

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, November 2, 1998**

8:30 a.m. – 8:45 a.m.	Public Comment Period.
	CONSENT AGENDA MISCELLANEOUS
9:00 a.m. – 10:00 a.m.	Executive Session – Personnel, Litigation and Land Acquisition.
10:00 a.m. – 11:00 a.m.	Public Hearing - Surplussing and Sale of Waste-to-Energy Equipment.
11:00 a.m. – 11:30 a.m.	Consideration of Hearing Examiner's Recommendation for Approval of the Final Plat of Nookachamps Hills Planned Unit Development, Phase I.
2:00 p.m. – 3:00 p.m.	Work Session – Update on Public Works Construction Projects.
3:00 p.m. – 4:00 p.m.	Presentation from the City of Anacortes re: Petition for Annexation of the South March Point area, excluding Padilla Heights.

The Skagit County Board of Commissioners met in regular session on Monday, November 2, 1998, with Commissioners Robert Hart, Ted W. Anderson, and Harvey Wolden present.

PUBLIC COMMENT PERIOD.

There were no citizens present for the Public Comment Period.

CONSENT AGENDA.

Commissioner Wolden moved to approve the Consent Agenda for Monday, November 2, 1998. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings of Monday, October 26, 1998.
2. Record of the Proceedings of Tuesday, October 27, 1998.
3. Re-Appointment of Tami Lane to the Skagit County Substance Abuse Advisory Board for the period November 3, 1998 through November 2, 2001. **(Resolution No. 17196)**

FACILITIES MANAGEMENT:

4. Change Order #10 with Pellco Construction, Inc. for the remodel of the existing building for the Skagit County Planning & Permit Center. Contract will provide an additional door and restroom facilities at the County Jail for the total amount of \$8,500. This will increase the maximum amount of the contract to \$451,760 and will extend the contract date by 15 days. **(Contract No. 03903)**
5. Resolution awarding the bid for the Skagit County Emergency Generator to Metro Electric for \$135,000. **(Contract No. 17197)**

PLANNING & PERMIT CENTER:

6. Development Agreement among Skagit County, City of Mount Vernon and William Handy for property located in the City's Urban Growth Area. **(Contract No. 04117)**

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BEST SELF:

7. Interlocal Cooperative Agreement with the Burlington School District #100 wherein the County will provide the overall management of the Best SELF program, while the school district will provide facilities, maintenance, meal preparation, and buses. The contract will run from March 1, 1998 through August 31, 1998. **(Contract No. 04118)**

ADMINISTRATIVE SERVICES:

8. Vendor Services Agreement with Bellingham Lock & Safe to provide employee training for the use of hand-held fire extinguishers. The contract has a not-to-exceed amount of \$2,000, and will commence on November 1, 1998 and continue until either party terminates the Agreement. **(Contract No. 04119)**

PARKS & RECREATION:

9. Vendor Services Agreement with Right Way Plumbing-Heating-A/C, Inc. to provide completion of rough-in, finish heating, and gas piping for Building "D" at the Fairgrounds. The contract has a not-to-exceed maximum amount of \$9,723.56, and will commence on November 2, 1998, and will continue until terminated by either party. **(Contract No. 04120)**

PUBLIC DEFENDER:

10. Contract with Kenneth N. Asher, Ph.D., to provide psychological competency evaluations for juvenile clients at an hourly rate of \$80 for services. The contract commences on October 14, 1998, and will continue until terminated by either party. **(Contract No. 04121)**

HEALTH DEPARTMENT:

11. Amendment to Contract with Carla Wills to provide parenting education for teen pregnancy prevention program, increasing the contract by \$1,500 to \$3,000, and adding to the scope of work a services of innovative 1-3 hour parenting education sessions as a pilot project. **(Contract No. 03721)**
12. Amendment to Interagency Agreement with Sedro Woolley School District, adding additional funds of \$13,000 for the past 1997-98 school year to include early intervention services provided to SPARC and the School District. **(Contract No. 03626)**

PUBLIC WORKS DEPARTMENT:

13. Supplement No. 1 to the Cost-Share Agreement with Michael Felt on the Gibraltar Drainage Project, increasing the not-to-exceed amount from \$4,000 to \$5,000. The 60/40 cost-share agreement with Mr. Felt still applies. Surface Water Management requested that the contractor install a Type 1 catch basin in one location as well as changing the configuration of the outfall pipe at Gibraltar Road. The total project cost was \$8,466.68, which was approximately \$2,700 over the contractor's earlier estimate. **(Contract No. 04001)**
14. Resolution Amending Resolution No. 16892 regarding Farm-to-Market Road between State Route 20, M.P. 0.00 and Bayview Road, RD #32100, M.P. 1.80, Project EES31010-2. The resolution allows for changes in the project limits, with a proposed project length of 2.80 miles, a change from the previously requested 1.80 miles. The total estimated project cost is \$2,690,000. **(Resolution No. 17198)**
15. Farm-to-Market Road Improvement Project, CRP ES1010-2 Local Agency Federal Aid Project Prospectus, with a total estimated project cost of \$2,690,000. **(Approved)**
16. Avon Allen Road Improvement Project, CRP ES33110-3 Local Agency Federal Aid Project Prospectus, with a total estimated project cost of \$695,827. **(Approved)**

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17. Supplement No. 1 to Agreement with Montgomery Water Group increasing the scope of work to include a cultural resource survey, Bow Hill Road crossing sewer line relocation design, archeological field observation/monitoring and additional submittals review, design issues resolution, and field support. This involves the Edison Slough Drainage Improvement Project, and will increase the compensation by \$13,330, with a new revised contract total of \$80,230. **(Contract No. 03901)**

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, November 2, 1998, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 30965 through 31334 from Clearing Fund 696 in the total dollar amount of \$726,045.68 (Transmittal No. C-74-98); and

Payroll warrants numbered 950391 through 950451 in the total dollar amount of \$67,252.59 (Transmittal No. P-53-98)

2. Upon a request from John Moffat, Chief Civil Deputy, Commissioner Anderson moved to join Thurston County in a lawsuit against the State to recover claims from 1995-97 under the BECCA Bill. Commissioner Wolden seconded the motion, which passed with a unanimous vote.

PUBLIC HEARING – SURPLUSSING AND SALE OF WASTE-TO-ENERGY EQUIPMENT.

Robin LaRue, Solid Waste Division Manager, gave a brief history of the facility, beginning with the initial construction in 1987. He discussed the various reasons why the facility ceased operations including high ongoing maintenance costs, together with the high costs of ash disposal. The incinerator was closed in May of 1994 and long-hauling operations began thereafter.

Mr. LaRue stated that in July of 1994 the Board issued a Request for Proposals for the private operation of the facility. Three firms were interviewed extensively and an additional public hearing was held regarding these proposals. It was decided to continue the operation of the facility as a Transfer Station. The lowest cost and lowest risk option was to continue the long-haul operation. This action was supported by the Solid Waste Municipality Committee. In June of 1995 the Board signed a resolution directing that no further action would be taken on privatization proposals or operating the Incinerator with a County workforce.

Mr. LaRue advised that the Waste-to-Energy Equipment has been maintained in a "mothball" state. He detailed the "mothball" activities and equipment condition. He stated that mothball costs since 1994 average about \$20,000 per year, and through October 1998 were at approximately \$17,000.

Mr. LaRue next discussed the disposal of the equipment and the relevant costs involved. He detailed options of disposal such as salvage or demolition, disposal of equipment in functional units, and disposal of equipment as one unit. He reviewed the specifics of each of these actions.

Mr. LaRue stated that the Department recommends that the Board declare the waste-to-energy equipment surplus as to the needs of the current Recycling & Transfer Station operations. Further, the Board is asked to authorize the Solid Waste Division to determine the best method of disposal of this equipment, and to move forward with the disposal of the equipment.

Mr. LaRue advised that he had received one letter from the Solid Waste Advisory Committee, who advised that they unanimously are in favor of the County surplussing and marketing the waste-to-energy equipment.

Chairman Hart opened the public hearing for testimony.

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Tom Solberg, 19019 Minnie Road, Alger, stated that this is a crying shame that the equipment must now be surplussed. He expressed his disappointment that the original equipment was purchased out of the country to begin with. He commented on the need to encourage recycling through out the County. He briefly touched on the selling of power to generate funds for the citizens of the County. He briefly commented on the rails-to-trails issue, and urged the Board to spend County money as if it were their own.

There being no further public comment forthcoming, Commissioner Anderson moved to close the public hearing. Commissioner Wolden seconded the motion. The public hearing was closed.

Commissioner Anderson asked to clarify that the best method of disposal of the equipment would be determined by the Department and then come before the Board for final approval. He indicated that there should be some sort of bidding process for the disposal of the equipment.

Chal Martin, Public Works Department Director, said that they would go through a formal bidding process to see what interest can be generated.

Commissioner Wolden stated that he would like to see the request for proposals and/or bidding documents put together in an expedient manner.

Commissioner Wolden moved to declare the waste-to-energy equipment located at the Transfer Station surplus property, with the disposal options to include (in order): 1) Disposal of the Equipment as one unit; 2) Disposal of the Equipment in groupings or functional units; and 3) Salvage or Demolition. The motion was seconded by Commissioner Anderson. The motion carried with a unanimous vote. **(Resolution to be provided by Staff at a Later Date).**

CONSIDERATION OF HEARING EXAMINER'S RECOMMENDATION FOR APPROVAL OF THE FINAL PLAT OF NOOKACHAMPS HILLS PLANNED UNIT DEVELOPMENT, PHASE I.

Commissioner Wolden was absent for the remainder of the proceedings.

After a brief description of the location of the subject development, Commissioner Anderson moved to uphold the recommendation for approval of the Hearing Examiner regarding the final plat of Nookachamps Hills Planned Unit Development, Phase I. Chairman Hart seconded the motion, which passed with a unanimous vote. **(Resolution No. 17199).** The Chairman also approved the final plat map for the Nookachamps Hills Planned Unit Development, Phase I.

PRESENTATION FROM THE CITY OF ANACORTES RE: PETITION FOR ANNEXATION OF THE SOUTH MARCH POINT AREA, EXCLUDING PADILLA HEIGHTS.

Mayor Dean Maxwell reviewed a packet of materials from the City of Anacortes and the County Planning Department and Assessor's Office. He stated that the City is essentially before the Board to address any issues the Board may have with the proposed annexation, excluding Padilla Heights. He advised that the annexation has been certified adequate and valid by the County Assessor's Office. He listed those in attendance from the city and the area to be annexed. Mayor Maxwell indicated that the City is eager to move forward, and is before the Board to answer any questions in this regard.

Richard Curtis, Fire Chief of Anacortes, reviewed the fire protection and EMS services proposed by the City for the March's Point area.

Ray Sizemore, Anacortes City Councilman and Chair of the Public Safety Committee, indicated that Councilmen Carlisle and Brown were also present. Further, there have been many meetings, including review of the relevant numbers, and development of a police protection plan that has been discussed with Sheriff Goodman. He stated that the City is confident it can service the area from a fire and police service point of view.

Commissioner Anderson commented on the need to develop a formalized agreement that outlines the considerations on both sides.

Mr. Sizemore stated that presently it is the committee's plan to support in the City of Anacortes 1999 budget the hiring of two additional police officers effective January 1, 1999, with annexation in place approximately March 2.

Chairman Hart indicated that interlocal agreements need to be drafted with appropriate legal review so that both sides are on the same page.

Mr. Sizemore stated that he has asked the Police Chief to work out in writing what will be needed to be included in the agreement.

Chairman Hart indicated that he has not opposed this annexation since the beginning of the process, but indicated the need to be sure that the legal processes are followed. Commissioner Anderson concurred with Chairman Hart's remarks.

Bill Carlisle, Anacortes City Council, spoke briefly to the issue of the PUD line and the effects on annexation.

ADJOURNMENT.

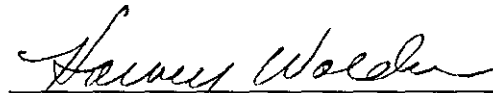
Chairman Hart made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

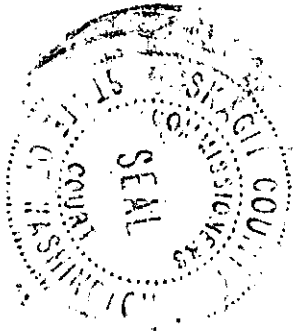


Robert Hart, Chairman

Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners