

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 28, 2005**

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| *T 9:00 a.m. – 9:30 a.m. | Discussion/Possible Action – Decision Regarding Interim Site Designation by Cimarron Transfer and Recycling Company |
| *T 9:30 a.m. – 10:00 a.m. | Presentation – Citizens for a Recreation and Event Center |
| 10:45 a.m. – 11:00 a.m. | Discussion – Derelict Vessel Removal in the Swinomish Channel |
| 11:00 a.m. – 11:15 a.m. | Bid Opening – One New Latest Model Tractor with Brushcutter/Mower Attachment |
| 11:15 a.m. – 11:30 a.m. | Bid Opening – Purchase of Diesel Fuel for the Guemes Island Ferry, July 1, 2005, Through June 30, 2007 |

The Skagit County Board of Commissioners met in regular session on Tuesday, June 28, 2005, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

DISCUSSION/POSSIBLE ACTION – DECISION REGARDING INTERIM SITE DESIGNATION BY CIMARRON TRANSFER AND RECYCLING COMPANY.

Chal Martin, Public Works Director, outlined the applicable code for this action and reviewed the processes that have now been completed regarding an interim site designation by Cimarron Transfer and Recycling Company. He indicated that the Municipality Committee met on June 15, 2005, and responded by sending a letter to the Commissioners.

Commissioner Anderson motioned to approve the interim site designation and Chairman Munks seconded the motion.

Before a final vote was taken, Chairman Munks asked for comments from the other Commissioners.

Commissioner Dahlstedt stated that a number of years ago, Waste Management tried to get approval from Skagit County for a second Solid Waste Transfer site. They came through the Planning Department and were turned down. Since that time, there has been a great deal of discussion about privatization of the County's Solid Waste system through a Request For Proposals, which is an open public process where anyone can bring forward a proposal for consideration. Commissioner Dahlstedt said he feels it is a true competitive process and one that would protect the high service levels our citizens currently enjoy, while still providing stable or potentially lower prices.

Commissioner Dahlstedt made the following points:

- Will the current Cimarron proposal get Skagit County out of the Solid Waste business? The answer is no.
- Will this proposal eliminate the need for Skagit County to continue to operate its own facility? Again, the answer is no.
- Will this proposal lower the prices of tipping fees in Skagit County? The answer is no.
- Will this proposal improve the system and help keep the two east County receiving stations subsidized and open? Again, the answer is no.
- Are the proponents of this project currently in the composting business or do they have a high level of expertise of composting garbage? Again, the answer is no.

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- Will this project be consistent with our new Interlocal Agreement with the towns that promises stable prices through 2013 - promises made by the current Board of Commissioners? No.
- Are there currently any garbage composting facilities in the United States that are not having problems with odor and the ability to get rid of the toxic composted materials due to the high level of potential contaminates? Again, the answer is no.
- Will this project enhance or improve the safety and efficiency of our current facility? No.
- Is this project endorsed by the Department of Ecology or the Health Department? No.
- Should this project be fast tracked and approved before we have a Request For Proposals on the Solid Waste Management System, allowing Cimarron an unfair advantage while leaving the County holding the bag on the rest of the system? Again, no.
- Why all the fuss about garbage? There is \$8-\$9 million dollars a year in handling garbage.
- Who are the losers if this project is approved right now? All of the citizens of Skagit County who will have to pay an additional projected \$500,000-\$700,000 dollars a year, who may get sued by the other folks we currently have solid waste contracts with, potentially our labor unions and possibly by the cities that we have signed Interlocal Agreements with.
- Who will still be left with our existing old transfer site that needs to be repaired? Every City and Town Council who voted to extend their Interlocal Agreements with Skagit County on the promise of stable rates and the ability to be involved in the process regarding future decisions about solid waste. Only one council member from Anacortes voted no on the entire Interlocal Agreement.
- Who are the winners? The proponents of the projects. Let's allow for open competition with an RFP that would not leave out the current applicant but it would allow a true competitive process that would allow Skagit County, if they so chose, to get out of the solid waste business.

Commissioner Anderson responded that he was unsure whether they were discussing the entire solid waste system for Skagit County or discussing an interim site designation for a composting and recycling facility, which is currently allowed in the Solid Waste Management Plan. He said issues can build a whirl-wind of controversy around something you think is going to end up as a transfer facility. Commissioner Anderson said the Board has said over and over again that they intend to honor the rates they have with the cities.

According to Commissioner Anderson, the idea that a composting and recycling facility would disrupt the entire Solid Waste Management System for Skagit County is absolutely not true. Everyone is entitled to a public process. He said it's a process that's been laid out, has been in front of the Hearing Examiner and the current Solid Waste Management Plan allows for it.

Commissioner Anderson said he hadn't read anywhere that the County planned on vacating their contract with the Cities, nor where the County planned on increasing fees or laying off employees of the County Transfer Station. He said an interim site designation does not mean the applicant can build the facility as there is an extensive criteria that must be met in order to do so.

Commissioner Anderson said it is unfortunate this has become a political issue. He said he has no vested interest in any type of a solid waste facility for Skagit County. To him, it is ironic that the Cities object to a recycling and composting facility when they themselves have diverted approximately 27% of the overall waste-stream of Skagit County for their own recycling programs. Commissioner Anderson said that to deny someone the ability to move forward because of personalities and political agendas is not fair.

Chairman Munks noted that a proposal to revamp the existing facility was brought forth in 2001. He said the present facility is limited in its capacity and has equipment that is failing, which was supposed to last 35 years and it hasn't. Chairman Munks said he made the decision in 2000 that no one would be laid off if changes were made at the transfer site

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Chairman Munks reiterated that fact that this is a permitted use and anyone in Skagit County can do exactly what Cimarron has applied to do. He said the cities privatized many years ago and no one ever raised concerns about taking the stream flow away from the County or trigger higher prices. Chairman Munks said he doesn't agree with the projection costs that have been presented. The issue today is to decide whether or not to issue an interim site designation to Cimarron Transfer and Recycling.

With a motion and a second on the floor, Chairman Munks called for a vote. Both he and Commissioner Anderson voted for the proposal, with Commissioner Dahlstedt voting against it.

PRESENTATION – CITIZENS FOR A RECREATION AND EVENT CENTER.

Mike Marken, Chairman of Citizens for Recreation and Event Center (CREC), stated that CREC was formed to help plan and build an indoor Recreation and Event Center in Skagit County. There are currently 59 members that come from all parts of the County. Mr. Marken cited the following reasons for pursuing the proposal:

- A Recreation and Event Center has been a priority since 1980
- County population is expected to grown by 50% in the next 15-20 years
- Indoor recreation capacity is limited and increasingly difficult to obtain
- A 2003 survey indicated that over 80% of County residents rated an indoor recreation center as important
- Parks and Recreation Advisory Board is unanimously supportive of it

According to Mr. Marken, a Recreation and Event Center will attract more people into Skagit County for programs and events, creating more tourism revenue. Skagit Valley College requires more space for sports, recreation and other large gatherings. CREC feels the location of the Rogers' property that was recently purchased by the County is central to best serve the population, as well as Skagit Valley College and other potential partners.

Mr. Marken said CREC recognizes the County's limited financial resources and will set tough objectives. They will try to minimize the County's capital contribution by soliciting funding from Federal and State Governments, as well as private citizens. It is being recommended that increased operating costs be limited to increases in revenue so no additional burden is placed on the County's operating budget. It is also proposed that the proposed facility be planned in stages to meet the tough financial objectives.

Dr. Gary Tollefson of Skagit Valley College, Jeri Krampetz, Chad Fisher, Mike Crawford and Colleen Fisher, Chairman of the Parks and Recreation Advisory Board, all spoke in support of a future Recreation and Event Center. Letters of support were also received by the Board from various entities.

Commissioner Dahlstedt said he appreciated those in the audience for taking the time to be present and show their support of the project. Because the projected growth is expected to rise by 50,000 citizens in the next few years, Commissioner Dahlstedt said he feels work needs to be started on it now. Although funding may be difficult, it can be managed and he feels everyone must work together to make this project a reality.

Commissioner Anderson stated that facilities throughout the County are constantly full. It has been long recognized that another indoor facility is needed. Commissioner Anderson feels the best strategy would be to ask the public to step up and support the project Countywide with tax dollars. He said he would support hiring a consultant to look into the matter further.

Chairman Munks spoke of the importance of purchasing the Rogers' property. He also stressed the fact that youth need activities to participate in to keep them off the streets. However, the

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obstacle will be obtaining funding to build and operate the center. Chairman Munks said he would fully support the concept if it would be something that was built as a community without burdening the County. He challenged everyone to become involved in it.

DISCUSSION – DEPARTMENT OF SOCIAL AND HEALTH SERVICES CONTRACT.

Chief Civil Prosecutor Don L. Anderson and Deputy Prosecuting Attorney Melinda Miller outlined several emails that were received from other County officials regarding the general terms and conditions of the contract. They stated that the elects are in a quandary over what to do with the contract, but the majority have said they would sign it with an attached cover letter, which would favor language that addresses how Sections 12 and 21 would be interpreted.

Commissioner Anderson suggested they sign the contract and direct Mr. Anderson to draft a letter to go with it that would give Skagit County an out for Sections 12 and 21. He said programs cannot be endangered.

Chairman Munks said he wasn't willing to create the liability that the two paragraphs would have on the County. He agreed to sign the contract while making clear the County's objections to it.

Commissioner Dahlstedt concurred and motioned to sign the contract with the Department of Social and Health Services and attach an additional cover letter addressing items 12 and 21. Commissioner Anderson seconded the motion, which passed unanimously.

Mr. Anderson said he would work at drafting a letter for the Commissioners' signatures.

DISCUSSION – DERELICT VESSEL REMOVAL IN THE SWIMOMISH CHANNEL.

Tom Sheahan, Director of Emergency Management, spoke about abandoned vessels. Mr. Sheahan indicated that one currently sits in the Swinomish Channel, one lies behind the Longhorn Tavern in the Edison area and a third vessel is located at the mouth of the Samish River and has been there for approximately seven years.

Chairman Munks asked Mr. Sheahan if he knew who the owners of the vessels were. Mr. Sheahan indicated that he did; however, in order for the vessel to be removed, Skagit County would need to take the lead. He feels the Commissioners should make the call as to whether or not Skagit County wants to invest resources into the removal of the watercraft. The Department of Natural Resources indicated that Skagit County would be reimbursed for up to 75% of the removal costs. The other 25% would be the County paying for staff to coordinate the removal and for storage of the vessels.

Commissioner Anderson asked where the boats would be stored. Mr. Sheahan said either at Butler Pit or the County Road Shop. Commissioner Anderson asked Mr. Sheahan to iron out the details prior to the Board making a decision.

Commissioner Dahlstedt said that if the vessels were presumably used for illegal substances, the Department of Ecology should be responsible for verifying whether they are contaminated or not.

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**BID OPENING – ONE NEW LATEST MODEL TRACTOR WITH
BRUSHCUTTER/MOWER ATTACHMENT.**

Dub Queen and Greg Dennis of Public Works opened the following bids for one new latest model tractor with a brushcutter/mower attachment:

Coastline Tractor
3512 Smith Avenue
Everett, WA 98201
Bid Bond Enclosed
Total Bid Price: \$82,470.84

Sahlberg Equipment Company
3615 132nd Avenue Southwest
Lynnwood, WA 98037
Bid Bond Enclosed
Total Bid Price: \$86,982.79

Western Power and Equipment
15111 Smokey Point Boulevard
Marysville, WA 98271
Bid Bond Enclosed
Total Bid Price: \$80,210.04

Mr. Queen indicated that a recommendation to the Board would be forthcoming after the bids are reviewed for content and accuracy.

BID OPENING – PURCHASE OF DIESEL FUEL FOR THE GUEMES ISLAND FERRY.

Steve Cox and Linda Christensen of Public Works opened the following bids for the purchase of diesel fuel for the Guemes Island Ferry:

Reisner Distributors
310 Commercial Avenue
Anacortes, WA 98221
Total Bid Price: \$168,550 (High Sulfur Diesel)
Total Bid Price: \$170,050 (Low Sulfur Diesel)

Nelson Petroleum
1125 80th Street Southwest
Everett, WA 98203
Total Bid Price: \$178,700 (High Sulfer Diesel)

Mr. Cox said the two bids would be reviewed and a recommendation would be forthcoming.

ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Anderson seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

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Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

Melissa Collins, Assistant Clerk of the Board
Skagit County Board of Commissioners