

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

**Tuesday, December 11, 1990**

- 9:00 a.m. - 10:00 a.m.      Board of Health:
- 1)    *Introduction of New Staff.*
  - 2)    Discussion - Request of Skagit Valley and United General Hospital to Dispose of Medical Waste at Skagit County Incinerator.
  - 3)    Discussion - Proposed Revisions to Schedule of Charges.
- 10:30 a.m. - 11:00 a.m.      Discussion - Bacus Creek Flooding - Ranger Station Road, Marblemount.
- 1:30 p.m. - 2:00 p.m.      Hearing Examiner Recommendations:
- 1)    Denial - Agricultural Lot Size Variance for Deanne Crook, 1529 McLean Road, Mount Vernon.
  - 2)    Approval - Agricultural Lot Size Variance for Clarence Oosterhof, 2028 Francis Road, Mount Vernon.
- 2:00 p.m. - 3:00 p.m.      Department of Planning and Community Development - Scott Kirkpatrick, Director:
- 1)    Signature - Sphere of Influence Agreements.
  - 2)    Discussion - Sewer District #1 Moratorium.
  - 3)    Miscellaneous.
- 3:00 p.m. - 4:00 p.m.      Work/Study Session - Forest Practices Policies.
- 4:00 p.m. - 4:30 p.m.      Public Comment Period.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 11, 1990, with Commissioners Ruth Wylie, Dave Rohrer and W. W. Vaux present.

**BOARD OF HEALTH:**

1)    Introduction of New Staff.

New staff members Joan Kaufman, Public Health Nurse, and Britt Pfaff, Environmental Health Specialist, were introduced to the Board.

2)    Discussion - Request of Skagit Valley and United General Hospital to Dispose of Medical Waste at Skagit County Incinerator.

Ken Willis, Environmental Health Specialist, led the discussion. He stated that a letter was received from Affiliated Health Services, which is the combination of United General and Skagit Valley Hospitals, on November 2, 1990, requesting that the County accept contaminated medical wastes for disposal at the County incinerator. Mr. Willis explained that since receiving the request from the hospitals, staff has pursued the question through contacts with the Utilities and Transportation Commission, the Northwest Air Pollution Authority, the hospitals and other medical care providers, the Public Works Department and Department of Ecology.

**RECORD OF THE PROCEEDINGS**

**Tuesday, December 11, 1990**

**Page #2**

Mr. Willis stated that his pursuit of the issue has yielded that, besides the hospitals, sources of medical wastes in Skagit County include medical laboratories, clinics and physician offices; dental clinics; nursing homes and adult care centers; veterinary clinics; and private homes of diabetics, kidney patients and other home-care patients. Mr. Willis stated that through the UTC, he was able to locate two licensed collectors who are the only two serving Skagit County. They provided information on the total tonnage collected each month, estimating that 9.41 tons or 18,810 pounds is collected monthly in Skagit County, the hospitals being the largest producers.

Mr. Willis stated that his research has shown that for the most part, small business generators and private homes dispose of their medical wastes directly into the general waste stream.

Mr. Willis explained that his contact with the DOE indicated that Skagit County's incinerator is fully capable of destroying medical wastes, and that it meets all DOE standards for doing so. They indicate that the same haulers could continue to haul the wastes to the county incinerator, as opposed to hauling to Oregon and California, where they presently dispose of their wastes. Mr. Willis noted that industry literature shows no documented case of disease ever reported that was transmitted as a result of the incineration of medical wastes.

Mr. Willis recommended that the Health Department be directed to further explore the concept of incineration of medical wastes in Skagit County through the appointment of an ad hoc advisory committee.

Commissioner Rohrer immediately indicated his support of the proposal.

Stan Robinson, a representative of Sure-Way Incineration, Inc., a medical waste hauler, stated that tipping fees only are \$400 per ton at the incinerator located at Klamath Falls, Oregon, where they haul their medical wastes. This fee does not include transportation costs.

Commissioner Rohrer asked Mr. Robinson if there are any special requirements for hauling of medical wastes.

Mr. Robinson replied that besides UTC license, special sealed containers must be used to haul the wastes. Presently his company employs four 16' one-ton vans and three 24' vans, which are later emptied into a 52' semi-trailer for the trip to Klamath Falls. Mr. Robinson explained that the material is packaged and readied for transport at the hospitals and clinics they serve. He stated that Sure-Way Incineration is one of only two licensed haulers in the entire State. Mr. Robinson mentioned that only two counties in Washington have rules which prohibit disposal of medical wastes in the regular waste stream.

Commissioner Vaux asked representatives of Affiliated Hospitals if they intended to retain the same hauler, if their request is approved.

An unidentified representative of the hospitals indicated that while retaining the current hauler is an option, the hospitals do have the option of hauling their wastes themselves, and will probably explore that possibility, at least as an emergency back up measure. A UTC license is needed to haul any medical wastes except for your own, but you may haul self-generated wastes, he stated.

Chairman Wylie asked Don King, Incinerator Manager, whether medical wastes must be handled differently.

**RECORD OF THE PROCEEDINGS**

**Tuesday, December 11, 1990**

**Page #3**

Mr. King responded that although the wastes must be handled separately outside the combustor to prevent employee exposure, they may be mixed with the waste stream inside the combustor. Mr. King stated that the county will need to build a separate grapple to handle the boxes which are used to transport medical wastes, which take only a few minutes to connect and disconnect when it is needed. Mr. King was convinced that a conveyor system would be damaged if it were used to lift the wastes to the combustor.

Answering Commissioner Vaux's question, Mr. Robinson stated that his company services most of its customers on a weekly basis.

Don Bockelman, a Day Creek citizen, asked what the transportation costs are for medical wastes, to which Mr. Robinson responded that transportation costs are about \$0.08 per pound.

Mr. Bockelman then asked what procedures will be used if a shutdown of short or long duration should occur when medical wastes are being processed.

Jeff Monsen, Assistant Director-Solid Waste Division, replied that this is a detail which must be worked out in the development process.

An unidentified woman asked if the incinerator currently burns hospitals wastes.

Several staff members answered, stating that regular wastes from the hospital are currently accepted at the incinerator. Wastes that meet the criteria for infectious wastes are shipped out-of-state for destruction. Unless there is source separation of infectious wastes, they are burned along with other garbage.

*Commissioner Vaux agreed that the Board should accept Mr. Willis' recommendations to form a committee which would study and work out the details of the hospitals' proposal.*

Commissioner Rohrer motioned to accept the recommendation of the Health Department to form a committee to address rules for handling infectious wastes at the incinerator, procedures for local medical waste generators to follow, and guidance on the handling of infectious wastes for the medical waste generators. Commissioner Vaux seconded the motion, which passed unanimously.

3) Discussion - Proposed Revisions to Schedules of Charges.

Mr. Willis reminded the Board that in October, Mr. Thayer of the Health Department received their permission to hire 1-1/2 full time-equivalent employees for the Environmental Health section, to be funded by the \$35.00 per hour sludge investigation time and a \$0.50 per ton tipping fee surcharge. Mr. Willis explained that the \$35.00 per hour charge is presently in place, but the tipping fee surcharge is listed in the Health Department schedule of charge as \$0.35, last year's fee, rather than this year's \$0.50, which was approved by the Board last week. Mr. Willis requested that the Board call for a public hearing to consider the amendment of the Schedule of Charges to accept the additional tipping fee.

Commissioner Vaux motioned to hold a public hearing on January 8, 1990, at 9:00 a.m., to consider the amendment of the Schedule of Charges of the Health Department, changing the tipping fee surcharge from \$0.35 to \$0.50 per ton. Commissioner Rohrer seconded the motion, which passed unanimously.

MISCELLANEOUS ITEMS.

