

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

Monday, July 11, 1994

Flag Salute.

9:00 a.m. - 10:00 a.m.

Board of Health - Pat Pearce, Director

- 1) Discussion - Proposed Enforcement Action Against Conway Tavern for Failure to Maintain On-Site Sewage System.
- 2) Miscellaneous.

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

Public Works Department - Rich Medved, Director.

- 1) Introduction of New Engineering Technician Employees in the "Jobs for the Environment" Program.
- 2) Discussion - Conway Park.
- 3) Discussion - Recommendation for Solid Waste Advisory Committee Vacancy Replacements.
- 4) Resolution - Adoption of the 1994 Skagit County Solid Waste Management Plan Update.
- 5) Signature - Scoccolo Construction Change Order No. 1 - Inman Landfill Closure Project.
- 6) Miscellaneous.

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

Public Hearing - CDBG Application for Blanchard-Edison Community.

CONSENT AGENDA.

MISCELLANEOUS.

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

Public Hearing - Addition of new Chapter to Skagit County Code Regarding Imposing a Surcharge on Domestic Court Filing Fees to Fund a Court Facilitator Program.

3:30 p.m. - 4:30 p.m.

Executive Session - Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, July 11, 1994, with Commissioners Harvey Wolden, Robby Robinson and Robert Hart present.

BOARD OF HEALTH - Pat Pearce, Director.

1. Discussion - Proposed Enforcement Action Against Conway Tavern for Failure to Maintain On-Site Sewage System.

John Thayer reviewed the history of the efforts to properly dispose of sewage at the Conway Tavern. Mr. Thayer advised that there had been a major failure of the system earlier this year. According to Mr. Thayer, there needs to be an operational system at the establishment certified by the Health Officer.

Mr. Thayer advised that Gary Sturdy, an Engineer for the owner, was present at today's discussion.

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Mr. Thayer suggested to the Board that the owner secure repair and re-instatement of his on-site Sewage Operational Permit within thirty days or face suspension of the Food Establishment Permit.

George Ridgeway, Permit Center Staff, advised that Mr. Sturdy has submitted the information needed to secure a permit for the on-site sewage repair. Mr. Ridgeway reviewed a brief history of this particular on-site sewage system and problems earlier this year. Mr. Ridgeway advised that a previous repair had been accomplished without a permit and provided the system with more gallonage than it could handle. Mr. Ridgeway advised that the drainage in the area is very poor and needs to be improved. Mr. Ridgeway further recommended an installation deadline of August 31, 1994.

Gary Sturdy, private engineer for the owners, reviewed with the Board the specifics of the proposed improvements to the septic system. Mr. Sturdy advised that it is proposed to install a recirculating sand system. The system will be treating the water twice, and follows the guidelines/requirements of the Health Department.

Chairman Wolden queried Mr. Sturdy on the extent of the repairs and Mr. Sturdy reviewed a critical path detailing important aspects of this project.

Commissioner Robinson clarified that 500 gallons per day will be adequate for this system. Mr. Sturdy stated that this is quite adequate.

Commissioner Hart asked if there is the possibility to use low-flow facilities. Louis Prosser, the owner of the business, confirmed that all facilities and the dishwasher are low flow capacity fixtures.

Mr. Ridgeway suggested that perhaps the menu needs to be changed to produce less grease and oil, which is detrimental to the septic system.

Mr. Ridgeway stated that County Code gives the County a provision to monitor these types of systems and charge a fee for such monitoring. Mr. Sturdy also advised that there is a State Code which also backs up this type of operational monitoring.

Commissioner Hart stated his belief that government should not have to do the monitoring in these situations, and that private companies can do this cheaper and more efficiently.

Mr. Ridgeway expressed his concern about drainage around the subject septic system, and the building that blocks proper drainage, together with a concern for standing water. Mr. Sturdy advised that he is trying to address the drainage problem, but is experiencing difficulty as the drain area is on private property. Mr. Sturdy advised that the area needs to be regraded to direct the flow of the water to the existing catchbasins. Mr. Sturdy further advised that the owners are trying to buy the adjacent piece of property to alleviate this problem.

Mr. Thayer indicated the need exists to review menus and manage the septic system so as not to cause problems in the future. It is imperative to develop a good design and maintain timely monitoring by the manager so the system does not fail.

Chairman Wolden stressed the need to have the system installed by a responsible and reputable installer who will assist in monitoring. Mr. Sturdy indicated that the top of the line system is what is being proposed.

Mr. Ridgeway requested the Board to withdraw the Department's request to suspend the permit and to

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double permit fees, with a stipulation that the repairs be completed by August 31, 1994. Mr. Ridgeway indicated that the Conway Tavern's food establishment permit will be suspended if said repairs are not accomplished by August 31, 1994.

Commissioner Hart so moved Mr. Ridgeway's request with the proviso that if the repairs are not completed by August 31, 1994, the food establishment permit will be suspended.

After brief discussion, Commissioner Robinson suggested amending the motion to state that any additional septic require notification to George Ridgeway of the County Permit Center.

Commissioner Hart amended his motion to include Commissioner Robinson's suggestion. Commissioner Robinson seconded the motion, which unanimously carried.

2. Miscellaneous.

Pat Pearce, Director, advised the Board of a current outbreak of campylobacteriosis within the County, purportedly resulting from ingestion of raw milk.

PUBLIC WORKS DEPARTMENT - Rich Medved, Director.

1. Introduction of new Engineering Technician Employees in the "Jobs for the Environment" Program.

Dave Brookings, Public Works Staff, introduced Gerald McKinney, Randall Stewart and Nick Tunnell to the Board. These gentlemen are part of the "Jobs for the Environment" project.

2. Discussion - Conway Park.

Doug Argo, Public Works Department Staff, reviewed with the Board the history of this proposed park and the lack of approval for the park from various agencies for this County-proposed park, displaying a map of the subject area. The County proposed a grass playing field with a forested buffer zone adjacent to the river and the slough. Specifics of the plan were briefly discussed. Mr. Argo presented the Board with copies of the pertinent letters received from such agencies concerning the proposed Conway Park.

Because of the unfavorable review of the agencies involved, Staff is recommending that the park plan be abandoned. Staff recommends that the existing short vegetation such as dogwood and indian plum, within 100 feet of the bridge right-of-way, be allowed to grow. The tall tree species within this zone, such as alders and cottonwoods, should be cut and left laying on the ground, according to Staff. This plan will keep the bridge from being shaded in the winter and will provide habitat for the fish and wildlife in the area.

Commissioner Hart confirmed that the size of the trees in the area are 6 inches in diameter or less.

The Board indicated their concurrence of this plan.

3. Discussion - Recommendation for Solid Waste Advisory Committee Vacancy Replacements.

Rich Medved, Public Works Department Director, reviewed the list of recommendations from the Solid Waste Advisory Committee for vacancies on the Solid Waste Advisory Committee as follows:

Pete Jepson - District No. 3 Voting Member

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Steve Hendrickson - Recyclers Alternate
Rory Denovan - District No. 1 Alternate

Commissioner Robinson indicated that Pete Jepson, who is nominated as the District Voting Member, has been involved in these areas in the past. Chairman Wolden expressed his concern that Rory Denovan may have a conflict of interest due to the County's contract with EDASC.

A brief discussion ensued concerning these vacancies.

Mr. Medved noted the low attendance at these meetings in recent months. Chairman Wolden expressed his concern for the lack of an action plan coming from this committee to implement their goals.

Commissioner Hart expressed his feeling that it is difficult to find volunteers willing to serve.

The Board indicated their approval of Pete Jepson and Steve Hendrickson for appointment to the Solid Waste Advisory Committee. Commissioner Hart indicated that Rory Denovan could possibly be construed as being similar to having a County employee on the committee.

4. Resolution - Adoption of the 1994 Skagit County Solid Waste Management Plan Update.

Mr. Medved stated that the 1994 Skagit County Solid Waste Management Plan comes to the Board with the unanimous recommendation of the Solid Waste Advisory Committee. The document has gone through three reviews by the County Health Department, and intense scrutiny at the regulatory level.

Mr. Medved noted that the document is not a binding contract and, consequently, there are components that will be changed in the future as the Plan can be adjusted to fit local needs as needs change.

This Plan has been or will be adopted by all of the cities and towns within the County.

Commissioner Hart verified that each city and town is allowed to develop their own Plan.

Specifics of the plan and a general discussion of the various facets of the plan were reviewed. The Board acknowledged the tremendous amount of work that has been done in the development of this plan.

Commissioner Hart moved to approve the Resolution Regarding Adoption of the 1994 Skagit County Solid Waste Management Plan Update. Commissioner Hart seconded the motion, which was unanimously passed. (Resolution #15414)

Commissioner Hart indicated the need to continue to look at new ways to reduce the cost of processing solid waste, and to encourage incentives for companies to use recycling.

Mr. Medved indicated that regionalization is the key to future success in solid waste processing.

5. Signature - Scoccolo Construction Change Order No. 1 - Inman landfill Closure Project.

Robin LaRue, Assistant Director of Public Works, presented to the Board Change Order #1 to the contract with Scoccolo Construction, Inc. for the Inman Landfill CDL Cell and Phase One Closure. This change order covers work necessary for the closure of the entrance road, drop box facility area, area lying east of the

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entrance road, and the removal of the platform scale. This work was not included in the original contract as it was thought this area would be used as a transfer site. The change order amounts to \$109,293.40. This will increase the estimated contract cost to \$1,842,385.84.

Commissioner Robinson moved to approve Change Order #1 to the Scoccolo Construction, Inc. as presented by Staff. Commissioner Hart seconded the motion, which unanimously passed. Contract #02037.

6. Miscellaneous.

There were no miscellaneous items for review.

PUBLIC HEARING - CDBG APPLICATION FOR BLANCHARD-EDISON COMMUNITY.

Chairman Wolden opened the public hearing and indicated the Board's approval of this project and the hard work of the citizens involved in the application for the Community Development Block Grant (CDBG).

Bill Dewey, Taylor United, Inc., verified that there is no one in the room who needs interpreting services, and advised those present to please list their names on the sign-up sheet.

Mr. Dewey reviewed the purpose of the CDBG monies throughout the State. Mr. Dewey clarified the low to moderate income standards necessary to obtain these grant monies. General purpose grant funding is available for housing improvements, such as this sewer/septic project. This project principally benefits people of low and moderate income, eliminates blight, and meets urgent community development needs that threaten public health or safety. Mr. Dewey indicated that a maximum of \$500,000 would be available for this grant. Mr. Dewey advised that the monies could possibly be available as early as September of this year. Mr. Dewey advised that the communities of Blanchard and Edison qualify but are not incorporated and therefore the County will be the granted agency and the administrator of the grant funds.

Options as to how the money will be allotted are still being discussed, i.e., as a low interest loan or possible direct payments to recipients. There are tax implications that must be researched.

The failing septic systems in the Blanchard-Edison Communities are considered a priority by both the County and State Health Departments.

The application is complete and ready to be submitted.

Mr. Dewey expressed his appreciation to those present for their attendance.

Mr. Dewey brief explained the qualifications of low to moderate incomes, the costs of repairing or replacing individual systems, and the identified 33 failing systems. Mr. Dewey also noted that monies from the State Revolving Fund (SRF) may also be available through the County. Mr. Dewey stated that State Revolving Fund monies may be available prior to the CDBG funding being received. The SRF funds can be repaid with the CDBG funds.

Mr. Dewey briefly reviewed the grievance procedure for the CDBG and the methods of resolution of such grievances.

Copies of the grant application were distributed to the office and specifics of the administration of the grant

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were reviewed.

Susan Hansen, private citizen, queried Mr. Dewey if she can apply now to begin repairing her sewer system. Mike Woodmansee, Budget/Finance Director, indicated that the SRF monies should be available within the next two weeks. Mr. Woodmansee indicated that the Permit Center is the agency to contact regarding these funds.

George Ridgeway, Permit Center Staff, indicated that a 30-day application window for the SRF monies will be advertised in local newspapers. Mr. Ridgeway clarified that applications will be processed as they are accepted, and must be gauged by the priority of the particular septic failure.

Mr. Woodmansee noted that a discussion of the loan process (i.e., SRF funds) for Edison/Blanchard is on the Board's agenda on Tuesday, July 12.

Irene Schumacher from Edison, queried Mr. Dewey concerning the problems about mound systems versus sand filter systems on the small lots prevalent in Edison. Mr. Dewey clarified that it is necessary to work within each individual site on a case-by-case basis. Mr. Dewey further reviewed several options that may be feasible. Ms. Schumacher further asked if the grant monies would take care of individual drainage systems. Mr. Dewey confirmed that the monies would, in fact, be used for individual and common drainfields.

Doris Robbins advised that July 18 the Department of Ecology will go through Edison to glean an overview of the particular problems to that community.

Toni-Ann Rusk, Edison resident, asked if there will be help for people who do not qualify as low to moderate income. Mr. Dewey specified that low to moderate and failing and questionable systems are the qualifications. A discussion concerning prioritization ensued. Mr. Ridgeway indicated that the highest priority is given to those systems affecting the quality of the waters within the County. Mr. Ridgeway indicated that there are other grants available, and if qualification is not met by certain individuals, it may be necessary to obtain private funding.

Mr. Dewey explained the difference between a grant and a loan and the various options and advantages associated with each, and possible other sources of funding that may be available.

Mr. Woodmansee stated that individuals should apply as soon as possible for the SRF monies as the funds will be forthcoming on a quarterly basis, and possibly the County could supplement these monies while waiting for the SRF funds to arrive. Mr. Woodmansee clarified that the funds are premised on single family homes, owner-occupied.

Jeff Clark, Edison, asked about the problems associated with the school and asked if some of the land surrounding the school could be used for development of these systems. Chairman Wolden indicated that indications have been made that the school would be willing to work with the community on these problems.

Mr. Ridgeway noted that the SRF funds are available for community systems, but will not cover the transport lines.

Commissioner Robinson stated the importance of the community working together with the Sewer Committee.

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JoAnn Prentice noted that everyone in attendance that the Sewer Committees have gone beyond the call of duty and have spent many, many hours to accomplish this huge project to date.

Jim Robbins, Edison, asked if every system in Blanchard and Edison was checked. Tom Nolan, Permit Center Staff, indicated that every system in Edison was checked except for one home which was recently installed. Everything in Blanchard was checked according to Mr. Nolan. In other words, 99.5% of the homes were checked.

A brief discussion ensued on the water table and soils testing information.

Commissioner Hart moved to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

Commissioner Hart moved to approve the resolution approving the grant application, the grant application itself, and the cover letter. Commissioner Robinson seconded the motion, which was unanimously approved. (Resolution #15413)

Commissioner Robinson acknowledged the hard work of the Committee.

CONSENT AGENDA.

* Commissioners' Office:

1. Record of the Proceedings from Tuesday, July 5, 1994.
2. Facility Use Agreement with Community Action Agency for satellite office space at the Upriver Services Office in exchange for services as detailed therein for the period July 1, 1994 through June 30, 1997. (Contract #02087)
3. Dance Hall License for Cliff and Cindi Dow at the Pit Stop Bar & Grill (the former Bobby Lee's) for the period July 11, 1994 through July 11, 1995.

* Public Works:

4. Contract with Wedco Construction, Inc. for the Chilberg Road Project in the amount of \$1,313,343.40. (Contract #02088)
5. Resolution Updating the County Road Project for Chilberg Road to provide funding for the construction costs to accomplish the necessary road improvements to Chilberg Road. (Resolution #15415)
6. Change Order #2 to the contract with Waterworks, Inc. for additional work and materials required for the West State Street Project thereby increasing the contract amount by \$34,003 for a total of \$316,913.60. (Contract #01856)

* Treasurer:

7. Resolution Directing the Skagit County Treasurer Not to Sell Certificates of Delinquency for 1991 and/or Prior Years Real Property Taxes. (Resolution #15416)

MISCELLANEOUS.

1. 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, July 11, 1994, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Voucher numbers MW115216-21 through MW115221-26 and warrants numbered MW115216-21 through MW15221-26 in the total of \$39,500 (Transmittal #C34-94).

2. A contract with the Skagit Argus for legal printing and publishing was presented to the Board for signature for the period July 1, 1994 through June 30, 1995. Commissioner Hart moved to approve the contract. The motion was seconded by Commissioner Robinson and was unanimously approved. (Contract #02086).

PUBLIC HEARING - ADDITION OF NEW CHAPTER TO SKAGIT COUNTY CODE REGARDING IMPOSING A SURCHARGE ON DOMESTIC COURT FILING FEES TO FUND A COURT FACILITATOR PROGRAM.

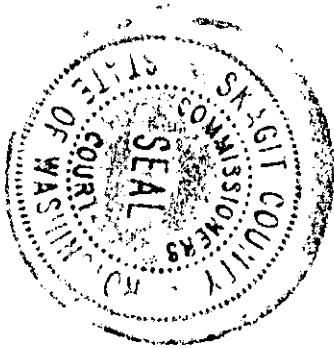
Susan Cook, Court Commissioner, presented to the Board an Ordinance adding a new chapter to the Skagit County Code Regarding a Surcharge on Superior Court Domestic Filings to fund a Court Facilitator position. Ms. Cook briefly reviewed the reasoning for such surcharge as previously presented to the Board.

There being no public comment forthcoming, Commissioner Hart moved to close the public hearing. The motion was seconded by Commissioner Robinson and unanimously carried. Commissioner Robinson moved to approve the Ordinance as presented by Staff. The motion was seconded by Commissioner Hart, and was unanimously approved. (Ordinance #15417)

ADJOURNMENT.

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON




Harvey Wolden, Chairman


Robby Robinson, Commissioner


Robert Hart, Commissioner

ATTEST:


Patti J. Owen, Clerk
Skagit County Board of Commissioners