

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

Monday, August 26, 1991:

9:00 a.m. - 10:00 a.m. Board of Health:

- 1) Public Hearing - Rules and Regulations Governing Individual and Public Drinking Water Systems - Additions to Skagit County Code.

10:00 a.m. - 11:30 a.m. Public Works Department - Rich Medved, Director:

- 1) Public Hearing - Intent to Dispose of County Surplus Property.
- 2) Call for Bids - 7,500 GPM Pump.
- 3) Signature - Rural Arterial Program Contract - Prairie Road.
- 4) C.R.P. Update - Construction Funds for Hickox Road.
- 5) Bid Award Recommendation - Household Hazardous Waste Collection Day and Paint Swap Event.
- 6) Resolution - Rejecting Bids to Provide Recycling Services at All Skagit County Solid Waste Disposal Facilities.
- 7) Signature - Supplement #4 - Recycling Agreement for Skagit County Solid Waste Disposal Facilities.
- 8) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m. Request to Distribute Donation Envelopes to County Offices to Benefit Local Food Bank - KBRC Radio.

3:30 p.m. - 4:30 p.m. Executive Session - Personnel, Litigation.

The Skagit County Board of Commissioners met in regular session on Monday, August 26, 1991, with Commissioners W. W. Vaux, Ruth Wylie and Robby Robinson present.

BOARD OF HEALTH:

1) Public Hearing - Rules and Regulations Governing Individual and Public Drinking Water Systems - Additions to Skagit County Code.

Chairman Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus on July 30, and August 6, 1991.

Lorna Haycox, Environmental Health Specialist, explained the mechanism by which the proposed ordinance was drafted, giving credit to the assistance of an ad hoc committee. She remarked on a July 22, 1991, work session at which the Board was briefed on the proposed ordinance, and after which a public hearing was scheduled and advertised.

Ms. Haycox explained that during the advertisement period a member of the Health Department Staff, Ken Willis, has been reviewing the document and has made a number of changes. Ms. Haycox provided a page (attached) listing each of the changes in general. Those that she felt were significant were reviewed with the Board. These included 12.48.140, 12.48.220 and 12.48.260.

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It was noted that Chief Civil Deputy Prosecutor John Moffat has not yet reviewed the revised document, although his review is pending.

The floor was then opened to the audience for comments.

Martin Corin, 101 Biz Point Road, Anacortes, president of Del Mar Community Services, questioned Ms. Haycox regarding the applicability of the ordinance. She responded that State rules will supersede local rules in determining what size water systems will fall under local ordinances. Mr. Corin also asked how additions to existing systems will be treated. Ms. Haycox referred Mr. Corin to 12.48.210 which, she stated, indicates that the County "would not touch" a system with an existing comprehensive plan which includes expansion.

Don Bockelman asked how the new ordinance will constrain the construction of outbuildings. Ms. Haycox replied that potable water will not be required for the construction of outbuildings, therefore the ordinance will not be applied.

An unidentified man asked if Ms. Haycox's statement would also hold true for an outbuilding having restroom facilities.

Tom Karsh, Environmental Health Specialist for the Planning Department, indicated that an outbuilding with restroom facilities would not trigger potable water review.

Mr. Bockelman stated that he believes the ordinance is restrictive to those individuals who wish to deal with sewage in different ways. It also restricts the ability of the public to construct summer homes to which they carry in water.

Ms. Haycox asked Ken Fowler, a local well driller, what percentage of wells he drills are less than 400 gallons per day capacity. Mr. Fowler responded that only 2-3% do not produce 400 gallons per day.

Don Slocum, a Birdsvie resident and property owner in Water District #1, asked if, according to the definitions section, those property owners in the water district with backflow preventers were considered part of a public water system. He explained that because of the threat of EDB chemical contamination in Birdsvie wells, the Department of Ecology provided backflow preventers to a number of well owners, and required new wells to have backflow preventers purchased by the owner. Now it would appear that 12.48.030(10) of the new ordinance indicates that these well owners are part of a public system. He recommended that to the definition, language be added indicating that a private system exists "if the system is equipped with a backflow preventer".

Mr. Fowler indicated that the price for installation of a backflow preventer is about \$375-\$400.

Mr. Slocum suggested that the County, with or without the blessing of the State DOE, allow the removal of backflow preventers that, through freezing or other occurrence, become non-functioning.

Chairman Vaux agreed that well owners should either have a functioning backflow preventer or it should be discontinued from the system.

John Thayer, Environmental Health Supervisor, stated that the Birdsvie residents' situation is an anomaly, and should not be applied to all backflow preventer situations.

Mr. Slocum stated that a malfunctioning backflow preventer is a danger to the entire system as it can

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introduce contaminants.

Mr. Corin stated that the recent bankruptcy of a local developer has emphasized the need to require a bond for the completion of large systems. Ms. Haycox indicated that large systems are regulated by the Department of Health, and referred Mr. Corin to that organization to address the bond issue.

Tom Karsh, going back to Mr. Bockelman's earlier question, was unable to find where outbuildings with restrooms are covered under the ordinance. He suggested there may be a need to include both residential and commercial outbuilding uses in the ordinance.

Chairman Vaux indicated that the Board was not ready to act on the proposed ordinance yet, there being a number of unresolved issues. He instructed Ms. Haycox to check into the backflow preventer issue and the bonding issue.

Mr. Slocum cautioned that one should not wait until a backflow preventer freezes to declare it malfunctioning. A method of testing is needed to assure the integrity of the existing units.

Mr. Corin recommended that, if a variance to the water ordinance is allowed, it should be documented so that a title search will reveal any deviations from the norm. Ms. Haycox indicated that the ordinance requires documentation.

Mr. Bockelman suggested that a time limit be placed on the agency processing permits.

Commissioner Wylie reminded Ms. Haycox to also include language which includes accessory buildings having restroom or water facilities. She then motioned to continue the public hearing to Monday, September 23, 1991, at 9:00 a.m. Commissioner Robinson seconded the motion, which passed unanimously.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Public Hearing - Intent to Dispose of County Surplus Property.

Chairman Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus on August 13 and 20, 1991.

Mr. Medved explained that the purpose of the hearing was to authorize the annual sale of surplus items of the County Public Works Department. A list of those items for sale was provided to the Board.

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

Commissioner Wylie motioned to approve the disposal of County surplus property listed by the Public Works Department by public auction at noon on September 20, 1991. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 14027)

2) Call for Bids - 7,500 GPM Pump.

Dave Brookings, Flood Control Engineer, explained that a pump station operated and maintained by Skagit County located near the Similk Beach Golf Course is in need of replacement. Currently, \$16,000 exists in a replacement fund and additional funds are available in the Off-Road Drainage Fund with which to purchase the new pump.

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Commissioner Robinson motioned to call for bids to be opened on September 9, 1991, at 1:30 p.m., for a new pump with a capacity of 7,500 gallons per minute for use at the Similk Beach Pump Station. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14028)

3) Signature - Rural Arterial Program Contract - Prairie Road.

Robin LaRue, Design/Construction Engineer, reported that a grant request for Rural Arterial Program funds in the amount of \$250,000 for a project on the Prairie Road was unsuccessful; however, an availability of additional funds has allowed the RAP program to offer partial funding in the amount of \$109,511 for the project. Mr. LaRue recommended that the County accept the partial funding offer.

Commissioner Wylie motioned to approve for signature a Rural Arterial Program Project Agreement under which Skagit County will receive \$109,511 to complete a road project on Prairie Road. Commissioner Robinson seconded the motion, which passed unanimously.

4) C.R.P. Update - Construction Funds for Hickox Road.

Commissioner Wylie motioned to adopt the resolution authorizing construction funds in the amount of \$102,960.00 for the Hickox Road CRP #7002-1. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14029)

5) Bid Award Recommendation - Household Hazardous Waste Collection Day and Paint Swap Event.

On recommendation from the Solid Waste Division, Commissioner Wylie motioned to award the bid for the annual household hazardous waste collection day and paint swap event to Burlington Environmental, Inc., for the bid price of \$97,569.15. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14030)

6) Resolution - Rejecting Bids to Provide Recycling Services at All Skagit County Solid Waste Disposal Facilities.

Ric Boge, Recycling Coordinator, presented a resolution which would reject bids received last week for the provision of recycling services at all Skagit County waste disposal facilities. Mr. Boge stated that the Solid Waste staff plans to publish a Request for Proposals for similar services by mid-September, with the objective being the negotiation of a more cost effective arrangement to provide service by mid- to late October.

Don Bockelman, a Day Creek citizen, thought that if the Board rejected the bids they received, no response would be forthcoming to the RFP. Mr. Boge felt that there would be interest in competing for the contract.

Commissioner Wylie asked how the County would be protected if no bid bond can be required under an RFP. Mr. Boge indicated that Skagit County can still ask for a performance bond from the successful applicant.

At this point, Commissioner Wylie motioned to adopt the resolution rejecting bids received for the provision of recycling services at all Skagit County waste disposal facilities. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14031)

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7) Signature - Supplement #4 - Recycling Agreement for Skagit County Solid Waste Disposal Facilities.

Because Skagit County will require C&D Salvage's services until a new contractor can be found, stated Mr. Boge, and because C&D Salvage is unable to complete their contract under the present arrangement because of a precarious financial position, the Solid Waste Division is recommending that a supplement to the agreement with C&D Salvage be approved which will provide additional financial support to the contractor. Under the amendment, the County will pay C&D Salvage \$5,200 plus \$100 per ton for the first 100 tons of recyclables and non-processables collected, and \$50 per ton for combined tonnage collected above the first 100 tons. In return, C&D Salvage will make their roll-off truck available as a back-up to the County's roll-off truck, will provide a phone line for contact regarding the recycling program, and will assist County employees to pull out and transfer non-processable items from the public receiving areas of the incinerator, Sauk transfer station and Clear Lake compactor site.

Commissioner Robinson motioned to approve for signature Supplement #4 to the recycling agreement for solid waste disposal facilities. Commissioner Wylie seconded the motion, which passed unanimously.

8) Miscellaneous.

- A. On request from the Drainage Division, Commissioner Robinson motioned to adopt the resolution calling for bids for a 1991 Jackman Creek channel restoration project, to be opened on September 9, 1991. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14032)
- B. The Board approved for signature a cover letter to be placed with recycling information packets that will be distributed to local businesses.
- C. In accordance with action previously taken, the Board approved for signature a contract with Wilder Construction Company to complete improvement and reconstruction of 1.13 miles of Hickox Road #7002, at the bid price of \$86,259.50. (Contract #01099)

CONSENT AGENDA.

Commissioner Wylie motioned to approve the consent agenda of Monday, August 26, 1991, as submitted. Commissioner Robinson seconded the motion, which passed unanimously.

* Health Department:

- 1. Contract Amendment #1620-00741(3) to the Consolidated Contract with DSHS. Increases the contract by \$81,191 (\$69,107 for vaccine in lieu of cash from July 1 through December 31, 1991; \$10,220 for tuberculosis program; \$1,128 to WIC program for July 1 through September 30, 1991; \$736 to WIC program for October 1 through December 31, 1991).

* Planning Department:

- 2. Resolution authorizing interested employees to transfer up to 160 hours of accumulated sick leave to the account of Tim Hoffman, who is suffering from kidney disease and related infections. (Resolution # 14033)

* Commissioners' Office:

- 3. Resolution reappointing Pat Parker to the Housing Authority Board of Directors. (Resolution #

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14034)

4. Resolution reappointing Cathie Jensen to the Planning Commission. (Resolution # 14035)
5. Record of the Proceedings from Monday, August 19, 1991.
6. Record of the Proceedings from Tuesday, August 20, 1991.
7. Record of the Proceedings from Wednesday, August 21, 1991.
8. Call for public hearing - Changes to Skagit County Code's Solid Waste Ordinance. (Resolution # 14036)
9. Ordinance setting jail labor rates. (Ordinance # 14024)

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, August 26, 1991, 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 #71463 through #71946 (Vouchers #110088 through #110784) in the amount of \$686,959.25. Transmittal #C-33-91.
- B. On recommendation from the Facilities Manager, Commissioner Robinson motioned to adopt the resolution awarding a bid for the demolition of the County storage warehouse building at 501 South Third Street in Mount Vernon to Wm. Dickson Company for the base bid of \$68,890.00. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14037)
- C. On recommendation from the County Administrative Officer, Commissioner Robinson motioned to adopt the resolution amending Section 6.12.1 of the Skagit County Personnel Policies and Procedures Manual to allow education reimbursement for two classes per quarter or semester, as approved by the department head or elected official and the Administrative Officer. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14038)
- D. On recommendation from the County Administrative Officer, Commissioner Wylie motioned to adopt the resolution amending sections 6.5.2 and 6.11.4 of the Skagit County Personnel Policies and Procedures Manual which allows employees to decide whether or not they wish to use their accrued sick leave to pay the difference between Workmen's Compensation and regular employee salary. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14039)

REQUEST TO DISTRIBUTE DONATION ENVELOPES TO COUNTY OFFICES TO BENEFIT LOCAL FOOD BANK - KBRC RADIO.

Sandy Greenwalt, Radio Announcer, made a request to the Board of Commissioners to be allowed to place envelopes in each County office the purpose of which is to solicit donations from County employees and visitors to benefit the Northwest Harvest. She also asked to be allowed to place a drop box for food

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donations in a central location in the Courthouse.

The Board reviewed Section 19.3 of the Skagit County Personnel Policies and Procedures Manual regarding Solicitations and Distributions. Solicitation of funds in County facilities or at County work locations during working time is prohibited except by authorization of the Board of County Commissioners. The Board chose to deny Ms. Greenwall's request to post donation envelopes, but agreed to allow her to install a food donation box, as long as she could provide a secure box.


ADJOURNMENT:

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

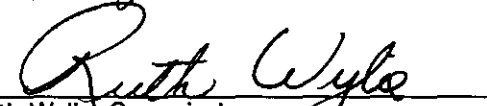
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman

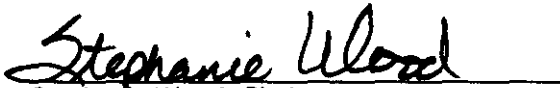


Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners

ORDINANCE CHANGES

page section # Description

1 renumber pages appropriately
2 .020 make 2 & 3 complete sentences
6 .090 grammar change- #5
8 .110 6 grammar changes
9 .120 add Small Public Water System Approval
.130(1) complete sentence
.130(2) rearrangement of words and reiterate exception
.130(5) complete sentence
.130(6) complete sentence
10 .140 *removal of final or conditional- since not defined
.150 rearrangement
11 .160 complete sentence and "required"
12 .190(3) removal of "all of the above shall"
13 .200(4b) "upon" replaced with "after"
14 .210(2avii) addition of "water facilities" and (WFI)
15 .220(4) *clarify action of the health department
.230(2) addition of the word "State"
.230(3) clarification of sentence
.230(5) addition of will & be
16 .240(1c) clarification
17 .240(5) rewording of first part for grammar
18 .250(1-8) rewritten to have verb as first word
.260(1) addition of "and quantity" testing
.260(2) *removal of the word "public"
.260(2) removal of "to complete additional testing"
19 .280(1) exchange of "of" for "and"