- A. In accordance with action previously taken, the Board approved for signature the resolution denying an agricultural lot size variance request of Joseph Fohn, Application #V-90-024. (Resolution #12742)
- B. In accordance with action previously taken, the Board approved for signature the resolution approving the Preliminary Plat of Seaview Division #IV. (Resolution #12743)

HEARING EXAMINER RECOMMENDATIONS:

- 1) Denial - Agricultural Variance for Deanne Crook.

Ms. Roeder, Senior Planner, explained that Deanne Crook has requested an agricultural lot variance to allow the subdivision of approximately 18 acres of agricultural land into two parcels. One parcel would be about 1/2 acre, and would contain an existing residence. The second parcel would contain the remaining 17-1/2 acres. The applicant wishes to dispose of the existing residence, while saving the remaining acreage to lease for agricultural purposes. Mrs. Crook is not living in the existing residence and does not intend to, but does want to farm the remaining acreage. Ms. Crook's request was submitted following the repeal of the Skagit County Policies for the Division of Agricultural Land. Therefore, while the Planning Department recommended approval of the request with the stipulation that the agricultural parcel be for agricultural purposes only, the Hearing Examiner recommended denial of the request, stating that the request does not meet the criteria contained in the Skagit County Code for the granting of variances.

Ms. Roeder stated that the Board may exercise any of the following options:

- 1) To uphold the decision of the Hearing Examiner.
- 2) To remand the matter back to the Hearing Examiner for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Discussion ensued, during which Commissioner Vaux stated that he felt that the spirit and intent of the Code pertaining to variances is to preserve agricultural land. He stated that he did not feel that this request constitutes an incident in which land is taken out of agricultural production. He motioned to call for a public hearing to allow the Board to consider the matter, to be held on Tuesday, January 8, 1991, at 1:30 p.m. Commissioner Rohrer seconded the motion, which passed unanimously.

- 2) Approval - Agricultural Variance for Clarence Oosterhoff.

Grace Roeder, Senior Planner, explained that Clarence Oosterhoff has requested an agricultural lot variance to subdivide an 88 acre parcel into three parcels. Parcel #1 would be 12,650 square feet and would contain one existing residence. Parcel #2 would be 4.5 acres and would contain a second existing residence. Parcel #3 would be the remaining acreage, which Mr. Oosterhoff intends to sell to a prospective purchaser. The purchaser has requested that these variances be obtained, because he does not wish to buy either of the existing homes. The purchaser wishes to use the land, which now contains a dairy farm, to develop a Christmas tree farm.

Ms. Roeder explained that the Hearing Examiner held a public hearing to consider the request on November 14, 1990. The Planning Department had previously recommended approval of the request. The Hearing

**RECORD OF THE PROCEEDINGS**  
**Tuesday, December 11, 1990**  
**Page #5**

Examiner's public hearing was held on November 14, 1990, and, since Mr. Oosterhoff's application was received while the Policies for the Division of Agricultural Lands was still in effect, and the Hearing Examiner found that this request is permissible under those policies. He therefore recommended the approval of the request. Ms. Roeder stated that the Planning Department has recommended that the remaining parcel receive a stipulation that it can be used for agricultural purposes only.

Ms. Roeder stated that the Board may exercise any of the following options:

- 1) To uphold the decision of the Hearing Examiner.
- 2) To remand the matter back to the Hearing Examiner for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Discussion ensued, at the conclusion of which Commissioner Rohrer motioned to adopt the recommendation of the Hearing Examiner to approve the request of Clarence Oosterhoff for an agricultural lot variance. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12744)

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:**

- 1) Signature - Sphere of Influence Agreements.

As discussed the previous week, Mr. Kirkpatrick presented for signature resolutions reaffirming sphere of influence agreements from the four major cities.

Commissioner Vaux motioned to adopt the resolution reaffirming and expanding the adopted sphere of influence agreement of February 2, 1981, between Skagit County and the City of Anacortes, to address the requirements of the Growth Management Act of 1990. The resolution further states that staffs of both entities will work to set final urban growth boundaries, establish urban development standards, utilize SEPA "co-lead", and develop impact fee ordinances. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12748)

Commissioner Vaux motioned to adopt the resolution reaffirming and expanding the adopted sphere of influence agreement of June 21, 1981, between Skagit County and the City of Sedro Woolley to address the requirements of the Growth Management Act of 1990. The resolution further states that staffs of both entities will work to set final urban growth boundaries, establish urban development standards, utilize SEPA "co-lead", and develop impact fee ordinances. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12749)

Commissioner Vaux motioned to adopt the resolution reaffirming and expanding the adopted sphere of influence agreement of June 25, 1981, between Skagit County and the City of Burlington to address the requirements of the Growth Management Act of 1990. The resolution further states that staffs of both entities will work to set final urban growth boundaries, establish urban development standards, utilize SEPA "co-lead", and develop impact fee ordinances. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12746)

Commissioner Vaux motioned to adopt the resolution reaffirming and expanding the adopted sphere of influence agreement of July 8, 1981, between Skagit County and the City of Burlington to address the requirements of the Growth Management Act of 1990. The resolution further states that staffs of both entities

**RECORD OF THE PROCEEDINGS**

**Tuesday, December 11, 1990**

**Page #6**

will work to set final urban growth boundaries, establish urban development standards, utilize SEPA "co-lead", and develop impact fee ordinances. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12747)

2) Discussion - Sewer District #1 Moratorium.

Mr. Kirkpatrick stated that he was unable to arrange for the Sewer District #1 Commissioners to attend today's meeting, but that they will attend next week. He asked that the discussion be deferred until that time, and the Board agreed.

3) Miscellaneous.

A. Mr. Kirkpatrick updated the Board on the first round of community meetings being held in conjunction with the Comprehensive Plan Policy Update.

B. Mr. Kirkpatrick gave a status report on the complaint response and permit condition enforcement function of his office.

C. Commissioner Vaux motioned to adopt the resolution authorizing the emergency closure of a portion of Dunbar Road 200 feet west of Moores Garden Road from 3:00 p.m. on Tuesday, December 11, 1990, to 12:00 noon on Friday, December 14, 1990, for the purpose of laying of pipe to pump excessive water from the Dunbar Road area. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12745)

D. 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, December 11, 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 #72718 through #72857 (Vouchers #72718 through #72857) in the amount of \$158,301.85 (Transmittal #R34-90).

E. Commissioner Vaux motioned to sign an agreement between Skagit County and Island County and the North Sound Regional Support Network providing cross indemnification by attorneys from the prosecuting attorney's offices of Island and Skagit Counties for legal representation for the North Sound Regional Support Network. Commissioner Rohrer seconded the motion, which passed unanimously. (Contract #00769)

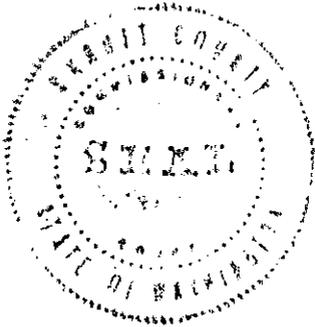
F. Commissioner Vaux motioned to adopt the resolution calling for a public hearing on December 19, 1990, to consider the authorization of a supplemental budget for the Current Expense, Parks and Recreation and Election Services Funds. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12750)

**ADJOURNMENT:**

**RECORD OF THE PROCEEDINGS**  
**Tuesday, December 11, 1990**  
**Page #7**

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

**BOARD OF COUNTY COMMISSIONERS**  
**SKAGIT COUNTY, WASHINGTON**

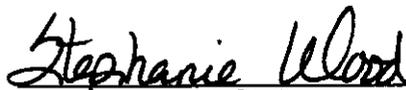


  
\_\_\_\_\_  
Ruth Wylie, Chairman

  
\_\_\_\_\_  
W. W. Vaux, Commissioner

  
\_\_\_\_\_  
Dave Rohrer, Commissioner

ATTEST:

  
\_\_\_\_\_  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners