which includes both herbivorous and carnivorous animals.

Dr. Cobb stated that the pre-incinerator report was submitted to the County in October of 1990. He stated that through the rest of the year analyses will be conducted on metals, polychloride biphenyls (PCB's) and polynuclear aromatic hydrocarbons (PAH's) in the post-incinerator period. Another sampling event will occur this week and in the spring of next year. In early January of 1991, a preliminary report will be made, although dioxin analysis for the post-incinerator period will not occur before the January report is submitted. Dioxin analysis also will not be performed before the sampling period next year because the Institute has decided to save the dioxin samples and have them all analyzed at once, as it is so costly to have the test performed. Then the only the first and last samples will be tested to see if it will be necessary to continue testing on the middle samples. Several months after the preliminary report is submitted, the Institute will make its recommendations, and in 1992, at the end of four years, a final report will be submitted.

Dr. Kendall pointed out that, although the sampling events are of a shorter duration, there is a tremendous amount of time and work involved in the analysis of each sample. He also recommended that, although the technology for performing dioxin analysis is now available at Clemson University, the California lab continue to be used to maintain consistent testing.

Dr. Cobb did state that he noted a pattern in the existing dioxins and furans in the pre-incinerator samples. He stated that if the same pattern exists, but in increased quantities, in the post-incinerator analysis, it may be concluded that the same source has been emitting all along.

Dr. Kendall pointed out that there is no concentration of chemicals or metals that is alarming at this time.

The audience was then allowed to ask questions.

Don Bockelman from Day Creek pointed out a typographical error in the report. He questioned whether security measures have been undertaken since the vandalism of sampling equipment occurred, and Dr. Cobb explained how the equipment storage arrangements have been changed to ensure the safety of the equipment.

Mr. Bockelman queried Dr. Cobb as to why sampling was performed only on the weekends. He argued that air quality is poorer on the weekends. Dr. Cobb responded that the samples were actually taken beginning on Friday morning and continuing through Saturday, so that both weekday and weekend samples were represented, although these sampling days had not purposely been selected. Mr. Bockelman also attempted to make a point regarding the chloride content of wood; however, Dr. Cobb was possessed of information to refute Mr. Bockelman's claim.

Dr. Susan Cook of Bellingham pointed to winds from the north from Inman Landfill and Georgia Pacific as being possible contributors to air contamination. She questioned the doctors regarding the lower detection levels for metals, because she felt the report, which indicated in some instances "none detected" for metals, must be in error. Dr. Cobb showed Dr. Cook where lower sensitivity levels were set at 0.1 for lead levels. She still stated her surprise at the findings, and Dr. Cobb and Dr. Kendall pointed out that the fact that two testing sites had been scraped in preparation for building, so may not show metal levels, two sites did show metal levels, and four did not and is a credible finding.

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Debbie Aldrich asked if crops were being tested, and Dr. Cobb responded that they were not; that the food chain is being studied through tissue samples of mammals. Ms. Aldrich then asked if the oil refineries are being considered as a source of toxins. Dr. Cobb responded that the wind vector models do not support the theory that the refineries are responsible for atmospheric conditions at the incinerator site, however, he noted, any combustion source can produce dioxin.

Dr. Kendall then pointed out that the purpose of the study is to determine whether the possibility of a danger exists from pollutants generated by the incinerator. He stated that the existence of pollutants and toxins at low levels can be found virtually throughout the world; even in the most pristine locations. The identification of low levels of pollutants at the pre-incinerator stage is therefore not unusual nor unexpected.

At this point, Chairman Wylie stated that she could see no reason to attack the validity of the report. She stated that the audience may submit further questions in writing to be answered at length by the doctors.

Dr. Mark Backlund was permitted to ask one additional question, and he questioned why the study was condensed from a five to ten year study to four years.

Dr. Cobb related that the study actually includes a four year sampling period and a 10 year analysis period so as to spread the enormous costs for the study over a longer period.


At this point, the discussion was concluded, although Drs. Cobb and Kendall remained for a short period to speak with audience members and answer more questions.

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

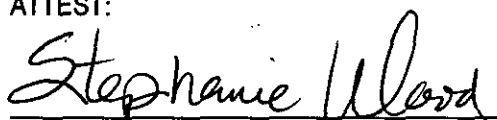



Ruth Wylie, Chairman


W. W. Vaux, Commissioner


Dave Rohrer, Commissioner

ATTEST:


Stephanie Wood, Clerk
Skagit County Board of Commissioners