

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

Monday, September 16, 1991:

- 9:00 a.m. - 9:45 a.m. Board of Health:
- 1) Public Hearing - Proposed Revisions to Chapter 12.16 of the Skagit County Code - Solid Waste Handling Facilities.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Signature - Contract for Coal Creek Sediment Basin Cleaning Project.
2) Bid Award Recommendation - Purchase/Install Security Fence at Burlington Road Maintenance Shop.
3) Bid Award Recommendation - 1991 Jackman Creek Channel Restoration Project.
4) Signature - Contract Bond - Household Hazardous Waste Collection Day and Paint Swap Event.
5) Signature - Out-of-State Travel Requests.
6) Miscellaneous.
- 11:15 a.m. - 11:30 a.m. Introduction of John Church, "911" Communications System Coordinator.
- 11:30 a.m. - 11:45 a.m. Signature - RSVP Action Grant.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 1:30 p.m. - 2:00 p.m. Discussion - Cockreham Island Dike - Cockreham Island Residents.
- 2:00 p.m. - 2:30 p.m. Discussion - SB 5411-County Flood Control - Representative Rob Johnson.
- 2:30 p.m. - 3:00 p.m. Work Session - County-Wide Drainage Program.
- 3:30 p.m. - 5:00 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, September 16, 1991, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

BOARD OF HEALTH:

- 1) Public Hearing - Proposed Revisions to Chapter 12.16 of the Skagit County Code - Solid Waste Handling Facilities.

John Thayer, Environmental Health Supervisor, provided an introduction and background information. Mr. Thayer explained that the revisions accomplish the following:

- adoption of most recent minimum functional standards of the Department of Ecology
- change the frequency of garbage pick up to every two weeks and allow three month recyclable storage
- provide definitions for infectious waste and major and minor dumping offenses
- address illegal dumping - one may dispose of one's own inert wastes only on one's own property - composting is excepted

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- abandoned dumps are further defined
- the penalties section refers to the Health Department Schedule of Charges for the current penalty
- sludge regulations are made more stringent

Britt Pfaff, Environmental Health Specialist, gave background on the update to the sludge regulations section. She reviewed areas where additional requirements such as testing, posting and adjacent property owner notification are added. An additional restriction, greater buffer zones, was also added.

Commissioner Wylie noted that while a 200 foot buffer zone from a residence is required, only a 10 foot buffer between property boundaries is required. She asked that it be made clear that playfields, yards, and other areas where human activities may occur be buffered by a 200 foot area.

Don Bockelman, a Day Creek citizen, wished the notification time to be changed to 30 days. He felt that flying insects and birds which may spread the diseases he stated were contained in sludge should be addressed. He was, he stated, opposed to the application of any sludge near human habitats. Mr. Bockelman's main concern, however, was that odor was not addressed.

Ken McKenzie, a sludge applicator, stated that research shows that vector dispersal is not a danger. He stated that the Right-to-Farm Ordinance protects farming industries from complaints regarding odors when best management practices are followed.

Gary Jones asked how pre-testing is linked with the SEPA process.

Ms. Pfaff stated that testing is conducted by the County, but is not linked to SEPA.

Ed Little of Sunland Topsoils asked why site testing is necessary

Ms. Pfaff stated that tests for metals and cation exchange capacity are required by the new law to determine both baseline quantities and continual monitoring levels. When sludge leaves the generator site, it has been processed to reduce pathogens, but metals must be monitored.

In answer to Mr. Bockelman's request, Chairman Vaux declined to require that the new regulations address odors because this is a purely subjective matter.

Ken Willis, Environmental Health Specialist, explained that when property treated, sludge has very little odor. Only when it is improperly processed does it smell bad. He suggested that the Health Department could provide Northwest Air Pollution Authority (NWAPA) with a copy of each permit application for their comments.

Mr. Bockelman stated that NWAPA has a limited ability to respond to odor complaints due to their limited resources.

Dr. Liebrand, Health Officer, suggested that the identification of a bad odor should trigger a review of the processing of the sludge. He also suggested that the odor is protected under the Right-to-Farm Ordinance.

Gary Jones disagreed. He stated that the Right-to-Farm Ordinance does not encompass sludge because sludge is regulated differently than other farming practices.

Lyle McClure asked if the pretesting and ongoing testing of the soil is something the Health Department "may" require, or something they "shall" require.

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Ms. Pfaff stated that pretesting and monitoring "shall" be required.

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

Commissioner Wylie then motioned approval of the ordinance presented, with the exception that on Page #5 of Attachment A, subsection (9)(iv) the language be amended to read "Residences or *potential residential* uses: 200 feet. Commissioner Robinson seconded the motion, which passed unanimously. (Ordinance # 14058)

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Signature - Contract for Coal Creek Sediment Basin Cleaning Project.

In accordance with action previously taken, the Board approved for signature a contract with IMCO General Construction of Bellingham, the low bidder for the Coal Creek sediment basin cleaning project at \$97,600.00. (Contract #01105)

2) Bid Award Recommendation - Purchase/Install Security Fence at Burlington Road Maintenance shop.

On recommendation from the Public Works Department, Commissioner Wylie motioned to adopt the resolution awarding the bid for the provision and installation of a security fence for the Burlington Shop property to Guyline Construction to complete Alternate Bid B at \$35,400.00. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 14059)

3) Bid Award Recommendation - 1991 Jackman Creek Channel Restoration Project.

On recommendation from the Public Works Department, Commissioner Wylie motioned to adopt the resolution awarding a bid for the restoration and cleaning of the lower Jackman Creek Channel to the low bidder, Janicki Logging Company, Inc., of Sedro Woolley for \$121,200.00. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 14060)

4) Signature - Contract Bond - Household Hazardous Waste Collection Day and Paint Swap Event.

In accordance with action previously taken, the Board approved for signature a contract bond for the production of the County's annual household hazardous waste collection day and paint swap event.

5) Signature - Out-of-State Travel Requests.

Commissioner Wylie motioned to approve out-of-state travel for Chris Seidel and Charlie Sisson to attend the 11th Western Snow and Ice Fleet Management Conference from September 23, to September 26, 1991, at Fort Collins, Colorado. Food, lodging and registration is a total of \$575.00 each. Commissioner Robinson seconded the motion, which passed unanimously.

6) Miscellaneous.

There were no items from the Public Works Department at this time.

INTRODUCTION OF JOHN CHURCH, "911" COMMUNICATIONS SYSTEM COORDINATOR.

The new "911" Communications System Coordinator was introduced to the Board.

SIGNATURE - RSVP ACTION GRANT.

The Board approved for signature the annual application for federal assistance from the ACTION - Region Ten program to benefit the County's Retired Senior Volunteer Program. The total amount of the request was \$80,172.00. (Contract #01110)

CONSENT AGENDA

Commissioner Wylie motioned to adopt the consent agenda of September 16, 1991, as presented. Commissioner Robinson seconded the motion, which passed unanimously.

• Human Services:

1. Interagency Agreement between North Sound Regional Support Network and Skagit County providing two months of advance funding in the amount of \$4,612.00 in anticipation of the actual approval of plans filed by Skagit County with the Network for programs operated during the period July 1, 1991, through June 30, 1993. (Contract #00773)
2. Resolution appointing Robbie McManus a deputy designated mental health professional at the Skagit Community Mental Health Center. (Resolution # 14061)

* Public Defender:

3. Professional Services Contract with Dianna Hoy, a self-employed counselor, to provide evaluation of clients at a rate of \$85 per hour from August 1, 1991, through December 31, 1991. (Contract #01106)

* Health Department:

4. Contract Amendment to 6500085007 with DSHS for Public Health Nurse services. Extends existing expiring contract at same level of funding for three more months. As the DSHS budget is not finalized, a new contract is not anticipated until November. (Contract #01045)

* Commissioners' Office:

5. Record of the Proceedings from Monday, September 9, 1991.
6. Record of the Proceedings from Tuesday, September 10, 1991.
7. Record of the Proceedings from Wednesday, September 11, 1991.

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.

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As of this date, September 16, 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 #72405 through #72410 (Vouchers #111560 through #111566) in the amount of \$111,282.25.
 - 2) Warrants #86746 through #86805 (Vouchers #86746 through #86805) in the amount of \$16,198.00. Transmittal #PR-17-91.
 - 3) Warrants #15082 through #15144 (Vouchers #PDRAWSP1130 through #PDRAWSP1192) in the amount of \$22,883.23. Transmittal #P-19-91.
- B. The Board signed a proclamation declaring September 6, 1991, United Way Day in Skagit County.
- C. The Board received an update on the implementation of the "911" emergency telecommunications system from Tom Sheahan, Emergency Management Director.
- D. The Board reviewed an interlocal agreement with local school districts to hire a full-time mental health therapist to assist clients of the At-Risk Intervention Specialists program. A final draft will be presented next week.

DISCUSSION - COCKREHAM ISLAND DIKE - COCKREHAM ISLAND RESIDENTS.

Ted Anderson, representing Cockreham Island residents, spoke regarding a repair of 4,00 feet of dike on Cockreham Island performed this year by grant agreement with the U.S. Army Corps of Engineers to mend damages done by the November flooding. He gave a history of the proceedings followed by the County to obligate the funding to pay for the repair.

Mr. Anderson stated that Island residents have three remaining areas of concern on the dike:

- The upper end of the dike near where Muddy Creek enters needs additional rip-rap.
- The main curve of the dike along its entire length needs additional rip-rap.
- The end of the dike on the Kaaland property was undermined for placement of rip-rap, but the rip-rap placement never occurred.

A videotape of the problem areas provided and narrated by Ron Kaaland was viewed.

Dave Brookings, Flood and Drainage Engineer, then spoke. He agreed to place more rip-rap on the north end of the dike, if it is needed, but disagreed with rocking on the main curve because the vegetation and older trees present there indicates it is not needed. The expense is also significant. Mr. Brookings also agreed to perform more rocking at the end of the dike, if it is needed, but stated that at the time of the repair it was discovered that the depth of the channel at the deflector was too great to fill with rock.

Mr. Brookings reminded the audience that they need only call him if they believe they need additional attention.

Ken Smith and Ron Kaaland both had other complaints. Mr. Brookings replied that the "hips and dips" they refer to on the main dike will be eliminated later by a survey crew using dredge spoils from other channel restoration projects.

Several unidentified audience members made statements indicating their personal opinions and citing personal hardships, and the discussion ended.


DISCUSSION - SB 5411-COUNTY FLOOD CONTROL - REPRESENTATIVE ROB JOHNSON.

Representative Johnson provided a full copy of Senate Bill 5411 to each Board member, and also a synopsis of the bill produced by his office. He explained the Bill's significance.

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

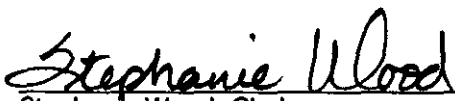


Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners