

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, October 23, 2000**

10:00 a.m. – 10:15 a.m.	CONSENT AGENDA. MISCELLANEOUS.
10:30 a.m. – 11:00 a.m.	Discussion – Commercial Composting Operations.
11:00 a.m. – Noon	Executive Session – Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, October 23, 2000, with Commissioners Harvey Wolden, Ted W. Anderson, and Robert Hart present.

CONSENT AGENDA.

Chairman Wolden was absent for this agenda item. Commissioner Hart moved to approve the Consent Agenda for Monday, October 23, 2000, items 1-10. Commissioner Anderson seconded the motion, which passed unanimously.

BEST PLACE:

1. Amendment #2 to original contract #-004944 with Susan Montgomery to act as a consultant to the Best Place Program. The amendment extends the contract until June 2001. The Scope of Work does not change. Total services not to exceed \$20,000 at rate of pay at \$25.00 per hour. **(Contract No. 04944)**

COMMISSIONERS' OFFICE:

2. Record of the Proceedings for Monday, October 16, 2000.
3. Record of the Proceedings for Tuesday, October 17, 2000.
4. Interlocal Agreement between Skagit County and the City of Mount Vernon for Public Facility Project Funding Pursuant to RCW 82.14.370 wherein the City will receive funding totaling \$2,000,000 for the "South Mount Vernon Sewer Improvements" Project. **(Contract No. 05088)**

ASSESSOR:

5. Out-of-State Travel Request for Berndt D. Schertzer to attend the Community Emergency Response Team Train the Trainer Seminar in Emmitsburg, Maryland, November 6-8, 2000. Transportation and lodging will be provided by FEMA. Meals are estimated at \$50. **(Approved)**

PARKS, RECREATION AND FAIR:

6. Amendment No. 1 to Agreement No. CDC14638 with the State of Washington, Department of Corrections for a Labor use contract. This agreement was entered into in November of 1999. The Department have increased their fees from 12% to 24% of the cost of the project, hence the amendment. This contract is to provide inmate crews to do general labor. **(Contract No. 04669)**

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PUBLIC WORKS DEPARTMENT:

7. Revision A-1 Summary of Offer for the Aldon Creek Fish Passage Project totaling \$2,500. **(Approved)**
8. Resolution Rejecting All Bids for the Aldon Creek Fish Passage Project, CRP 08000-5. **(Resolution No. 18029)**
9. Amendment #2 to Professional Services Agreement with Prime West, Inc. This agreement permits Prime West, Inc. to extend contract agreement period to December 31, 2000. There is no increase in costs. **(Contract No. 04959)**
10. Professional Services Agreement No. 005033 – Supplement No. 1. This agreement is between Skagit County and Crane Pro Service with respect to repair/replacement of defective items on the 5-ton bridge crane located at the Skagit County Transfer Station. This Supplement extends the Agreement from October 16, 2000 to December 31, 2000. The amount of compensation remains the same. **(Contract No. 05033)**

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, October 23, 2000, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant numbered 80962 from Clearing Fund 696 in the total dollar amount of \$3,582.74 (Transmittal No. C-71-00); and

Warrants numbered 80963 through 81448 from Clearing Fund 606 in the total dollar amount of \$2,160,348.28 (Transmittal No. C-72-00).

2. On behalf of the Sheriff's Office, Staff presented a COPS Universal Hiring Supplemental Award in the amount of \$225,000. The supplement would also extend the end date of the award to April 30, 2003. Commissioner Hart moved to approve the Supplemental Award to reserve funding if the 2001 budget allows the required matching funds, and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Contract No. 03009)**

DISCUSSION – COMMERCIAL COMPOSTING OPERATIONS.

Chairman Wolden advised that this meeting was requested at the request of Ed Little of Sunland Bark & Topsoil, and his attorney, Bud Ashbach.

Mr. Little thanked the Board for allowing him to make this short presentation, noting that he had hoped to make this presentation in a private Executive Session, but understood that was not possible.

Chairman Wolden briefly explained that under the laws of the State of Washington, it was not possible for Mr. Little to meet with the Board in Executive Session. He stated that, however, Mr. Little could opt to meet with each commissioner individually rather than in this public session. Mr. Little agreed to proceed with this public session.

Mr. Little presented the Board copies of documentation including a chronology of events and all correspondence pertinent to this particular situation. He reviewed that the documents are divided into two

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timeframes, one set being dated through December 31 of 1999, and the second set of documents pertaining to the Year 2000. He also included numerous photographs.

Mr. Little reviewed his past service on the Solid Waste Advisory Committee. He further detailed that he moved to the county in 1969, was active in the dairy business, and started a small topsoil business. He stated that in 1997, he leased the property on Reservation Road, and proceeded to develop a mix of soil, manure, sawdust and shavings, and gradually expanded his business and operation. He spoke to difficulties encountered when "bureaucrats" came on to the scene in 1993, and their determination to stop his then successful operation. He reviewed specifics of his operation processing material on site and separating waste streams.

Mr. Little explained that the timber industry had subsequently come under attack from environmental entities. Consequently, sawdust and shavings supplies have dwindled, and farmers and fisherman have come under attack, with resultant salmon, water, land use and zoning issues emerging to the forefront. He indicated that without the timber and agricultural industries, he would not be able to manufacture topsoils. He stated that many topsoil companies now do exactly what he is doing as a common practice, and are not under attack. He commented that environmental radicals have infiltrated government. He stated that the Board has done the best they can under such circumstances, but that the Board does not always get the "straight story" from Staff.

Mr. Little spoke to the need for tort reform so that whoever loses in a lawsuit would pay all of the costs involved in such frivolous lawsuits.

Mr. Little stated that one time he referred to an official as a "bureaucrat" and that affected his relationship with the County Health Department. He reviewed the definitions of "bureaucrat" from the dictionary.

He described his difficulties in obtaining a list of certified compost facilities in Skagit County, and indicated that Frances Ambrose of the Public Works Department had been the one to fax him a list of same. He read off the list of certified composters for the Board's information.

Mr. Little indicated that he was issued a permit by the County Health Department in 1995, which established Dai-Zen Chang Farm, and now such permit has basically been taken away. He gave the Board the permit, saying it was no longer of any use to him.

Mr. Little stated that his documentation showed that for the past four years certain employees of the Health Department have with malice conspired to damage his company. He stated that such employees have used the powers of the Prosecuting Attorney's Office to intimidate him and bend him to their will. He reviewed that his company had lost its contract with the City of Burlington, and that their facility permit has been revoked because it was not fully compliant with the rules. Consequently, his company has lost thousands of dollars as a result of these actions. He asked for relief of this harassment so that County citizens will not have to pay the resultant damages. He stated that other composters in the County are not fully compliant but continue to operate. He asked the Board to rectify this gross injustice as elected officials with the power to do so.

Chairman Wolden extended the invitation to Mr. Little to visit individually with each commissioner once the documentation presented was reviewed.

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ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Harvey Wolden, Chairman

Robert Hart, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

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