

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

Monday, June 7, 1993:

- 9:30 a.m. - 10:00 a.m. Bid Award - Prescription Drugs for the Skagit County Jail.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Discussion - Update on Long-Haul Cost Comparisons.
 - 2) Miscellaneous.
- 11:00 a.m. - 11:15 a.m. Call for Public Hearing - Changes to Voting Precinct Boundaries in Skagit County.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 1:30 p.m. - 2:00 p.m. Discussion - Contract with Washington Association of Sheriffs and Police Chiefs for the Purchase of an Electronic Monitoring System for Juvenile Offenders.
- 2:00 p.m. - 3:00 p.m. Work Session - Six Year Transportation Improvement Program.
- 3:00 p.m. - 3:30 p.m. Hearing Examiner Recommendation - Approval - Timber Open Space Application of Robert James, South Side of Skagit Highway, 5 Miles East of Day Creek.
- 3:30 p.m. - 4:30 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met on Monday, June 7, 1993, with Commissioner's Hart, Wolden, and Robinson present.

BID AWARD - PRESCRIPTION DRUGS FOR THE SKAGIT COUNTY JAIL.

The Board reviewed a resolution and purchasing agreement for prescription drugs for the Skagit County Jail. A Notice of Intent to Obtain Telephone/Written Quotations was approved April 20, 1993. Quotes were received from three vendors, Vaux Pharmacy being the most desirable quote submitted. The prices quoted will be effective for one year with the provision to review after six months and adjust prices subject to documentation of price increases.

Commissioner Robinson motioned to approve the resolution, and purchase agreement for prescription drugs for the Skagit County Jail as submitted. Commissioner Wolden seconded the motion, which carried unanimously. (Contract #01663).

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

- 1) Discussion - Update on Long-Haul Cost Comparisons.

Mr. Medved stated the purpose for this discussion was to provide a follow up to the Board's decision to negotiate a contract with Regional Disposal Company (RDC). Waste Management, the closest competitor

to RDC, resubmitted figures showing them to be a better competitor, by cost comparison. However, staff recommendations remain the same. Information received was shared with RDC and Waste Management. Mr. Medved said that he wanted to maintain an appearance of fairness and give both companies the opportunity to discuss their proposals with the Board. Mr. Medved felt that both firms are very good firms, and either one would effectively perform the work requested by the County.

Don King, Operations Manager, Resource Recovery Facility, reviewed the cost comparisons of ash long-haul between Waste Management and RDC with the Board. Two comparisons were presented, one created by the Public Works Department, and one created by Waste Management. Mr. King stated that in the original Request for Proposal (RFP) two sets of numbers were provided for projected tonnages. One set of numbers was derived from the Solid Waste Management Draft Plan, the other set of numbers was derived from the actual tonnages at Inman landfill in 1992. However, at the end of 1991, and beginning of 1992, the amount of material received at the land fill was considerably reduced. Mr. King said that when he compared incoming waste at the incinerator the result was a considerable downturn in the waste stream, due to various unresearched factors. He said that the 1992 figures were accurate and the actual waste stream is considerably smaller than in the past.

Mr. King reviewed the cost comparison most recently submitted from Waste Management. The amount of solid waste tonnage shows a major increase in the year 2000. A state-wide burn ban is proposed to be in effect by the year 2000. By the year 2012 it would cost the County over 83 million dollars for long-haul contracting with Waste Management according to Waste Management's figures, and over 89 million dollars using RDC according to Waste Management's figures. These figures are over 30 million dollars more than the figures generated by the Public Works Department. Mr. King said he assumed Waste Management calculated their figures including long-hauling wood waste due to the forthcoming state-wide burn ban. Mr. King felt it would be unnecessary to haul wood waste out of the County. The County should be able to take care of this waste.

Mr. King reviewed the projected comparison figures created by the Public Works Department. These figures did not include long-hauling wood waste ash. The Public Works Department's figures reflected the RDC proposal to be approximately \$55,000,000, and Waste Management's proposal to be approximately \$52,000,000, by the year 2012. Mr. King felt that RDC's proposal was still preferred due to their proposal for a 20 year and/or longer contract term. Waste Management proposed a five year contract with two five year renewals.

Mr. King stated that the 50% recycling goal as set in the Solid Waste Management Plan is required to be met by 1995. Using the 1991 - 1992 figures, the projected costs would be lower than the comparisons presented, approximately in the range of 36 million dollars.

Chairman Hart asked why this item was being revisited. He saw no reason to change the decision made to negotiate a contract with RDC.

Mr. Medved stated that he felt that with the new proposal from Waste Management showing lower figures, the Board should be informed of the process the Public Works Department has been going through. He felt it was an important enough issue to rediscuss as this will be a long-term commitment. He said that the department is not recommending a change of decision.

Mr. Jamey DeSoer, General Manager, Waste Management, addressed the Board. He said that the tonnages provided to him Friday were substantially less than in the original RFP, and substantially lower figures were presented today. He felt this to be an important long-term decision. He said that he received the new figures late Friday afternoon and would have appreciated a longer time to review them. He said that he had stated early in the proposal that Waste Management would be willing to contract for a 20 year period if the County so desired. He suggested the possibility of a split contract with the two companies, or requesting proposals again.

Mark Walkin, RDC, addressed the Board. Mr. Walkin stated that these figures were in response to an RFP, not a bid, therefore selection is not based on price alone. There was no volume guarantee, and RDC was willing to accept the haul amounts whether it was higher or lower than the proposed tonnages. He felt that the total picture needed to be considered. He said that RDC is the only facility that meets state standards for the long-haul of ash.

Tim Crosby, Waste Management, stated that the Wenatchee landfill will meet necessary state requirements. He said that Waste Management's price quote is guaranteed and offers total indemnification.

Chairman Hart asked whether there was a minimum guarantee.

Mr. Medved stated that both firms understood there will be, and are willing to contract with, no minimum or maximum hauling amounts.

Chairman Hart again stated that he saw no reason to change the decision to negotiate a contract with RDC for ash long-haul.

Mr. Medved stated that there was no action required at this time, this was a discussion session only.

2) Miscellaneous.

- A) Mr. Medved stated that Mr. Bill Stensland was present to discuss with the Board the letter they received regarding possible ash disposal solutions. This was not in response to an RFP, just a request for discussion.

Mr. Stensland greeted the Board and introduced Dr. David Austin.

Chairman Hart felt that any ash or material returned to a County facility should be charged the current rate charged by that facility.

Mr. Stensland stated that he proposed to bring in ash and process it through a magnetic conveyor for ferrous metals, and filter glass. A concrete sealant product would be mixed with the fly ash to make a paving and landscaping stone product, and a composting product would also be developed for agricultural use. He said that according to research he had read, if all composting materials in the state were utilized, the demand for compost would still not be met. He felt certain that the product would be welcomed on the market.

Mr. Medved asked when a competitive market for the proposed composting product would be open.

Mr. Stensland said that he did not know.

Chairman Hart asked whether the development of reasonably priced application equipment of composting material was projected.

Mr. Stensland felt that the agricultural market is a strong potential market for the product. However, if the cost is over \$2.00/yard most are not interested. He felt the product would be largely used in the agricultural market, and in his discussion with the Economic Development Association of

Skagit County, they reflect the same opinion. He said that Skagit County will gain from this proposed project. It will create a new business in the County, provide work for the over 50 age group and out of work loggers.

Commissioner Wolden asked what timeline was projected for starting the business.

Mr. Stensland stated that if permitted, it could begin upon contracting.

Mr. King stated that Skagit County's fly ash is not yet defined as solid waste, it is special incinerator ash due to the current levels of lead present. Bottom ash is also special incinerator ash. When the incinerator ash was recently retested, the lead levels were still too high to be designated as solid waste. He felt it would be necessary to preprocess the waste stream to the incinerator before the ash will meet lower lead level standards.

Chairman Hart asked what the primary source of lead is.

Mr. King stated that fishing industrial waste, small electronics, batteries, and possibly lead solder in foreign manufactured cans are the primary source of lead in the waste stream.

Mr. Medved felt that Mr. Stensland's proposal was encouraging. He felt that it would be a savings to the County. He said that advertisement for such business will be necessary.

Mr. Stensland asked whether he could collect ash from the incinerator for experimental purposes at his facility.

Mr. King will check with the State Department of Ecology to be sure of any restrictions that may apply, and will respond to Mr. Stensland's request.

Commissioner Wolden asked what quantity of ash Mr. Stensland was requesting.

Mr. Stensland stated that the small bins of one, to one and one-half yards would be adequate.

- B) Mr. King stated that the Resource Recovery Facility (RRF) was shut down Friday due to the Public Utility District (PUD) working on the water system. There is no reserve fresh water at the RRF. He said that there is five minutes to restart cooling before a melt down occurs. It takes about 4 to 6 hours to empty the combusters. In emergency situations, it is necessary to open the combusters to the atmosphere and use fire hoses to halt the incineration. If an emergency situation had occurred on Friday, there would not have been water for extinguishing the incineration. A water line had been leaking at a joint all week, but PUD did not notify the County of the situation until Friday that they would be shutting the water off. Puget Power also has a facility in the vicinity that would be negatively effected from a lack of water supply. A requested was made of PUD to work a crew on Saturday, so that the RRF could be shut down immediately and given time to empty the combusters. PUD complied with this request. However, without a reserve water system the incinerator could experience approximately three to five million dollars damage within 10 minutes in an emergency situation. The plant is built around the boilers, and would have to be torn apart in order to access for repair. He felt it important to consider installing a reserve water system.

Mr. Medved stated that he will present a budget item for this proposal in the 1994 Budget process.

Mr. King stated that in a discussion with PUD last year he was told that they cannot guarantee water supply to the incinerator.

Commissioner Wolden stated that the County needs better warning from PUD when water emergency situations occur, there is a need to increase communication. The County must have immediate notification when water supply is to be shut off.

Mr. Medved stated that he will correspond with PUD regarding the County's need for immediate notification on changes in water supply situations, and provide them with a list of names and numbers for emergency contact. He will also begin budgeting for a reserve water supply at the incinerator.

Mr. King stated that a reserve water supply of 16 to 18 hours will be necessary.

Commissioner Wolden suggested the possibility of an interlocal agreement with Puget Power since both businesses would be negatively affected by water loss.

This avenue will be researched also.

- C) Mr. King presented a resolution to the Board for approval and signature regarding calling for bids to pump, haul and discharge leachate from the Inman Landfill. Bids to be opened June 30, 1993, at 1:30 p.m. or as soon thereafter as possible, in the Commissioners' Hearing Room, 202A, Skagit County Administration Building, 700 S. Second, Mount Vernon, Washington.

Commissioner Robinson motioned to approved the resolution as presented, Commissioner Wolden seconded the motion which carried unanimously. (Resolution #14888).

- D) Mr. Medved stated that the Ford Taurus that was purchased for the County Engineer has arrived, and if so desired as per previous discussion with the Board, can be traded for the GMC immediately. The GMC will remain available, as well as Mr. Medved's County vehicle, for the Board's use as required. The GMC will be for the County Engineer's use for work related travel only.

CALL FOR PUBLIC HEARING - CHANGES TO VOTING PRECINCT BOUNDARIES IN SKAGIT COUNTY.

Stephanie Wood, Administrative Coordinator, presented a resolution to the Board for approval and signature to call for a public hearing regarding changing voting precinct boundaries. The cities of Mount Vernon and Anacortes have annexed property creating a voting population change in certain precincts. When precincts have more than 900 registered voters, the boundaries are adjusted. Skagit County Code 1.20 sets the boundaries for voting precincts. Since 1985 no changes have been made to the Code to reflect the changes that have been made to voting precincts.

Commissioner Robinson motioned to approved the resolution to call for a public hearing on Tuesday, June 22, 1993, at the hour of 3:00 p.m., or as soon thereafter as possible, in the Commissioners' Hearing Room,

202A, Skagit County Administration Building, 700 S. Second, Mount Vernon, Washington, regarding changing voting precinct boundaries. Commissioner Wolden seconded the motion, which carried unanimously. (Resolution #14889).

Commissioner Wolden motioned to approve the Consent Agenda for Monday, June 7, 1993. Commissioner Robinson seconded the motion, which carried unanimously.

CONSENT AGENDA.

* **ARIS:**

1. Signature - Contract for Professional Services with Diaz Karate, 404 S. 3rd, Mount Vernon, Washington 98273, to provide Karate lessons for two months for Trissy Vincent. County will pay \$49.50 for two months of instruction, parents will also pay \$49.50 for two months. Contract commences May 20, 1993, and continues until July 20, 1993. (Contract #01664).

* **COMMISSIONER'S:**

2. Record of the Proceedings for the week of May 24, 1993.
3. Record of the Proceedings for the week of May 31, 1993.

* **PERMIT CENTER:**

4. Signature - Out-of-State Travel Request for Roxanne Michael to attend ICBO Code Conference in Sacramento, California, September 12, through 17, 1993. Conference registration is complimentary, total travel expenses \$961.00.

* **PLANNING:**

5. Resolution - Call for Public Hearing regarding Agriculture Variance Request #93-006 of Ronald Hawkins, 1824 Beaver Marsh Road, Mount Vernon, Washington 98273. Public Hearing to be July 20, 1993, at the hour of 10:00 a.m., or as soon thereafter as possible, in the Commissioners' Hearing Room, 202A, Skagit County Administration Building, 700 S. Second, Mount Vernon, Washington. (Resolution #14890).

* **PUBLIC WORKS:**

6. Signature - Resolution Calling for Public Hearing Six-Year Road Program, 1994 - 1999. (Resolution #14891).
7. Signature - Resolution establishing C.R.P. Cedardale Road Overlay, et al, No. 7055-2. (Resolution #14892).
8. Signature - Out-of-State Travel Request for Dan Taylor and Harmon Marriott to attend the Northwest International Municipal Signal Association Conference from June 20 through 24, 1993, in Vancouver, B.C. Mr. Marriott will be obtaining his Level I and II Signs and Marking

Certification, Mr. Taylor will be obtaining his Level III Certification. Registration, Lodging, and Meals for both totals \$1,230.00. Exam fee for Mr. Marriott is \$132.00 and exam fee for Mr. Taylor is \$44.00. Total expense \$1,406.00.

9. Signature - Contract with Associated Sand & Gravel, 1755 Kelleher Road, Burlington, Washington 98233, for the Josh Wilson Road #3300 Reconstruction C.R.P. #3300-4. Contracted at the bid amount of \$447,890.88. (Contract #01665).
10. Signature - Contract with Associated Sand & Gravel, 1755 Kelleher, Road, Burlington, Washington 98233, for the Old 99 North #5051 Asphalt Overlay C.R.P. #5051-6. Contracted at the bid amount of \$310,742.77. (Contract #01666).
11. Signature - Contract and Haul-out Bond for the Haulout and Dry Dock of the M/V Guemes Ferry with Dakota Creek Industries, 820 4th Street, Anacortes, Washington 98221. Total Contract Amount \$139,529.00. (Contract #01667).

* **HUMAN SERVICES:**

12. Signature - Contract between Skagit County and DSHS-Division of Alcohol and Substance Abuse for the biennial period 7/1/93 through 6/30/95. Total contract amount of funds awarded is \$856,504.00. (Contract #01668).

MISCELLANEOUS ITEMS.

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, June 7, 1993, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- A) Warrants #34885 through #34885 (Vouchers #120178A through #120178A) in the amount of \$1,497.16. Transmittal Number P-11-93.
- B) Warrants #97593 through #97961 (Vouchers #3007150 through #3007662) in the amount of \$582,560.56. Transmittal Number C24-93.
- C) Ms. Wood presented an application of Mindy Camphouse for tax title property. The property is land locked, located at the end of Sterling Road, off Highway 20, west of Sedro-Woolley near the river. Ms. Camphouse paid a \$50 dollar deposit and guarantees to make a minimum bid for \$1800. Ms. Wood polled the Assessor, Parks, Public Works, and Planning Departments, which all feel it appropriate to sell the property. The Planning Director has suggested that a condition be placed on the sale that no construction may occur due to the property being located in a severe flood hazard area. It is not desirable property for land banking property. She recommended the Board to direct the Treasurer to sell the subject tax title property.

Chairman Hart motioned to approve the application for tax title property as presented including the Planning Director's recommendation. Commissioner Wolden seconded the motion, which carried unanimously.

The Board signed the tax title application.

DISCUSSION - CONTRACT WITH WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS FOR THE PURCHASE OF AN ELECTRONIC MONITORING SYSTEM FOR JUVENILE OFFENDERS.

Terry Rousseau, Juvenile Probation Officer, clarified that the proposed contract will be for the use of the monitoring equipment, not for its purchase. The system consists of an ankle monitor, and voice activated tracking system placed in the juvenile offenders home. Currently, random tracking of juvenile offenders is done by County staff. Mr. Rousseau stated that Dave Needy, Prosecuting Attorney, and Susan Cook, Superior Court Commissioner, have met with him regarding the proposed system and feel that it is a positive proposal. Island County uses electronic monitoring due to the lack of a juvenile detention facility in their County. He said that he is not proposing that Skagit County use this system in place of detention, but it could be used for less dangerous offenders. He said that he would like to contract for the receipt of two units, and has a contract prepared for the Board's signature should they approve of the idea.

Jim Donovan, Senior Probation Officer, stated that he was skeptical when the monitoring system was first put into use. Island County had implemented a wrist band electronic monitoring system on a youth with violent assault charges. The youth was aware of leeway times in the monitoring process, i.e. shower time, etc., and left his home during one of these periods and assaulted a neighbor.

The new system calls the offender randomly and asks the person to repeat a phrase that has been previously recorded and is on file for voice verification. If the voice doesn't match, it will be detected. This will alert the base that the offender is drinking, drugged, or someone else is answering. There is a drive-by verification system that can be used when the child is at school to verify within a one-quarter mile whether he is in school or in the general vicinity. Mr. Donovan distributed an example of a random verification printout that will be faxed to the County the day following voice verification. Mr. Donovan stated that he and Mr. Rousseau developed an Electronic Monitoring Screening Eligibility Criteria.

To be eligible for the program the juvenile offender must:

- Reside with a custodial parent in Skagit County, or in a custodial parent or court designated Skagit County residence.
- * Attend school or be currently employed.
- * Have no record of failure to appear, escape, or resisting arrest.
- * Past performance on diversion or community supervision was acceptable without modification.
- * No Class A juvenile offense involving forcible compulsion.
- * No history of assaults or domestic violence.
- * No more than one alcohol/drug related criminal history prior to consideration.
- * No more than one felony criminal history prior to consideration.
- * No weapon in the commission or any offense.
- * No sex offenders or alleged sex offenders unless in treatment and recommended by a certified sex offender treatment specialist.
- * Has spent at least 48 hours in detention in Washington State at some time.

- * Will be spending at least 10 consecutive days on the monitoring system.
- * Qualifies for participation by having correct telephone equipment and financial assets.
- Credit for time served will be two days on the monitor for 1 day credit.
- * Juvenile Court Administrator or his designee may override criteria.

Mr. Rousseau stated that Mr. Donovan has the most serious juvenile offenders on his case list. He felt he should be the one to determine who should be selected to be on the system. He said that law enforcement in our area is critical to making the program work. Mount Vernon Police Chief Stan Sass is committed to the program, as is Skagit County Sheriff Gary Frazier. The youth that will be put on this system will be corrected, or experience immediate consequences.

Mr. Rousseau said that the juvenile offender will be charged approximately \$12.50 per day for both units. The County will pay WASPC \$8.00 per day. For those youths that cannot pay, there will be funding available. The funding for those needing assistance will not effect an increase to the department budget.

Chairman Hart said that when he spoke with Island County Commissioners, he was led to believe that with their system, if an individual was outside 200 yards of the base unit, it was reported.

Mr. Donovan stated that belief to be correct. The printout will say "out of range." This new system is far superior to the old one. This program has been tested throughout the country on lesser offenders. He said that should Sheriff Frazier feel the system no longer works it will be abandoned.

Mr. Rousseau stated that an incentive could be set for time on the program equivalent to a set amount of detention time. It will cost the juvenile \$12.50 per day, but the cost could be up to \$30.00 per day in the detention facility. If the program works as anticipated, additional systems can be acquired. When the necessity arises to reduce the overload in detention, the electronic monitoring program can be implemented for lesser offenders.

Commissioner Robinson asked whether the contract provided for the County to pay for the units only when they are in use.

Mr. Rousseau stated that would be the agreement. A requirement may be implemented for the youths to pay a deposit when receiving a system, and there will be a contract with the youth.

Mr. Donovan stated that the County is responsible for the equipment. To replace it would cost \$2,000 for each unit. The parents of the youth would be sought out for reimbursement.

Commissioner Robinson voiced support of the system and appreciation for the conservative approach in the trial period.

Commissioner Robinson motioned to enter into the agreement with the Washington Association of Sheriffs and Police Chiefs as presented. Commissioner Wolden seconded the motion which carried unanimously. (Contract #01669).

HEARING EXAMINER RECOMMENDATION - APPROVAL - TIMBER OPEN SPACE APPLICATION OF ROBERT JAMES, SOUTH SIDE OF SKAGIT HIGHWAY, 5 MILES EAST OF DAY CREEK.

Grace Roeder, Associate Planner, provided a subject map for the Board to view. The subject property is primarily on the south side of South Skagit Highway, with a portion of the property on the north side of South Skagit Highway. The north portion is not buildable. The property has been logged in the past and replanted.

The Board had time to review the information provided to them previously, and were ready to make a decision.

Commissioner Robinson motioned to approve the Timber Open Space Application of Robert James, 92-006, 5 miles east of Day Creek. Commissioner Wolden seconded the motion, which carried unanimously. (Resolution No. 24893).

MISCELLANEOUS

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.

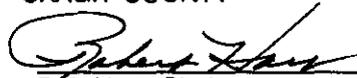
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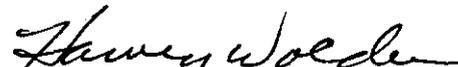
Warrants #96169 through #96297 (Vouchers #96169 through #96297) in the amount of \$342,112.38. Transmittal Number R11-93.

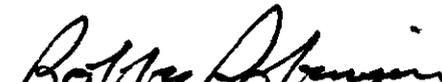
ADJOURNMENT

Commissioner Wolden motioned to adjourn the proceedings. Commissioner Robinson seconded the motion which carried unanimously.

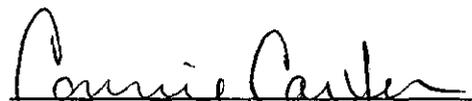
BOARD OF COMMISSIONERS
SKAGIT COUNTY


Bob Hart, Chairman


Harvey Wolden, Commissioner


Robby Robinson, Commissioner

ATTEST:


Connie Carter, Clerk of the Board