

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

Monday, June 24, 1991

9:00 a.m. - 9:30 a.m.

Board of Health:

- 1) Continuation of Discussion - Proposed Revision to Chapter 12.16 of the Skagit County Code Governing Solid Waste Handling and Facilities.

9:30 a.m. - 9:45 a.m.

Call for Bids - Senior Nutrition Meals.

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

Public Works Department:

- 1) Resolution - Distribution of 1991 Flood Control Grant Fund.
- 2) Signature - Rock Grant.
- 3) Discussion - Sneeoosh Road in the Vicinity of Thousand Trails to Flagstaff Lane.
- 4) Signature - Establish C.R.P. Peterson Road, et al.
- 5) Signature - Construction Contract - Peterson Road, et al.
- 6) Call for Bids - Fir Island Road Repair.
- 7) Call for Bids - Reconstruction of Portion of Francis Road.
- 8) Resolution - Authorizing Contract Negotiation for Implementation of Joint Recycling Program.
- 9) Call for Bids - Contractor Services for Household Hazardous Waste Collection Day and Paint Swap Event.
- 10) Supplement #4 - Professional Services Contract - Landscape Associates.
- 11) Request for Qualifications - Confined Entry Services Leachate Sump - Inman Landfill.
- 12) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m.

Bid Openings:

- 1) One New Tow-Behind Road Sweeper.
- 2) One New Truck-Mounted Asphalt Patching Mix Box.
- 3) One New Heavy Duty Cab and Chassis Unit.
- 4) One New Four-Cubic Yard Wheel Loader.

2:00 p.m. - 2:30 p.m.

Work Session - Proposed Amendments to Chapter 2.36 of Skagit County Code Regarding Public Defender Standards.

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

Planning Commission Recommendations:

- 1) Approval with Conditions - Country Club Meadows III Preliminary Plat.
- 2) Approval with Conditions - Food Services, Inc., Modification to Contractual Rezone.

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The Skagit County Board of Commissioners met in regular session on Monday, June 24, 1991, with Commissioners W. W. Vaux, Ruth Wylie and Robby Robinson present.

BOARD OF HEALTH:

- 1) Continuation of Discussion - Proposed Revision to Chapter 12.16 of the Skagit County Code Governing Solid Waste Handling and Facilities.

Britt Pfaff, Environmental Health Specialist, took up the discussion of proposed sludge regulations at the point where she had ended at the previous meeting of the Board of Health.

Ms. Pfaff reviewed each new regulation that is proposed for adoption. She stated that the proposal has been discussed during a meeting with the local municipalities, and comments on the proposal have been solicited from the Department of Ecology. The local municipalities have asked that an additional section which deals with final close-out testing of sites be included in the new regulations.

Answering questions from the Board, Ms. Pfaff indicated that the site manager/operator is responsible for paying for the testing required as part of the permitting and continued application process. The site manager/operator is also responsible for any mitigation which may be required as a result of site damage. Notification of adjacent residents and property owners may be performed by mail or in person.

Don Bockelman, a private citizen, called for two additions to the proposal. First, that the notice to property owners be made 30 days in advance of the initiation of application, and second, that odors be addressed. He suggested that after three odor complaints, site application be discontinued.

Ken McKenzie, a sludge site manager, asked that Mr. Bockelman's inference that sludge generators should test for tributyl tin be disregarded, as there is no testing procedure. He also stated that since odor is based on personal observation, it is unfair to penalize the applicator based on three complaints. He also stated that some farming odors are to be expected in the agriculture zone.

Ms. Pfaff stated that the proposal will now be reviewed by the Prosecuting Attorney's Office, after which a public hearing date should be set.

Ken Willis, Environmental Health Specialist, pointed out that the Northwest Air Pollution Authority has jurisdiction for odor complaints.

Chairman Vaux asked whether staff had considered his direction that the illegal dumping fines be set higher, so as to be greater than the cost to properly dispose of materials. Mr. Willis stated that the section listing fines will be removed from the Code and replaced with language which refers the reader to the Health Department Schedule of Charges, wherein large offenses will be fined at no less than \$500 per violation, and small offenses will be fined at \$50. Littering offenses will remain at \$25.00.

At this point, Commissioner Wylie motioned to schedule a public hearing for Monday, July 22, 1991, at 9:00 a.m., to consider the proposed amendments to the Solid Waste portion of the Skagit County Code. Commissioner Robinson seconded the motion, which passed unanimously.

CALL FOR BIDS - SENIOR NUTRITION MEALS.

Commissioner Wylie motioned to call for bids to be received and opened on July 9, 1991, at 1:30 p.m., for provision of senior citizen catered meals. Commissioner Robinson seconded the motion, which passed

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unanimously. (Resolution # 13032)

PUBLIC WORKS DEPARTMENT:

1) Resolution - Distribution of 1991 Flood Control Grant Fund.

Dave Brookings, Flood Control Engineer, reviewed the recommendations of the Flood Control Committee for the award of \$200,000 set aside by the County Commissioners in grant funds to benefit dike, drainage, and flood control districts. Bob Hulbert and Jess Knudsen were present to represent the Flood Control Committee.

Following the presentation, Commissioner Wylie motioned to adopt the resolution authorizing the following flood control grants:

<u>APPLICANT</u>	<u>PROJECT</u>	<u>AMT APPROVED</u>
Dike District #5	Improve 1/4 mile of dike top	\$4,000
Town of Lyman	Repair flood damage to 400' of eroded river embankment	\$5,000
Drainage District #21	Rock rip-rap 500' of eroded embankment	\$3,500
Drainage District #21	Construct a settling basin at Turner Creek	- 0 -
Dike District #1	Install 1,350' of keyway along Baker Street	\$30,000
Drainage District #19	Construct 200' of rock jetty along east bank of Swinomish Channel	- 0 -
Dike District #22	Matching money	\$30,000
Dike District #12	Improve approximately 1 mile of dike top	\$30,000
Dike District #20	Rock rip-rap 1000' of river embankment	\$4,728
Town of Concrete	Burpee Hill slide and drainage maintenance	- 0 -
Dike District #17	Install \$1,350' of keyway	\$30,000
Dike District #25	Rock rip-rap and dike repair (matching money)	\$742.75
Dike District #25	Channel widening dike improvements	\$12,000
Dike District #25	Rock rip-rap at various locations	\$10,000
Dike District #3	3/4 mile dike improvement along Carpenter Creek	\$30,000

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<u>APPLICANT</u>	<u>PROJECT</u>	<u>AMT APPROVED</u>
City of Mount Vernon	Lions Park 750' rock rip-rap	- 0 -
Drainage District #14	Joe Leary Slough outlet improvement	\$10,029.25

2) Signature - Rock Grant.

Commissioner Wylie motioned to adopt the resolution awarding a rock rip-rap grant for 150 cubic yards of rock to Wilson Shaw to rock rip-rap about 100 feet of the Samish River, at an approximate materials value of \$487.50. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13034)

3) Discussion - Sneeoosh Road in the Vicinity of Thousand Trails to Flagstaff Lane.

Robin LaRue, Design/Construction Engineer, reviewed steps which have been taken by the Public Works Department to facilitate safer driving conditions on SneeOosh Road as a result of neighborhood complaints. These steps include "DEER CROSSING" signs, advisory postings at curves, signs to divert traffic to another route to LaConner, and additional curve signage. He also stated that the Skagit County Sheriff's Office has performed emphasis speed patrol of the road, but has issued no citations as traffic has been obeying the speed limit. Additionally Tribal police have been patrolling the road. Regarding a suggestion from a neighbor that a walking trail be established beside the roadway, staff is recommending that this not be addressed at this time, to await a report on walking facilities on a regional basis by the County's new transportation planner.

Glen Bartlett, a neighbor, complained that the advisory 35 MPH signage is posted at the curve to the north of the one he has complained about.

Kathy Ketchum, 1575 SneeOosh Road, complained that residents were not informed of a previous public hearing at which a reduction in the speed limit on SneeOosh Road was considered. She stated that a number of accidents have occurred within the last few months on the road, one in which she was a victim. She preferred that the speed limit be lowered to a minimum of 35 MPH.

An unidentified female stated that the newly installed chevrons at curves have helped, but that the speed limit should be lowered to 35 MPH.

Mr. Bartlett reported two cases where, late at night, cars were run into neighbors' yards, but were removed and went unreported. He recommended yellow flashing lights at curves and widening of the roadway.

Denise Noble, 1530 SneeOosh Road, complained of cars in her yard and animals killed, and also wanted to see the speed limit lowered.

An unidentified man agreed with the lowering of the speed limit and the fact that the shoulders of the road are too narrow.

Chairman Vaux suggested that a public hearing be held to once again consider a reduction in the speed limit on SneeOosh Road. Mr. LaRue was directed to issue a call for public hearing at next week's meeting.

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4) Signature - Establish C.R.P. Peterson Road, et al.

Commissioner Wylie motioned to adopt the resolution establishing a County Road Project on Peterson and Cedardale Roads, and appropriating a total of \$407,912.00 for engineering and construction. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13040)

5) Signature - Construction Contract - Peterson Road, et al.

Commissioner Wylie motioned to sign a contract with Associated Sand and Gravel to perform improvement and reconstruction of Peterson Road and Cedardale Roads. Commissioner Robinson seconded the motion, which passed unanimously. (Contract #01031)

6) Call for Bids - Fir Island Road Repair.

Chairman Vaux motioned to adopt the resolution calling for bids to be opened on July 16, 1991, at 1:30 p.m., for the improvement of a portion of Fir Island Road. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13035)

7) Call for Bids - Reconstruction of Portion of Francis Road.

Commissioner Wylie motioned to adopt the resolution calling for bids to be opened on July 16, 1991, at 1:30 p.m., for the improvement of a portion of the Francis Road. Commissioner Robinson seconded the motion, which passed unanimously. (Contract #13036)

8) Resolution - Authorizing Contract Negotiation for Implementation of Joint Recycling Program.

Ric Boge, Recycling Coordinator, presented the resolution. Tim Crosby of Sedro Woolley, Mount Vernon Mayor Ray Reep, and Pat Lamphier of Anacortes were present to represent the Joint Recycling Committee. Mr. Boge stated that the committee met again on June 5, 1991, to discuss the concerns of the competitor for the Joint Recycling Program contract, and reaffirmed their decision to choose Waste Management Northwest.

Commissioner Wylie motioned to adopt the resolution authorizing Mr. Boge to enter into contract negotiations with Waste Management Northwest for the implementation of the Joint Recycling Program. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13037)

9) Call for Bids - Contractor Services for Household Hazardous Waste Collection Day and Paint Swap Event.

Commissioner Wylie motioned to adopt the resolution calling for bids to be opened on July 15, 1991, at 1:30 p.m. for a contractor to produce the annual Household Hazardous Waste Collection Day and Paint Swap Event. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13038)

MISCELLANEOUS ITEMS.

A Miscellaneous Item was taken at this time for the convenience of the audience.

- A. Ron Panzero, Skagit County Undersheriff, approached the Board to fund three intern students from Eastern Washington University, who would like to work in the Sheriff's Office to obtain college credits

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as part of the law enforcement career training. Mr. Panzero was instructed to make arrangements with the Administrative Officer and Budget Director.

10) Supplement #4 - Professional Services Contract - Landscape Associates.

Commissioner Wylie motioned to approve Supplement #4 to the professional services contract with Landscape Associates, which extends the term of the original contract to April 1, 1992. Commissioner Robinson seconded the motion, which passed unanimously.

11) Request for Qualifications - Confined Entry Services Leachate Sump - Inman Landfill.

Jeff Monsen, Assistant Administrator - Solid Waste Division, explained that a pump has malfunctioned at the Inman Landfill which is situated at the bottom of a 26 foot deep hole. A chain which would have been used to lift the pump out has been corroded by the leachate and is no longer safe to use. In order to attach a new chain, someone must ascend into the hole, which is filled with methane gas. Mr. Monsen recommended that the County seek a contractor to perform this dangerous task.

Commissioner Wylie motioned to put forth a Request for Qualifications for technical assistance in a confined space entry of the Inman Landfill leachate sump. Commissioner Robinson seconded the motion, which passed unanimously.

12) Miscellaneous.

A. Mr. Monsen explained that, due to a reduction in the price obtained for scrap metals and a precarious financial status, C&D Salvage has asked to be excused from the completion of their current recycling contract with Skagit County. Mr. Monsen stated that it is possible that forcing C&D to complete their contractual obligations may force them into bankruptcy. He stated that he intends to speak with legal counsel regarding this request, but at this time he would recommend that C&D's request be granted.

B. Robin LaRue presented the final draft of the Gibraltar Road geotechnical report.

CONSENT AGENDA.

Commissioner Wylie motioned to adopt the consent agenda of Monday, June 24, 1991, as submitted. Commissioner Robinson seconded the motion, which passed unanimously.

* Petitions for Property Tax Refunds:

1. Karl's Paints, 111 N. 3rd, Mount Vernon, WA 98273, in the amount of \$41.62, due to unintentional late filing by taxpayer. (005791)
2. Helen Roberts, 1205 Batey, Sedro Woolley, WA 98284, in the amount of \$411.05, due to a senior citizen exemption. (006791)
3. Ruth L. Bogue, 1401 38th Street, Anacortes, WA 98221, in the amount of \$114.52, due to a senior citizen exemption. (006491)
4. Margaret R. Sampsel, 1308 6th Street, Anacortes, WA 98221, in the amount of \$777.00, due to a senior citizen exemption. (007391)

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5. Harry Martin, c/o John Ward, P.O. Box 208, Sedro Woolley, WA 98284, in the amount of \$204.68, due to a manifest error which caused a double assessment. (006591)
6. Frances Hayton, 2098 Dry Slough Road, Mount Vernon, WA 98273, in the amount of \$768.14, due to a senior citizen exemption. (007091)
7. Washington Mutual (David Ready), P.O. Box 834, Key 2004, Seattle, WA 98111, in the amount of \$229.02, due to an inadvertent payment on the wrong account. (006891)
8. Interwest Savings, 1259 W. Pioneer Way, Oak Harbor, WA 98277, in the amount of \$171.73, due to an inadvertent payment. (006991)
9. Skagit Escrow Automated Systems, Inc., P.O. Box 1667 Mount Vernon, WA 98273, in the amount of \$394.92, due to a double payment on property. (007291)

* Planning Department:

10. Application of Ralph and D'Ann Whiton for extension of sewer service by Whatcom County Water District #12 to property between Green Road and Old Hwy 99.
11. Resolution upholding the original decision of the Planning Commission regarding the 1975 Contract Rezone of Roy Harrison. (Resolution # 13039)

MISCELLANEOUS ITEMS.

- B. Commissioner Wylie motioned to adopt a resolution rescinding prior resolution #12899, which authorizes the sale of County property located on College Way to the State Department of Transportation in light of their recently stated decision to purchase other property instead. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 13040)
- C. The Board approved for signature Contract Amendment #89/90-3219-PC02(03) with the Northwest Regional Council to extend the contract period for Personal Care Services through June 30, 1992.

BID OPENINGS:

Chairman Vaux waived the reading of each of the notices of call for bids, which were published in The Skagit Argus on June 11 and 18, 1991.

- 1) One New Tow-Behind Road Sweeper.

The following bids were received and opened:

- a) Case Power & Equipment
3217 Hewitt Ave.
Everett, WA 98201

MB Model 53 MH (18 horsepower Onan engine)
Total Cost: \$9,630.08

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MB Model 53 MH (30 horsepower Hatz Diesel engine)
Total Cost: \$12,235.86

- b) Sahlberg Equipment, Inc.
5950 Fourth Ave. South
Seattle, WA 98108

H96 Two-Wheel Sweepster
Total Cost: \$15,041.96

- 2) One New Truck-Mounted Asphalt Patching Mix Box.

No bids were received for this item.

- 3) One New Heavy Duty Cab and Chassis Unit.

The following bids were received and opened:

- a) Blade Chevrolet
1100 Freeway Dr.
Mount Vernon, WA 98273

Chevrolet CC31403
Total Cost: \$19,403.05

Chevrolet CC31403
Total Cost: \$17,747.18

- b) Skagit Ford
P.O. Box 1377
Mount Vernon, WA 98273

Ford F450 Super Duty
Total Cost: \$15,096.45

- 4) One New Four-Cubic Yard Wheel Loader.

The following bids were received and opened:

- a) Case Power & Equipment
3217 Hewitt Ave.
Everett, WA 98201

1991 Case 821
Total Cost: \$107,552.56

ACS 30SD-821
Total Cost: \$16,131.05

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ACS3041-821
Total Cost: \$10,342.22

- b) Northern Commercial Co. (dba NC Machinery Co.)
2020 Freeway Dr.
Mount Vernon, WA 98273

Caterpillar 950F
Total Cost: \$132,613.08

Balderson, B50-3Y side dump bucket
Total Cost: \$14,555.50

Balderson, B50-3M four-in-one bucket
Total Cost: \$16,178.75

- c) Clyde/West, Inc.
9615 W. Marginal Way S.
Seattle, WA 98108

1991 Kawasaki, KSS 80ZIII
Total Cost: \$135,053.08

JRB 2-3/4 cy side dump bucket
Total Cost: \$15,535.95

JRB 3 cy four-in-one bucket with teeth
Total Cost: \$12,529.71

- d) Smith Tractor & Equipment Co.
1712 Hickox Road
Mount Vernon, WA 98273

1991 John Deer 644E
Total Cost: \$117,520.26

JRB 300 SD side dump bucket
Total Cost: \$11,118.19

JRB 300 MP four-in-one bucket
Total Cost: \$7,667.44

Public Works Department staff will review each of the bids received and return at a later date with a recommendation for award.

PLANNING COMMISSION RECOMMENDATIONS:

- 1) Approval with Conditions - Country Club Meadows III Preliminary Plat.

Jeff Morgan, Associate Planner, provided a preliminary plat map and staff photographs of the subject

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property. The subject property is located to the south of Peterson Road and to the west of Gull Drive, west of the City of Burlington. Mr. Morgan explained that the applicant is proposing to construct an 18 lot residential subdivision on 7.91 acres. The Staff Report of the Department of Planning and Community Development recommends approval of the proposal. The Planning Commission reviewed the proposal and, on a 7-0 vote, recommended approval of the proposal with 18 conditions. Mr. Morgan explained that the most important conditions deal with the drainage plan. Those conditions require a Public Works Department approved plan, which includes repair of an existing system, as well as other drainage improvements.

A gentleman representing the applicant gave an explanation of the proposal drainage plan.

On recommendation from the Planning Commission, Commissioner Wylie motioned to approve the Preliminary Plat of Country Club Meadows III, application #PP-90-012, and to include those conditions set for the by the Planning Commission. Commissioner Robinson seconded the motion, which passed unanimously.

2) Approval with Conditions - Food Services, Inc., Modification to Contractual Rezone.

Gary Christiansen, Associate Planner, provided photographs and an aerial photograph of the subject property located about 1/2 mile west of Mount Vernon, north of McLean Road. The applicant is requesting a modification of his existing contract rezone to allow expansion of his business on 3.5 acres of an existing 10 acre parcel to the east which is currently zoned Agriculture. He will be constructing a new storage facility for foodstuffs, and is also requesting to expand the scope of his operation to include restaurant supplies.

Mr. Christiansen stated that the Staff Report of the Department of Planning and Community Development recommended approval of the request. The Planning Commission reviewed the proposal and, in a 6-0-1 vote, recommended approval of the request. The Board's options in the matter were provided in a memorandum from Mr. Christiansen.

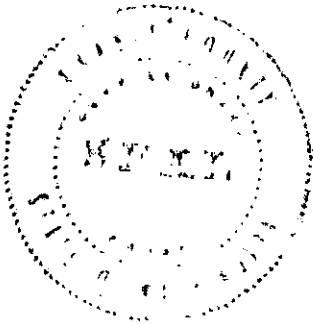
Chairman Vaux stated that the applicant has attempted on a number of occasions to facilitate the expansion of his business. The last time the Board of Commissioners denied his request, suggesting that he expand his enterprise to the east of his existing facility instead of to the north. The applicant has now submitted a proposal which does show his intention of expanding to the east, and Chairman Vaux felt that it was an appropriate expansion.

Commissioner Wylie motioned to adopt the recommendation of the Planning Commission, including all conditions, and approve Request #R-90-08 by Food Services, Inc., for a modification of their existing contractual rezone. Commissioner Robinson seconded the motion, which passed unanimously.

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





W. W. Vaux, Chairman

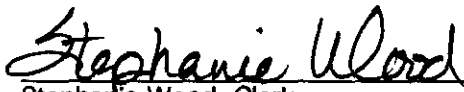


Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners