

Skagit County Clean Water District
Edison Subarea

Meeting Agenda – December 18, 2024

REGULAR BOARD MEETING

Held at Burlington Edison Elementary School

1. **Call to Order**
2. **Opening Public Comment**
3. **Consent Agenda:**
 - A. Prior Meeting Minutes
 - B. Fund 150 Invoices
4. **Communications:**
 - A. Public Notice – December 18th Rescheduled Meeting
 - B. Email from Operator – Loose Tarp
 - C. Residential Tank Inspection Report from Drain Doctor – Pump Run Times, Lift Station Inspection, and Clarifier Report
5. **Old Business**
 - A. Monthly Operator Report
 - B. Monthly Maintenance Contractor Report
 - C. Update on Hydromantic Pump Purchases
 - D. Update on DOH Grant and RFQ for Design
6. **New Business**
 - A. Overview of Open Public Meeting Act (OMPA) Board Training
 - B. Contract with ATS for Computer Services
 - C. Maintenance Contractor Services – Old Scope of Service and New Contract Scope of Services
 - D. County Code Chapter 12.64 – Existing Code and Administrator’s Suggested Revisions for Consideration.
7. **Other Business**
 - A. None
8. **Closing Public Comment**
9. **Adjourn**

Edison Clean Water District

Meeting Minutes

Meeting of November 20, 2024

Call to Order: The meeting was called to order at 5:03 PM with the following board members present: Jess Hackler, Tom Skinner, Bernie Alonzo and Scott Mangold. Also present were Allen Rozema and Lavelle Pilon from the County, Greg Young from Ravenhead Municipal Services, Mike and Kristine from the Drain Doctor and Operator Don Erickson.

Public Comment: None

Consent Agenda: The minutes from the Board's October 23, 2024 regular meeting minutes and the below detailed vouchers were approved following a motion by Mr. Mangold and seconded by Mr. Alonzo:

11/20/24-1	Drain Doctor	\$ 5,053.08
11/20/24-2	Ravenhead Municipal	\$ 975.00
11/20/24-3	City of Burlington	\$ 706.44
11/20/24-4	Edge Analytical	\$ 119.00
11/20/24-5	BE School District	\$ 1,328.82

Communications: Mr. Young covered the communications for tonight's meeting that included the letter to the County Commissioners regarding the recommended 2025 assessments, the 2025 Assessment Worksheets, the commercial site recent testing results, the public notice for the November 20th meeting (rescheduled due to the Thanksgiving holiday), a series of three emails from Jason D'Avignon (county civil attorney) and Allen Rozema (assistant PDS director) regarding the need for the October Executive Session, an email from Administrator Young regarding potential agenda topics, and the notice of public hearing for the 2025 assessments.

Old Business: Operator Don reported that the plant has been running well – there were a few alarms but following the computer reboot by Mr. Hackler, all returned to normal. They also reported that they will be changing the batteries on the UPS to be safe.

Regarding the State DOH grant for the improvements to the UV system, Lavelle reported that the RFP for the design services will probably go out in late 2024 or early 2025. For the replacement hydromantic pumps, she noted that the purchase has been authorized and that the County would be ordering them and storing them for future use.

New Business: The topic then changed to discuss the recent changes instituted by PDS (Planning and Development Services) regarding operations in Edison – specifically, the needed change to include PDS routing the annual assessments to the County Commissioners for review, public hearing, and adoption. Mr. Rozema reported that PDS has now passed the recommended 2025 assessments to the Commissioners Office and encourage any Board members that wished to attend the public hearing to do so.

At 6:34, Mr. Skinner left the meeting and at 6:40 Mike and Kristine Tamman left the meeting.

Regarding the maintenance contract with The Drain Doctor, it was noted that the periodic sampling they do for the commercial sites is normally completed by them and the cost added to their monthly bill. In the future, it may be better to have the bill sent by Edge Analytical directly to the County for payment.

The group discussed how the Drain Doctor, in addition to their contractual monthly and annual duties, has been asked by the Board to also complete other on-call and as-necessary maintenance and repairs and how this component of their work has consistently represented the largest portion of their monthly billings. This has, in the recent few months, been identified by PDS as being problematic due to their existing contract not including on-call and as-needed services. Following a discussion regarding the essential need to maintain a sewer system, Mr. Rozema reported that the current direction the County is exploring is to cancel the Drain Doctor contract, negotiate a settlement regarding their outstanding billings, and to revise the maintenance contractor Scope of Work and rebid this work. He also noted that County policy also allows, without going through the formal bidding process, emergency contracts so this is also being looked at as a way to keep the services of the Drain Doctor in place while the out-of-scope issues are resolved.

Following this, the Board discussed how the current division of duties and responsibilities has evolved over the years as, in the opinion of the Board, the needs of the System necessitated monitoring and modifications as to what the Administrator, the Operator, County staff, and the maintenance contractor were asked to do. Following a question as to why there is a need to change what has been working, Mr. Rozema stated that this evolution of how Edison operates does not adhere to the requirements of Chapter 12.64 in County Code (Clean Water District – Edison Subarea) and the written Scopes of Work for the maintenance contractor, Operator Interlocal with the City of Burlington, and the Administrator. As such, it is necessary to bring the operations of the Edison sewer system and the contracted services into compliance. Following this, Mr. Rozema added that the Board could then work to modify both 12.64 and the scopes of work to potentially match how the Board would like the Edison operations to function.

Mr. Alonzo stated that the Board's overriding concern is to keep the system functioning given the adverse consequences of not have a maintenance contractor available to respond to issues in a timely manner. Mr. Rozema stated that the County shares this concern and is working to correct these issues.

The Board then discussed the involvement of PDS staff in the monitoring of the system and in-field work to support the needs of the Plant and the Discharge Permit. Don noted that a PDS staff member has, up until a few months ago, assisted him at the Plant with the intention of having her become a qualified Operator. Mr. Rozema informed the group that this field work will no longer be done by PDS staff following direction from the County Commissioners and rather than the other PDS staff member who regularly attended the monthly Edison meetings, Lavelle Pilon will now be the liaison to the Edison Board. He also added that PDS staff will begin monthly briefings to the Commissioners who, until recently, did not get updates regarding the Edison operations.

Finally, the Board was informed that all staff time devoted to addressing issues with Edison will be charged to Fund #150. Responding to a question by Mr. Mangold regarding why Edison is being charged for PDS staff spending time addressing issues that are at least partially the County's making, Mr. Rozema stated that this is the direction PDs has been given by the County Commissioners.

Mr. Young then covered a potential revised Scope of Work for the maintenance contractor services included in the Packets. Noting that should the Edison Board have input into their needed services, he felt the draft Scope in the Packets might be a good starting point for discussions.

The Board also discussed the possible need for a December meeting (normally cancelled) due to the ongoing changes and issues with the Edison system. After a brief discussion, it was decided to hold a meeting on December 18th. Mr. young stated that he a would post the required Notice.

Other Business: - None

Adjourn: With no further business to be conducted, the meeting was conference call ended at 6:40 PM.

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Skagit County Edison Clean Water District

CASH FLOW REPORT - 2024

Fund No. 150 - Operations and Maintenance

January 2024 Beginning Cash Balance	\$426,986.90
2024 Revenues to Date	\$119,800.00
Adjustment to County Treasurer Records	\$0.00
2024 Expenditures to Date	\$74,124.52
Adjustment to County Treasurer Records	
2024 Ending Cash Balance	<u><u>\$472,662.38</u></u>

2024 Expenditure Detail by Vendor

	<u>Operations</u>	<u>Capital</u>	<u>Permit Compliance</u>
The Drain Doctor	\$33,463.32	\$12,228.08	
Ravenhead Municipal Services	\$11,807.50		
Edge Analytical			\$1,644.00
Underground Utility Locate Service	\$6.60		
City of Burlington			\$6,552.58
Burlington Edison School District	\$6,326.43		
Coast Controls			
State Department of Ecology			\$614.00
Gray & Osborne			
Trojan UV	\$1,106.16		
Dahl Electric	\$375.85		
Subtotal	\$53,085.86	\$12,228.08	\$8,810.58
TOTAL	\$74,124.52		

Skagit County Clean Water District Edison Subarea

YEAR 2024 Fund 150 Expenditure Tracking Sheet

<u>Tracking Number</u>	<u>Payee</u>	<u>Amount</u>	<u>Total</u>
1/10/24-1	Drain Doctor	\$2,791.16	
1/10/24-2	Ravenhead Municipal	\$ 950.00	
1/10/24-3	City of Burlington	\$ 870.42	
1/10/24-4	Edge Analytical	\$ 349.00	\$4,960.58
2/28/24-1	Drain Doctor	\$6,933.76	
2/28/24-2	Ravenhead Municipal	\$ 950.00	
2/28/24-3	City of Burlington	\$ 525.96	
2/28/24-4	Edge Analytical	\$ 101.00	
2/28/24-5	BE School District	\$1,573.90	
2/28/24-6	Utilities Underground	\$ 1.32	
2/28/24-7	Trojan Technologies	\$1,106.16	\$11,192.10
	<i>Total for Year</i>		\$16,152.68
3/27/24-1	Drain Doctor	\$1,754.58	
3/27/24-2	Ravenhead Municipal	\$1,307.50	
3/27/24-3	City of Burlington	\$ 669.04	
3/27/24-4	Edge Analytica	\$ 222.00	
3/27/24-5	Underground Locate	\$ 1.32	\$3,954.44
	<i>Total for Year</i>		\$20,107.12
4/24/24-1	Drain Doctor	\$1,900.63	
4/24/24-2	Ravenhead Municipal	\$ 950.00	
4/24/24-3	City of Burlington	\$ 525.96	
4/24/24-4	Edge Analytical	\$ 124.00	
4/24/24-5	BE School District	\$ 990.73	\$4,491.32
	<i>Total for Year</i>		\$24,598.44
5/22/24-1	Drain Doctor	\$3,602.13	
5/22/24-2	Ravenhead Municipal	\$ 950.00	
5/22/24-3	City of Burlington	\$ 492.96	
5/22/24-4	Edge Analytical	\$ 124.00	
5/22/24-5	Underground Locate	\$ 2.64	
5/22/24-6	Dahl Electric	\$ 375.85	\$5,547.58
	<i>Total for Year</i>		\$30,146.02

Skagit County Clean Water District Edison Subarea

YEAR 2024 Fund 150 Expenditure Tracking Sheet

<u>Tracking Number</u>	<u>Payee</u>	<u>Amount</u>	<u>Total</u>
6/26/24-1	Drain Doctor	\$13,901.16	
6/26/24-2	Ravenhead Municipal	\$ 950.00	
6/26/24-3	City of Burlington	\$ 558.96	
6/26/24-4	Edge Analytical	\$ 121.00	\$15,531.12
	<i>Total for Year</i>		<i>\$45,677.14</i>
7/24/24-1	Drain Doctor	\$ 1,757.58	
7/24/24-2	Ravenhead Municipal	\$ 950.00	
7/24/24-3	City of Burlington	\$ 558.96	
7/24/24-4	Edge Analytical	\$ 121.00	
7/24/24-5	Underground Locate	\$ 1.32	\$3,388.86
	<i>Total for Year</i>		<i>\$49,066.00</i>
8/28/24-1	Drain Doctor	\$ 3,328.08	
8/28/24-2	Ravenhead Municipal	\$ 950.00	
8/28/24-3	City of Burlington	\$ 558.96	
8/28/24-4	Edge Analytical	\$ 121.00	
8/28/24-5	BE School District	\$ 1,823.50	\$6,781.54
	<i>Total for Year</i>		<i>\$55,847.54</i>
9/25/24-1	Drain Doctor	\$ 1,673.08	
9/25/24-2	Ravenhead Municipal	\$ 950.00	
9/25/24-3	City of Burlington	\$ 558.96	
9/25/24-4	Edge Analytical	\$ 121.00	
9/25/24-5	Dept. of Ecology	\$ 614.00	\$3,917.04
	<i>Total for Year</i>		<i>\$59,764.58</i>
10/23/24-1	Drain Doctor	\$ 1,498.08	
10/23/24-2	Ravenhead Municipal	\$ 950.00	
10/23/24-3	City of Burlington	\$ 525.96	
10/23/24-4	Edge Analytical	\$ 121.00	\$3,095.04
	<i>Total for Year</i>		<i>\$62,859.62</i>

Skagit County Clean Water District Edison Subarea

YEAR 2024 Fund 150 Expenditure Tracking Sheet

<u>Tracking Number</u>	<u>Pavee</u>	<u>Amount</u>	<u>Total</u>
11/20/24-1	Drain Doctor	\$ 5,053.08	
11/20/24-2	Ravenhead Municipal	\$ 975.00	
11/20/24-3	City of Burlington	\$ 706.44	
11/20/24-4	Edge Analytical	\$ 119.00	
11/20/24-5	BE School District	\$ 1,328.82	\$8,182.34
		<i>Total for Year</i>	<i>\$71,041.96</i>
12/18/24-1	Drain Doctor	\$ 1,498.08	
12/18/24-2	Ravenhead Municipal	\$ 975.00	
12/18/24-3	City of Burlington	\$ 609.48	\$3,082.56
		<i>Total for Year</i>	<i>\$74,124.52</i>

The Drain Doctor

14062 Hillwood Drive
 Bow WA 98232
 (360) 757-3017

Statement

DATE

12/5/2024

BILL TO

Edison Sub-Area of SCCWD
 c/o Greg Young
 Ravenhead Municipal Services
 5 Sanwich Point Court
 Bellingham WA 98229

TERMS	Invoice Number	AMOUNT DUE
Net 30 days	43/58	\$14,807.98

DATE	DESCRIPTION	AMOUNT	BALANCE
11/05/2024	Balance forward		13,134.90
11/11/2024	INV #42858. Due 12/11/2024. PO#2016	175.00	13,309.90
12/05/2024	INV #43158. Due 01/04/2025. Contract C-20200737 December	1,498.08	14,807.98
<i>Thank you for your business!</i>			

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
1,673.08	4,878.08	1,498.08	1,848.08	4,910.66	\$14,807.98



Ravenhead Municipal Services

5 Sanwick Point Court
Bellingham WA 98229
360.410.8626
youngest@comcast.net

December 15, 2024

INVOICE NO.	2024-05-12
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BILL TO:

Skagit County Permit and Planning
1800 Continental Place
Mount Vernon WA 98273

December 2024 Billing Summary

DESCRIPTION

December 2024 Contractual Service Fee	\$975.00
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Thank You

BALANCE DUE \$975.00

Skagit County Clean Water District

Edison Subarea

FUND 150

Tracking Number:

12/18/24-3

Voucher Cover Sheet

We, the undersigned members of the Edison Subarea Board do hereby recommend that the invoices detailed below be forwarded to the Skagit County Commissioners for consideration for payment. We have reviewed these costs and supporting materials and have determined that they are proper and accurate.

DATE	PAYEE	DESCRIPTION	BARS	AMOUNT
11/30/2024	City of Burlington	Monthly Operator Fee - November 2024	150.582.00.48.10	\$609.48
TOTAL				\$609.48

Date: _____

Signed: _____

GL787

Edison Rev and Exp vs Budget

Report Format 012

Period 12 as of December 12, 2024

Transaction status 1
Rounding to Whole Dollars

Fnd 150 EDISON CLEAN WTR DIST. SUBA Dpt 0082 EDISON CLEAN WTR DIST. SUBA

		Current Actuals	YTD Actual	2024 BUDGET	Amount Available	Percent Available
Div 000	EDISON CLEAN WTR DIST. SUBAREA					
Typ 003	REVENUES					
150 382001870	ECWDS OPERATING ASSES	109,047-	109,047-	120,000-	10,953-	9.1
150 382006111	ECWDS INVESTMENT INTE	10,753-	10,753-		10,753	
Typ 003	REVENUES	119,800-	119,800-	120,000-	200-	.2
Typ 005	EXPENDITURES					
150 582001100	ECWDS SALARIES AND WA	13,347	13,347	7,631	5,716-	74.9-
150 582002100	ECWDS SOCIAL SECURITY	978	978	584	394-	67.5-
150 582002200	ECWDS RETIREMENT	1,220	1,220	707	513-	72.5-
150 582002300	ECWDS LABOR AND INDUS	43	43	20	23-	115.9-
150 582002400	ECWDS MEDICAL	3,279	3,279	1,619	1,660-	102.6-
150 582002900	ECWDS UNEMPLOYMENT CO	157	157	89	68-	76.9-
150 582003510	ECWDS SMALL TOOLS & M	1,106	1,106	5,000	3,894	77.9
150 582004110	ECWDS PROFESSIONAL SE	21,925	21,925	80,000	58,075	72.6
150 582004128	ECWDS PROF SVCS - OTH	96	96		96-	
150 582004810	ECWDS REPAIRS AND MAI	26,723	26,723	30,000	3,277	10.9
150 582004910	ECWDS MISCELLANEOUS	4,129	4,129	5,000	871	17.4
Typ 005	EXPENDITURES	73,004	73,004	130,650	57,646	44.1

Handwritten: Fund 150 December 2024

Handwritten circled number 1

SKAGIT COUNTY BUDGET MODIFICATION REQUEST FORM

PLANNING & DEVELOPMENT SERVICES

OFFICE/DEPARTMENT

December 2, 2024

DATE

NARRATIVE DESCRIPTION OF REQUEST:

Staff time for Edison has increased significantly since the beginning of 2024. We need to add a total of \$15,940 to cover Salaries and Benefits for the remainder of the year.

OTHER NECESSARY INFORMATION:

IF GRANT FUNDING IS INVOLVED: (Attach copy of grant award face sheet)

GRANTING AGENCY

CONTRACT/AGREEMENT NO.

GRANT DESCRIPTION

GRANT DURATION

GRANT AMOUNT

FOLLOWING TO BE COMPLETED BY PERSON REQUESTING BUDGET MODIFICATION
(Should be completed to the fullest extent possible)

FUND	GL CODE	DESCRIPTION	CURRENT BUDGET	MODIFICATION AMOUNT +, (-)
150	58200100	ECWDS SALARIES AND WA	\$7,631	\$11,566
150	582002100	ECDWSC SOCIAL SECURITY	\$584	\$729
150	582002200	ECDWSC RETIREMENT	\$707	\$902
150	582002300	ECDWSC LABOR AND INDUS	\$20	\$35
150	582002400	ECDWSC MEDICAL	\$1,619	\$2,558
150	582002900	ECDWSC UNEMPLOYMENT	\$89	\$150
150	382001870	ECWDS OPERATING ASSES	\$120,000	(\$15,940)

SUBMITTED BY  _____
BUDGET DIRECTOR'S COMMENTS

DATE SCHEDULED FOR ACTION BEFORE THE COMMISSIONERS _____

②

GL787

Edison Rev and Exp vs Budget

Report Format 012

Period 10 October 25, 2024

Transaction status 1
Rounding to Whole Dollars

Fnd 150 EDISON CLEAN WTR DIST. SUBA Dpt 0082 EDISON CLEAN WTR DIST. SUBA

		Current Actuals	YTD Actual	2024 BUDGET	Amount Available	Percent Available
Div 000	EDISON CLEAN WTR DIST. SUBAREA					
Typ 003	REVENUES					
150 382001870	ECWDS OPERATING ASSES	59,888-	59,888-	120,000-	60,112-	50.1
150 382006111	ECWDS INVESTMENT INTE	9,834-	9,834-		9,834	
Typ 003	REVENUES	69,722-	69,722-	120,000-	50,278-	41.9
Typ 005	EXPENDITURES					
150 582001100	ECWDS SALARIES AND WA	8,024	8,024	7,631	393-	5.2-
150 582002100	ECWDS SOCIAL SECURITY	590	590	584	6-	1.1-
150 582002200	ECWDS RETIREMENT	746	746	707	39-	5.5-
150 582002300	ECWDS LABOR AND INDUS	28	28	20	8-	42.2-
150 582002400	ECWDS MEDICAL	2,150	2,150	1,619	531-	32.8-
150 582002900	ECWDS UNEMPLOYMENT CO	95	95	89	6-	6.3-
150 582003510	ECWDS SMALL TOOLS & M	1,106	1,106	5,000	3,894	77.9
150 582004110	ECWDS PROFESSIONAL SE	20,000	20,000	80,000	60,000	75.0
150 582004128	ECWDS PROF SVCS - OTH	86	86		86-	
150 582004810	ECWDS REPAIRS AND MAI	23,922	23,922	30,000	6,078	20.3
150 582004910	ECWDS MISCELLANEOUS	3,967	3,967	5,000	1,033	20.7
Typ 005	EXPENDITURES	60,716	60,716	130,650	69,934	53.5

Fund 150 @ October 2024

3

GL787

Edison Rev and Exp vs Budget

Report Format 012

Period 12 as of December 12, 2024

Transaction status 1
Rounding to Whole Dollars

Fnd 150 EDISON CLEAN WTR DIST. SUBA Dpt 0082 EDISON CLEAN WTR DIST. SUBA

		Current Actuals	YTD Actual	2024 BUDGET	Amount Available	Percent Available
Div 001	PUGET SOUND ACTION AGENDA					
Typ 003	REVENUES					
150 382016612	PSAA EPA-PUGET SOUND	243-	243-	22,474-	22,231-	98.9
Typ 003	REVENUES	243-	243-	22,474-	22,231-	98.9
Typ 005	EXPENDITURES					
150 582011100	PSAA SALARIES AND WAG	415	415	2,300	1,885	82.0
150 582012100	PSAA SOCIAL SECURITY	32	32		32-	
150 582012200	PSAA RETIREMENT	39	39		39-	
150 582012300	PSAA LABOR AND INDUST	1	1		1-	
150 582012400	PSAA MEDICAL	92	92		92-	
150 582012900	PSAA UNEMPLOYMENT COM	5	5		5-	
150 582014110	PSAA PROFESSIONAL SER			20,000	20,000	100.0
150 582014310	PSAA TRAVEL			174	174	100.0
Typ 005	EXPENDITURES	584	584	22,474	21,890	97.4
Fnd 150	EDISON CLEAN WTR DIST. SUBAREA	46,455-	46,455-	10,650	57,105	536.2
	Report Final Totals	46,455-	46,455-	10,650	57,105	536.2

UV Grant December 2024

4

GL787 Edison Rev and Exp vs Budget Report Format 012

Period 10 ending October 31, 2024

Transaction status 1
Rounding to Whole Dollars

Fnd 150 EDISON CLEAN WTR DIST. SUBA Dpt 0082 EDISON CLEAN WTR DIST. SUBA

		Current Actuals	YTD Actual	2024 BUDGET	Amount Available	Percent Available
Div 001	PUGET SOUND ACTION AGENDA					
Typ 003	REVENUES					
150 382016612	PSAA EPA-PUGET SOUND	243-	243-	22,474-	22,231-	98.9
Typ 003	REVENUES	243-	243-	22,474-	22,231-	98.9
Typ 005	EXPENDITURES					
150 582011100	PSAA SALARIES AND WAG	369	369	2,300	1,931	84.0
150 582012100	PSAA SOCIAL SECURITY	28	28		28-	
150 582012200	PSAA RETIREMENT	35	35		35-	
150 582012300	PSAA LABOR AND INDUST	1	1		1-	
150 582012400	PSAA MEDICAL	84	84		84-	
150 582012900	PSAA UNEMPLOYMENT COM	4	4		4-	
150 582014110	PSAA PROFESSIONAL SER			20,000	20,000	100.0
150 582014310	PSAA TRAVEL			174	174	100.0
Typ 005	EXPENDITURES	521	521	22,474	21,953	97.7
Fnd 150	EDISON CLEAN WTR DIST. SUBAREA	8,728-	8,728-	10,650	19,378	182.0
	Report Final Totals	8,728-	8,728-	10,650	19,378	182.0

UV Grant October 2024

(5)



Skagit County Clean Water District
"The Edison Sewer System"

Public Notice

Due to a conflict with Christmas Day, the regularly scheduled monthly meeting of the Subarea Advisory Board has been moved from December 25th to December 18th. The meeting will be at the Edison Elementary School at 5:00 PM.

Don Erickson <derickson@burlingtonwa.gov>

12/5/2024 10:42 AM

Edison WWTF Tarp

To Kristine Tamman <tamman@wavecable.com> • Greg YOUNG <youngest@comcast.net> •
erinl@co.skagit.wa.us <erinl@co.skagit.wa.us>

Hello Mike,

I am assuming your still the maintenance contractor for Edison...

I was out this morning and notice the rope holding the tarp down has failed on the west end, photo attached. This should be addressed before the wind destroys the tarp.

Thank you,

Don Erickson
Wastewater Supervisor



City of Burlington
900 South Section Street, Burlington, WA 98233
P.360.757.4085 C.360.630.4393
done@burlingtonwa.gov

• IMG_0630.jpg (5 MB)

Edison Lift Station

Date: 12-9-24

Tech: JOSE-JOHN

Counter # 1

Events 47523

Run Time 3202.48

Counter # 2

Events 46615

Run Time 6651.55

Siemens Totalizer 451479

Comments: All working good.
Streaks inside vault - probably from where
tank lid seals.

Draw Downs

North Pump ✓ Inches 1 1/4" Min 1

South Pump ✓ Inches 2 3/4" Min 1

Pump Clarifier

Date / 12-9-24

Tech: J-S

Pump small tank over to big tank.

- Need a new 8" cherry plug for 1. just north of light pole.

Follow

HOW TO TAKE ONLINE OPEN GOVERNMENT TRAINING THROUGH THE WASHINGTON STATE ATTORNEY GENERAL'S OFFICE WEB PAGE



STEPS

1. Click [here](#) to access the "Washington State Attorney General's Office Open Government Training Web Page."
2. Scroll down to the "Open Government Training Curriculum."
3. Select the training lesson(s) you need to take. In sum, within 90 days of appointment/taking office and at intervals of no more than 4 years thereafter:
 - Members of multimember **governing bodies** need to take open public meetings training. (Lesson 3). The members of governing bodies who are **elected local or statewide officials** must also take basic records training. (Lessons 2 & 4).
 - Other **elected local and elected statewide officials** must take basic records training. (Lessons 2 & 4).
 - **Records officers** must take basic and supplemental records training. (Lessons 2, 4 & 5).
 - Although not required, **other public officials and public employees** can take any of the trainings as well. For example, Lesson 1 is a general overview of sunshine laws which may be useful for many agency employees or officials. Lessons 2 – 5 may also be of interest to or useful for other agency staff or officials, or useful for other agency training needs.
4. View the online training lesson(s).
5. When you are done, and as last step, it is recommended that you document the training you received.

More details below and on the next page.

MEMBERS OF GOVERNING BODIES & ELECTED LOCAL AND ELECTED STATEWIDE OFFICIALS

► If you need open meetings training ([RCW 42.30.205](#)):



Watch the **Open Public Meetings Act** (RCW 42.30) **Lesson 3 video*** (16 minutes) or review the **PowerPoint/PDF** below the video.

► If you need records training ([RCW 42.56.150](#)):



Watch the **Public Records Act Basics** (RCW 42.56) **Lesson 2 video*** (30 minutes) or review the **PowerPoint/PDF** below the video.

+ And

Watch the **Records Retention and Management Basics** (RCW 40.14) **Lesson 4** webinar **video** (39 minutes), linked in the lesson. The video is "A Primer for Public Records," provided by the Washington Secretary of State - State Archives.

► Last step: If you want to document the training (recommended):



You can use the **sample certificate** under "**Last Step**" at the bottom of the AGO Open Government Training Web Page. Fill it out and give it to your agency. Alternatively, your agency may have other methods to document training.

For more training information, see [RCW 42.30.205](#), [RCW 42.56.150](#), [RCW 42.56.152](#); [Q & A](#), & [2017 Supplement to Q & A](#). If you want more information generally on open government, see the "Other Resources" and other materials linked on the Open Government Training Web Page.

* Note: AGO videos are accessible through YouTube.

March 2019

RECORDS OFFICERS

RCW 42.56.152:

(1) Public records officers designated under RCW 42.56.580 and records officers designated under RCW 40.14.040 must complete a training course regarding the provisions of this chapter [RCW 42.56], and also chapter 40.14 RCW for records retention.

(2) Public records officers must:

(a) Complete training no later than ninety days after assuming responsibilities as a public records officer or records manager; and (b) Complete refresher training at intervals of no more than four years as long as they maintain the designation.

(3) Training must be consistent with the attorney general's model rules for compliance with the public records act.

(4) Training may be completed remotely with technology including but not limited to internet-based training.

(5) Training must address particular issues related to the retention, production, and disclosure of electronic documents, including updating and improving technology information services.

► **First step: Take basic records training (Lessons 2 & 4).**

Lesson 2 – Public Records Act Basics (RCW 42.56):



- Review the [video](#)* (30 minutes).
- You are also encouraged to review the PowerPoint/PDF under the video.
- You are also encouraged to look at any of the "Other Resources" materials linked under Lesson 2 that may be relevant to your agency's records or your training needs. For example, legislative updates and PRA Model Rules are linked under "Other Resources."

Lesson 4 – Records Retention and Management Basics (RCW 40.14):

- Review the [video](#)* (39 minutes) linked in the lesson. The video is "A Primer for Public Records," provided by the Washington Secretary of State - State Archives
- You are also encouraged to look at any of the other records management/training materials and resources on the website of the Washington Secretary of State – State Archives that may be relevant to your agency's records or your training needs. Here is that [website](#). See also "Other Resources."

► **Second step: Take training on retention, production and disclosure of electronic documents, and updating and improving technology information services (Lesson 5 + Review Other Materials as Needed).**

Lesson 5 -- Supplemental Public Records Act Training (RCW 42.56):

- Review the [video](#)* on electronic records (29 minutes)
- Review the [video](#)* on exemptions (28 minutes)

+ Other Materials -- Review additional materials/trainings on the AGO [website](#) (RCW 42.56) and/or the State Archives records management [website](#) (RCW 40.14) with respect to management and retention of electronic documents, and updating and improving technology information services, for topics relevant to your agency's records or your training needs. Additional materials are under "Other Resources."

► **Last step: If you want to document the training (recommended):**

You can use the **sample certificate** under "[Last Step](#)" at the bottom of the AGO Open Government Training Web Page. Fill it out and give it to your agency. Alternatively, your agency may have other methods to document training.

For more training information, see [RCW 42.30.205](#), [RCW 42.56.150](#), [RCW 42.56.152](#), [Q & A](#), & [2017 Supplement to Q & A](#). If you want more information generally on open government, see the "Other Resources" and other materials linked on the Open Government Training Web Page.

*Note: AGO videos are accessible through YouTube.

March 2019

Drain Doctor Old Scope

EXHIBIT A

Scope of Services

Skagit County Clean Water District Edison Sub-Area

1. **Yearly Duties:** The contractor shall perform these duties on a yearly basis:
 - Use a monitoring device (e. g. sludge judge) that accurately and reliably determines the sludge depth in feet and inches, referenced from the bottom of the tank, and scum thickness measured in feet and inches of all residential tanks, and document the levels for all residential tanks in both written and an electronic format and provide copies of both formats to the Edison Advisory Board
 - Measure the sludge depth in feet and inches, referenced from the bottom of the tank, and scum thickness measured in feet and inches, for all commercial and restaurant tanks (grease and septic), main plant tank and small settling tank, and record the information for all tanks in both a written and an electronic format and provide copies of both formats to the Edison Advisory Board.
 - Provide advance notice to each site when the sludge measurements will be taken (via mail, phone, or other means).
 - Inspect (all) the pigging ports and Air Release Valves (ARVs), and check that they are operable and free of grease plugs. Inspect collection lines for wear, infiltration, and plugging. Provide written confirmation of inspection to the Edison Advisory Board.
 - Create a written and electronic record of the tank results and provide copies of both formats of the results of all above inspections to the Edison Advisory Board and to the Planning Director at Skagit County Planning and Development Services. Residential pump and septic tanks, filters and operating parts shall be inspected at a minimum annually on a schedule as determined by the O/M operator of the Edison Advisory Board. Any required maintenance for observed problems shall be submitted to the Edison Advisory Board in writing for approval and repairs shall be scheduled. Items needing immediate repair shall be reported to the Planning Director at Skagit County Planning and Development for approval to proceed with repairs.

2. **Quarterly Tasks:** The contractor shall perform these duties on a quarterly basis:
 - Visually inspect all tank lids to confirm that they are fastened down and watertight. Any leaking or loose rings, risers, or lids shall be scheduled for correction and repaired.
 - Record cycles and run hours on running time meters for all pumped tanks and record the information in a written and electronic format that is provided quarterly to the Edison Advisory Board. Inform Edison Advisory Board of unusual or excessive run- time cycle counts or low use sites.
 - Determine the thickness of the scum and grease layers at a minimum of seven (7) commercial food preparation sites per year, determine whether pumping is required and provide this information to the Edison Advisory Board and Skagit County Planning and Development Services.
 - Read and record the wastewater usage for those homes north of the Edison Slough by reading the wastewater flow-meter at the lift Station, and provide gallons per day per site usage information.

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- Fats, Oils and Grease, and BOD sampling of the Food Service sites shall be conducted at a minimum of quarterly upon the Edison Advisory Board' s request. These samples shall be of a grab and a composite method as requested by the Edison Advisory Board. Additional sampling sites or repairs and maintenance may be requested in writing by the Edison Advisory Board (and written notice provided to Skagit County) due to activities on site and shall be billed directly to the property owner at an hourly rate of \$95.00 per hour for a service technician; \$70 per hour for a service assistant; materials under \$500 will be charged at cost plus 10%; and materials over \$500 will be charged at cost plus 15%. Contractor acknowledges that Skagit County shall not be liable for these fees and costs.
 - Create a written and electronic record of the above information and results, and provide copies, in both formats, to the Edison Advisory Board and to the Planning Director at Skagit County Planning and Development Services.
3. Monthly Duties: The Contractor shall perform these duties on a monthly basis:
- Read and record the water meter reading at a minimum of seven (7) commercial food preparation sites per year and the Edison School (readings should be on a regular interval at the same time and same day of the month, with adjustments for weekends). Create a written and electronic record and provide the copies of results in both written and electronic format to the Edison Advisory Board and to the Planning Director at Skagit County Planning and Development Services along with any grease or Septic Tank Effluent Plump (STEP) tank measurements.
 - Inspect and maintain the Lift Station as necessary.
4. Term: The contract period shall begin on January 1, 2021 and end December 31, 2025.
5. The Contractor shall comply with all permit conditions and Ecology requirements for the work performed under this agreement. *If Ecology and/or State Health significantly change operating conditions and permitting requirements associated with the work conducted under this Agreement, the parties may amend the Agreement by mutual, written agreement.*
6. Compensation:
- Upon satisfactory completion of work (described above), the County shall compensate Contractor at the fixed contract price (\$82,250) in equal monthly payments, which includes all overhead and expenses.
 - Contractor shall submit billings by invoice at least once a month, and all billings submitted by Contractor shall include a detailed descriptive task log, and the list the time (hours) billed to each task. All billings shall be submitted by the Contractor by invoice to the Director of Planning & Development Services.
 - Contractor shall not submit any billings or invoices to the County for any work that has not been completed to the satisfaction of the Edison Advisory Board and Skagit County Planning & Development Services, and Contractor shall not be entitled to payment or compensation for any work performed outside the scope of work of this Agreement.
 - Upon the request of the County, the Contractor shall provide adequate supporting documentation (as reasonably deemed to be sufficient by Skagit County) for any and all amounts billed to Skagit County by the Contractor pursuant to the terms of this Agreement.

Drain Doctor New Scope

**AMENDMENT # 1
ORIGINAL AGREEMENT #C20200737**

This **Amendment** to the Vendor Services Agreement is made and entered into between the Drain Doctor ("Contractor") and Skagit County ("County"), collectively the "parties".

WHEREAS, the parties entered into a Vendor Services Agreement (the "Agreement") when it was approved by the Skagit County Board of Commissioners on December 28, 2020 as Skagit County Contract No. C20200737 ("Agreement");

WHEREAS, the parties agree that certain amendments to the Agreement are necessary as set forth below in the "Terms of Amendment".

NOW THEREFORE, in consideration of the foregoing and following terms and conditions, the parties mutually agree as follows:

1. **TERMS OF AMENDMENT:** The terms of the Agreement are amended as follows:
 - 1.1. The total compensation of this Agreement is amended to increase the original contract amount by **\$169,000**, as is specifically reflected set forth in paragraphs 1.3 and 1.4 of this Amendment. The parties acknowledge that this provides no more than **\$75,000** to be applied to any invoices submitted to the County in 2025.
 - 1.2. The parties acknowledge that the scope of work is amended to accurately fit the needs for the operations and maintenance of the Edison Subarea sewer system with clarifying language.
 - 1.3. Section 2 of the Agreement, is amended to read as follows:

The County will compensate Contractor a maximum of **\$261,000**, chargeable to GL expenditure codes **150.582.00.4110** (Professional Services) and **150.582.00.4810** (Repairs and Maintenance).
 - 1.4. **Exhibit "A", Section 6, is amended to read as follows:**
 - 6.1. Upon satisfactory completion of work (described above), the County shall compensate Contractor at the fixed contract price in monthly payments of **\$2,833.00** which includes all overhead and expenses, in addition to any additional billing under § 6.C of Exhibit "A" to this Agreement. In no event may the total amount billed exceed the maximum contract value set forth in Section 2 of this Agreement.
 - 6.2. The Contractor shall submit billings by invoice at least once a month, and all billings submitted by the Contractor shall include a detailed descriptive task log, and the list the time (hours) billed to each task. All billings shall be submitted by the Contractor by invoice to the Director of Planning & Development Services (or their designee).
 - 6.3. The Contractor shall not submit any billings or invoices to the County for any work unless billing for the work is specifically authorized by this agreement that has not been completed to the satisfaction of the Edison Advisory Board (or their designee) and the Director of the Skagit County Planning & Development Services (or their designee), and Contractor shall not be entitled to payment or compensation for any work performed outside the scope of work of this Agreement (described per Exhibit "A").

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- 6.4. Upon the request of the County, the Contractor shall provide adequate supporting documentation (as reasonably deemed to be sufficient by the Director of the Skagit County Planning & Development Services (or their designee)) for any and all amounts billed to Skagit County by the Contractor pursuant to the terms of this Agreement.
- 6.5. Notwithstanding any other provisions of this Agreement, work performed under this Agreement and invoiced to the property owner and not paid within 60 days may be submitted to the Edison Advisory Board (or their designee) and the Director of the Skagit County Planning & Development Services (or their designee) for approval and payment consistent with Chapter 12.64 of the Skagit County Code.

1.5. Exhibit "A", Sections 1–3, are amended to read as follows:

1. **Yearly Duties.** At least once a year, the Contractor agrees to:
 - 1.1. Using an industry standard measuring device (e.g. sludge judge) to accurately and reliably determine the sludge depth in feet and inches:
 - A. Measure the depth in feet and inches, referenced from the bottom of the tank, and scum thickness measured in feet and inches of all residential tanks, and document the levels for all residential tanks in both written and an electronic format and provide copies of both formats to the Edison Advisory Board (or their designee);
 - B. Measure the sludge depth in feet and inches, referenced from the bottom of the tank, and scum thickness measured in feet and inches, for all Commercial and Restaurant tanks (grease and septic), main plant tank and small settling tank, and record the information for all tanks in both a written and an electronic format and provide copies of both formats to the Edison Advisory Board (or their designee); and
 - C. Provide advance notice when the sludge measurements will be taken via the Community Board .
 - 1.2. Inspect all the pigging ports and Air Release Valves (ARVs). Provide written confirmation of inspection to the Edison Advisory Board (or their designee).
 - 1.3. Visually inspect all tank lids to confirm that they are fastened down and watertight. Any leaking, ponding or loose rings, risers, or lids shall be scheduled for correction and repaired along with other visually observed issues at the Residential and Commercial sites.
 - 1.4. Create a written and electronic record of the tank results and provide copies of both formats of the results of all the above inspections to the Edison Advisory Board (or their designee) and to the Director of the Skagit County Planning and Development Services (or their designee).
 - 1.5. Residential pumps and septic tanks, filters and operating parts shall be inspected at a minimum annually on a schedule as determined by the Edison Advisory Board (or their designee).
Any required maintenance for observed problems shall be submitted to the Edison Advisory Board (or their designee) in writing for approval and repairs shall be scheduled. Maintenance and/or repairs under this section shall be billed directly to the property and/or business owner at the contractor's normal rate.

The Contractor acknowledges that Skagit County is not responsible for billings incurred by such maintenance and/or repairs.

2. Quarterly Tasks. Every 3 months, the Contractor agrees to:

- 2.1. Record cycles and run hours on running time meters for all pumped tanks and record the information in a written and electronic format that is provided quarterly to the Edison Advisory Board (or their designee).
- 2.2. Determine the thickness of the scum and grease layers at a minimum of 7 Commercial food preparation sites, along with the Edison School, to determine whether pumping is required and provide this information to the Edison Advisory Board (or their designee) and the Director of Skagit County Planning and Development Services (or their designee).

The Contractor agrees that if pumping is required, all billings will be submitted directly to the Commercial business and/or property owner for payment. The Contractor acknowledged that Skagit County is not responsible for any such pumping.

- 2.3. Read and record cycle and hour meters for the FOG and BOD sampling of the Commercial sites and the Edison School shall be conducted quarterly at a minimum. Upon the Edison Advisory Board's request, additional sampling may be needed and shall be of a grab and composite method.

The Contractor agrees that samples must be submitted to Edge Analytical using **Client NO: SKA13**. The Contractor acknowledges that Skagit County will be billed directly by Edge Analytical.

- 2.4. Create a printed and electronic record of the above information and results, and provide copies, in both formats, to the Edison Advisory Board (or their designee) and to the Director of Skagit County Planning and Development Services (or their designee).

3. Monthly Duties: The Contractor agrees every month to:

- 3.1. Read and record the water meter readings at a minimum of 7 commercial food preparation sites per year and the Edison School (readings should be on a regular interval at the same time and same day of the month, with adjustments for weekends). Create a written record and forward to the Edison Advisory Board (or their designee) and the Director of Skagit County Planning and Development Services (or their designee).
- 3.2. Pump the Clarifier to the Main Tank.
- 3.3. Lift Station pump readings as needed monthly.
- 3.4. Visually inspect the Pump Station, record the run and cycle times, create a written record and forward to the Edison Advisory Board (or their designee) and the Director of Skagit County Planning and Development Services (or their designee).
- 3.5. Attend the monthly Edison Advisory Board meetings to report on maintenance issues and provide recommendations on the best maintenance practices.
- 3.6. Prepare monthly invoices for the fixed monthly billing rate set forth in Section 6.1 of this Exhibit "A". On-Call or as needed maintenance invoices must be

submitted for approval by the Edison Advisory Board (or their designee) and the Director of Skagit County Planning and Development Services (or their designee) prior to being paid.

- 3.7. Create a written and electronic record and provide the copies of results in both written and electronic format to the Edison Advisory Board (or their designee) and to the Director for Skagit County Planning and Development Services (or their designee) along with any grease or Septic Tank Effluent Pump (STEP) tank measurements.

3.6. Exhibit "A", Sections 1–3, are amended to read as follows:

7. On-Call Activities requested by the Edison Advisory Board outside of Contracted tasks outlined in 1.5 through 3.8

7.1. Additional sampling sites, maintenance activities and/or repairs may be requested in writing from time to time by the Edison Advisory Board (or their designee) (and written notice provided to Skagit County) due to activities on site. Refer to Chapter 12.64 of the Skagit County Code. Examples of such work include but are not limited to:

- Responding to alarm callouts for Pump or Lift Station.
- Responding to alarm callouts for Residential or Commercial Businesses.
- Tank/Lid repairs noted in inspection reports.
- Pump Station repairs and maintenance.
- Under house inspections for Residential.
- Pumping of Commercial and Edison School Tanks along with Grease Traps.
- Pumping Residential Tanks.
- Utility Locate for public right of way.
- Utility Locate for Residential or Commercial.
- Tarp maintenance and response
- Repairs to components of the sewer connections downstream of the influent flange of the septic or grease interceptor tank.
- Emergency response: Upon approval from the Edison Advisory Board, The Drain Doctor has the authority to respond to Emergency maintenance. All documentation needs to be included upon invoicing with pictures, written documentation, etc.

When this happens, the Contractor agrees to bill the property and/or business owner directly at the contractor's approved billing rate(s), unless Skagit County is responsible for payment for the needed work under Chapter 12.64 SCC.

8. The Contractor acknowledges that Skagit County is not liable for fees and costs incurred by businesses and/or residents.

2. All other terms and conditions of the original agreement remain unchanged and in effect.

Date: _____, 2024.

Chapter 12.64
CLEAN WATER DISTRICT—EDISON SUBAREA

Sections:

- 12.64.010 Formation.
- 12.64.020 Purpose.
- 12.64.030 Boundaries.
- 12.64.040 General powers.
- 12.64.050 Roles and responsibilities.
- 12.64.060 Advisory Board.
- 12.64.070 Annual budget.
- 12.64.080 On-site improvement loans.
- 12.64.090 Use of system—Pretreatment, grease traps, and septic tanks.
- 12.64.100 Users of the system.
- 12.64.110 Sewer connections and repairs.
- 12.64.120 Maintenance of the system.
- 12.64.130 Assessments, fees and other charges.
- 12.64.140 Right of entry, enforcement, appeals and liens.
- 12.64.150 Unlawful use of the system.

Existing 12.64

12.64.010 Formation.

Under authority of the Washington State Shellfish Protection District Statutes (RCW 90.72.040), Skagit County hereby establishes the Edison Subarea (Sub-District) of the Clean Water District, hereafter to be referred to as the Edison Subarea. The Edison Subarea is one of the first model community plans developed under direction from the State Department of Ecology and known as the Small Town Environmental Program. This self-help program is designed to reduce overhead costs for small communities needing to upgrade sanitation facilities. The administration and operation of the Edison Subarea will involve the following entities:

- (1) Skagit County Board of County Commissioners;
- (2) Skagit County Treasurer;
- (3) Skagit County Assessor;
- (4) Skagit County Planning and Permit Center;
- (5) Burlington-Edison School District;
- (6) Edison Subarea Advisory Board. (Ord. O20040001 (part))

12.64.020 Purpose.

The purpose of the Edison Subarea is as follows:

- (1) Provide sewer services to the Edison Rural Village which had experienced on-site sewage failures affecting water quality in the Lower Edison Slough and Samish Bay, and to protect the public health and recreational/commercial shellfish beds of Samish Bay through:
 - (a) Construction of a wastewater treatment facility for collection, treatment, and disposal purposes for the Edison Rural Village including the Edison Elementary School.
 - (b) Providing a mechanism for funding through application for grants and loans to assist in construction of the facility.
 - (c) Providing for maintenance, operation, and administration of the system.
 - (d) Distribution of educational material to users of the system to optimize the function and longevity of the system.
- (2) Pursuant to RCW 90.72.070, after establishing a Protection District, the County may finance the program through County tax revenues, fees, charges, or rates specified in its protection program.
- (3) Establish the administration of the loans, grants, assessments, and other payments through Skagit County.
- (4) Create an Advisory Board with the intent that it is a model for self-help and will be encouraged and assisted by the Skagit County Board of Commissioners to take an active role in the administration of the Subarea. (Ord. O20040001 (part))

12.64.030 Boundaries.

The Edison Subarea shall consist of all properties in unincorporated Skagit County that are located within the boundaries shown in Exhibit A attached to the ordinance codified in this Chapter and on file with the County Clerk's Office. All properties within the Edison Subarea shall be subject to the provisions of this

Chapter. The boundary has been determined by community input and closely follows the boundary described by the Skagit County Comprehensive Plan for the Edison Rural Village, with the inclusion of specific existing adjoining properties who have elected to participate in the Subarea. (Ord. O20040001 (part))

12.64.040 General powers.

Skagit County, on behalf of the Edison Subarea, and with the recommendation of the Advisory Board may:

- (1) Hold title to all property containing the treatment facility and/or other capital improvements, together with easements necessary for the collection and transport of waste to the treatment facility;
- (2) Acquire land incidental to the purpose of the Subarea and/or dispose of such lands as are surplus to the needs of the Subarea in accordance with Chapter 36.34 RCW and/or RCW 90.72.030-070;
- (3) Accept funds or property by loan, grant, gift, or otherwise from any source;
- (4) Negotiate with the Burlington-Edison School District for maintenance and operation of any shared treatment and/or disposal components;
- (5) Enter into contracts for the operation, maintenance, and administration of the Subarea;
- (6) Levy monthly assessments against all property owners within the Edison Subarea boundaries using the Clean Water District Ordinance as a taxing mechanism to repay loans obtained for the construction of on-site components;
- (7) Levy annual assessments against all property owners within the Edison Subarea boundaries for the on-going expenses related to the operation, maintenance, and administration of the system;
- (8) Plan, construct, acquire, repair, maintain, and operate components exclusive to serving the Edison Subarea community;
- (9) Require existing on-site sewage systems within the Edison Subarea to be properly abandoned and connection made to the Edison system upon failure or required expansion of the on-site system. (Ord. O20040001 (part))

12.64.050 Roles and responsibilities.

The roles and responsibilities of the various parties are as follows:

- (1) Skagit County Board of County Commissioners, as the legislative body charged with governing the affairs of the County and responsible for making final decisions, shall:
 - (a) As the public entity on which the Edison Subarea is based, and as the recipient of funding through grants and loans applied for by the Edison Advisory Board, will remain in ownership of the system; and
 - (b) Maintain final responsibility for the management, maintenance, and operation of the system; and
 - (c) Establish by separate resolution the fund(s) into which shall be deposited the proceeds of all tax levies, assessments, gifts, grants, loans or any other revenues, together with any interest earnings therefrom, which may become available to the Edison Subarea; and
 - (d) Preside over the annual budget adoption for maintenance and operation costs; and
 - (e) Ensure that all monies generated for the Edison Subarea be solely used for the construction, maintenance, operation, and administration of the system.
- (2) The Skagit County Treasurer shall act as the treasurer of the Subarea and shall be responsible for the:
 - (a) Utilization and collection of annual assessments to pay for on-going maintenance, operation, and administration of the system; and
 - (b) Manage the loan repayment program for Edison Subarea property owners with any loan funds made available through the Treasurer's Office.
- (3) The County Assessor shall certify the annual assessment to the County Treasurer who shall enter the amount owed as an assessment and tax lien upon the tax roles against the property for the current year, and the same shall become part of the general taxes for that year to be collected at the same time and with interest at such rates, and in such manner as provided in Chapters 84.56 and 84.60 RCW as now, or hereafter amended, for delinquent taxes, and when collected to be deposited into the fund(s) established for the Edison Subarea.
- (4) The Skagit County Planning and Permit Center shall assist the Edison Advisory Board by providing resources, acting as liaison between the Advisory Board and the Board of County Commissioners, and as an authorized representative of the Skagit County Health Officer charged with the protection of public health.

The Skagit County Planning and Permit Center shall also process all applications for new service customers (prepaid future connections), additional flow for existing customers, and change in use for all customers within the Edison Subarea.
- (5) The Edison Subarea Advisory Board shall cooperate with the County to recommend and establish regulations, rate schedules and fees, review operation and maintenance procedures and expenditures, advise the County on collection and distribution of funds, review grant and loan status, act as liaison between the Subarea participants and the County and work to ensure that Subarea revenues are spent on the operation, maintenance, operation, and administration of the system. (Ord. O20040001 (part))

12.64.060 Advisory Board.

The Skagit County Board of Commissioners shall create and appoint an Advisory Board consisting of five (5) property owners of the Edison Subarea, to include a representative from the Burlington-Edison School District and a commercial properties representative. Terms of position shall be four (4) years. At the first meeting, the Advisory Board shall elect a chairperson and vice chairperson, each serving two (2) years. The Advisory Board shall adopt policies to govern its internal affairs.

Upon vacancies on the Advisory Board, the Board shall first alert the customers of the Edison Subarea that a vacancy exists and forward the names of qualified citizens who expressed an interest in serving to the County Commissioners who shall appoint a replacement member. (Ord. O20040001 (part))

12.64.070 Annual budget.

The Board of County Commissioners, with the assistance of the Advisory Board, shall annually, at the same time the County budgets are prepared and adopted, prepare and adopt an annual budget for the Edison Subarea.

(1) The budget shall be divided into the following appropriation items: (a) overhead and administration, (b) maintenance and operation, (c) construction and improvements, and (d) any debt retirement. In preparing the budget, expenditures in each appropriation category and the proportionate share of each appropriation item to be paid shall be shown.

(2) In preparing the annual budget, the Advisory Board and the Board of County Commissioners shall under construction and improvement list each improvement and the estimated expenditure to be made for each during the ensuing year. If additional funds become available, a supplemental budget may cover additional authorized improvements.

(3) The Subarea budget or any supplemental budget shall be approved only after a public hearing, notice of which shall be governed by RCW 36.40.100. (Ord. O20040001 (part))

12.64.080 On-site improvement loans.

It is hereby declared that a failing on-site sewage system constitutes a health hazard that is harmful to the welfare and safety of the citizens of Skagit County. Pursuant to Chapter 35.80 RCW, a Clean Water District—Edison Subarea Improvement Fund is established to use public money to assist the cost of repair.

(1) The Skagit County Health Officer and the Skagit County Treasurer are hereby authorized to administer the Clean Water District—Edison Subarea Improvement Fund Loan Program. Said program is subject to the availability of funds and funding may be prioritized or directed to repair those failures causing the greatest adverse public health impact as determined by the Health Officer.

(2) Loans shall be to the owner(s) of the property. Applicants must complete all forms required by the County. A credit check and title search will be obtained by the County. A nonrefundable application processing fee will be charged to the applicant.

(3) Loan repayment shall be made to the County Treasurer subject to the terms of the loan agreements.

(4) Repayment options for individual loans may be made by one of the following options:

(a) Immediate payoff; or

(b) One (1) to fourteen (14) years, if loaned through the Skagit County Revolving Loan Fund.

(5) All loans shall be secured by a promissory note and deed of trust, which shall, when filed, place a lien upon the premises. In the event of default (ninety (90) or more days delinquent), collection efforts will be pursued as described in the promissory note with collection and/or attorney fees to be paid by the property owner in default.

(6) Appeals related to loan repayments shall be made to the Edison Advisory Board who shall present findings and make recommendations to the Board of County Commissioners. Property owners requesting payment adjustments must comply with all of the following: (a) be making timely payments (not be in default), (b) submit their appeal in writing to the Advisory Board, (c) document proof of financial hardship or any other reason to show why an adjustment should be made. Repayment adjustments granted for reasons other than billing errors are subject to renewal on an annual basis. (Ord. O20040001 (part))

12.64.090 Use of system—Pretreatment, grease traps, and septic tanks.

It shall be unlawful to discharge into any natural outlet within the Edison Subarea service area, or onto any land or body of water within the exterior boundaries of the service area, any sewage effluent, wastewater, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with County, State and Federal Regulations. A single building sewer shall be provided for each building unless the connection of more than one building to a single building sewer is approved in writing by the Advisory Board prior to the construction of such building sewer. No more than one multiple dwelling, industrial, or commercial building shall be connected to a single building sewer, unless otherwise approved in writing by the Advisory Board.

(1) Private Wastewater. All participating residential properties within the Edison Subarea shall be connected to the Community Sewer System. Where usage of the Edison Community Sewer System is not available, all building sewers must be connected to an approved private sewage disposal system. Private sewage disposal systems shall comply with Chapter 12.05 SCC and any other County, State and/or Federal regulations.

(2) Commercial Wastewater. The Advisory Committee shall establish standards for maximum BOD and TSS levels from all users as well as acceptable residential strength BOD and TSS standards. All commercial customers shall be required to pretreat waste to achieve a flow into the system that does not exceed the maximum BOD and TSS loading standards as established or amended by the Advisory Committee. All costs related to the installation and operation of any pretreatment device shall be borne by the property owner.

(3) Industrial Wastewater. No industrial wastewater shall be introduced into the Edison Community Sewer System.

(4) Pretreatment of Wastewater. Acceptable methods of pretreatment may include grease traps, chemical or biochemical plants, sedimentation chambers and any other similar devices. Any and all such devices and equipment shall be subject to the approval of the Advisory Board and shall not be put into operation nor revised in any manner without written permit or approval issued by the Advisory Board and other approving governmental agencies. Ownership and operation of pretreatment units shall be the responsibility of the property owner and/or user. An Advisory Committee designee may inspect any pretreatment device, including grease traps, at any time during normal business hours without advance notice.

(5) Grease Traps. Grease traps shall be required for businesses with restaurants, bakeries, and food service businesses or residential owners who discharge excessive concentrations or quantities of grease into the collection system. The property owner and/or user is financially responsible for grease trap pumping at

whatever frequency may be mandated by usage. Representatives of the Edison Subarea shall inspect each grease trap a minimum of once a year. The Advisory Committee shall adopt standards for grease trap pumping. If in the opinion of the Advisory Committee pumping is required, the property owner will be notified in writing and shall arrange to have the grease trap pumped, at the owner's cost, within seven (7) days. The property owner and/or user of the property shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of dates, and means of disposal that are subject to review by the Board. A currently licensed waste disposal firm must perform any removal and handling of the collected material.

(6) Septic Tanks. The property owner and/or user is financially responsible for septic tank pumping at whatever frequency may be mandated by usage. Representatives of the Edison Subarea shall inspect each residential septic tank at a minimum of once every three (3) years. Each commercial septic tank shall be inspected a minimum of once annually. The Advisory Committee shall adopt standards for septic tank pumping. If in the opinion of the Advisory Committee pumping is required, the property owner will be notified in writing and shall arrange to have the septic tank pumped, at the owner's cost, within thirty (30) days. The property owner and/or user will be responsible for notifying the representatives of the Edison Subarea in advance of the pumping schedule so that a representative has the opportunity to be present during pumping. If the property owner and/or user does not pump within the thirty (30) day time period, the Advisory Committee will arrange to have the tank pumped and will present the property owner with a bill for pumping in an amount of one hundred ten (110) percent of the pumping costs. If not paid, then the cost shall be added to the subsequent year's tax assessment.

(7) Wastewater Sampling Port. When required by the Advisory Board, the owner of any property to be served by a new connection of a building sewer carrying commercial wastes into the Edison Subarea community sewer system shall install a suitable sampling port immediately downstream of the grease interceptor tank and also immediately downstream of the septic tank in the side sewer to facilitate observation, sampling and measurement of the flow and strength of the wastes. The structure shall be installed by the owner at the owner's expense, but shall be subsequently owned and maintained by the Edison Subarea so as to be safe and accessible at all times to the Advisory Board's designee.

(8) Wastewater Testing. All measurements, tests and analyses of wastewater shall be from samples obtained at a control structure or other location as approved by the Advisory Board. Such tests and analyses shall be performed by an appropriately certified independent testing laboratory. Water volumetric testing can utilize portable flow meters as well as water use data from the potable water system. If tests are initiated by the Advisory Board, the Subarea shall pay the costs associated with the testing. If the property owner or user initiates the tests, the owner or user shall then pay. (Ord. O20040001 (part))

12.64.100 Users of the system.

Potential future connections to the system include the following four (4) classifications: Existing Prepaid Future Connections, Existing Customers Desiring Additional Flow, New Customers Within the Subarea Boundary, and New Customers Outside of Subarea Boundaries.

(1) Existing Prepaid Future Connections. Property owners with prepaid connections wishing to exercise their option to connect to the community sewer system shall make a written request for service to the Advisory Board. The written request shall contain an estimate of their annual water usage (in gallons per day or equivalent residential units) and an estimate of their waste strength (BOD, TSS, and for food service establishments, FOG). The Board will review the request and, if approved, shall send a letter to the requestor stating when the connection may be made, the amount of the annual sewer service fee, any other fees or deposits, and when these are due to be paid to the Skagit County Treasurer.

As with existing connected participating properties, ownership of the system (excluding the building sewer) from the influent flange of the septic tank and/or grease interceptor tank downstream, including the tank(s), pumps, controls, control vault, side sewer, connection tee, etc., shall be conveyed in writing to the Edison Subarea upon connection to the system.

Fees and other charges applicable to existing prepaid future connections are covered in SCC 12.64.130.

(2) Existing Customers Desiring Additional Flow. Existing customers wishing to add flow such that the new total flow will exceed the existing ERU value for the property, whether as a separate "mother-in-law" unit, as a change in use for an existing connection, or as an increase in capacity for an existing connection, shall make a written request to the Advisory Board. The written request shall contain an estimate of the anticipated new total flow in gallons per day and anticipated new waste strength (BOD, TSS, and for food service establishments, FOG). Allowance of such additional flow can only be approved if the Advisory Board determines that, after accounting for the eventual anticipated full connection of all the prepaid connections, there is or will be sufficient capacity in the collection, treatment, and dispersal facilities to handle the increased flow.

Where it is determined by the Advisory Board, via its engineer, or designee, that there is sufficient capacity in the sewer system, but there is insufficient capacity in the existing on-site components, such as septic tank and/or grease trap, and/or existing side sewer, for an additional flow allowance, new on-site components shall be installed at the owner's expense.

Fees and other charges applicable to existing customers desiring additional flow are covered in SCC 12.64.130.

(3) New Customers within the Subarea Boundary. Requests for sewer service for nonparticipating properties within the Edison Subarea service area will be considered initially by the Advisory Board, who in turn would make a recommendation to the Board of County Commissioners. Allowance of such additional connections can only be approved by the County if the Advisory Board, through its engineer, or designee, determines that, after accounting for the eventual anticipated full connection of all the prepaid connections, there is or will be sufficient capacity in the collection, treatment, and dispersal facilities to handle the increased flows and waste strength associated with such additional connections. In addition, such new connection shall only be allowed when it is determined consistent with the Skagit County Comprehensive Plan. If approved, all costs for connection to the community sewer system shall be borne by the requestor.

See SCC 12.64.130 for fees and charges applicable to new customers within the Subarea boundary.

(4) New Customers Outside of Subarea Boundary. Requests for sewer service for nonparticipating properties outside of the Edison Subarea service area will be considered initially by Advisory Board, who in turn will make a recommendation to the Board of County Commissioners. Approval by the Commissioners shall be based on the determination of sufficient capacity following full connection of all the prepaid connections as well as consistency with the Skagit County Comprehensive Plan. If approved, all costs for connection to the community sewer system, including costs for construction, operation, and maintenance of sewer main extensions and any needed new pumping facilities or increases in capacity for existing pumping facilities and/or pipelines and other facilities or operational requirements shall be borne by the requestor.

See SCC 12.64.130 for fees and charges applicable to new customers outside of the Subarea boundary. (Ord. O20040001 (part))

12.64.110 Sewer connections and repairs.

No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof or construct any connection to the community sewer system without first obtaining written approval of his or her sewer connection plans from the Advisory Board. Sewer connection plans must satisfy the Edison Subarea Sewer Connection Standards, as specified by Board policy. New commercial connections will be required to install an accurate water meter or wastewater flow meter.

(1) Connection Repairs. Any needed repair to a building sewer shall be made within thirty (30) days after the date of mailing or personal service of a notice by the Advisory Board to the owner of the property. All repairs to a building sewer shall be done at the property owner's expense. In the event of an emergency, the Advisory Board may establish a shorter period of time for the repairs to be made. If the owner cannot be located or does not promptly make such repairs, the Advisory Board may cause such repairs to be completed. An amount of one hundred ten (110) percent of the cost of repair shall be added to the property owner's subsequent year's tax assessment in such cases. Repairs to components of the sewer connection downstream of the influent flange of the septic or grease interceptor tank shall be the responsibility of the Advisory Board.

(2) New Connections. Prior to the construction, installation and operation of a new sewer connection, the property owner shall: (a) submit Sewer Connection Plans to the Advisory Board for review and approval by its engineer, or designee, (b) sign an easement agreement with the County on behalf of the Edison Subarea, and (c) pay any and all fees and charges as required by SCC 12.64.130 to the County Treasurer on behalf of the Edison Subarea.

(3) Review of Sewer Connection Plans. The Edison Subarea's engineer shall review and approve or reject submitted Sewer Connection Plans prior to commencement of any construction, and the Edison Subarea's designee shall conduct inspections of said sewer connection, including septic and/or grease interceptor tank installation, prior to operation.

(4) Inspection of Sewer Connections. The applicant for a new sewer connection shall notify the Advisory Board at least forty-eight (48) hours before the tank installation and side sewer is ready for inspection and connection to the community sewer. The Advisory Board shall schedule all necessary inspections. No backfilling is allowed until all proper inspections are made. Pipe not inspected in this manner shall be exposed for inspection at the applicant's expense before wastewater service will be initiated. In the event that backfilling must proceed due to high groundwater conditions prior to the inspection, the applicant and/or installer shall document all work by way of dated and labeled photographs.

(5) Workmanship. All excavations for new sewer connections, including tank installations, shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other property disturbed in the course of the work shall be restored to their original condition or better in a manner satisfactory to the Advisory Board. The installation of the building sewer and tank(s), and the connection of the side sewer to the community sewer main shall be made by a qualified, bonded, and licensed and certified installer.

(6) Hold Harmless, Warranty, Performance Bond, and Insurance. As an approval precondition for all new connections, the property owner shall be required to submit a document that will indemnify and hold harmless the Advisory Board, Skagit County and/or their agents, contractors, etc., against any damage to personal or public property or personal injury caused by the performance of such actions in a form acceptable to the Advisory Board. In addition, the property owner shall provide a warranty of all materials and workmanship used in connection with any such actions for a minimum period of two (2) years from the date of acceptance of said actions by the Advisory Board. (Ord. O20040001 (part))

12.64.120 Maintenance of the system.

The Advisory Board's representative shall be authorized to enter upon premises connected to the community sewer system to conduct regular maintenance tasks such as inspection, cleaning and repair as well as other activities required for an efficiently operated system such as smoke testing or measuring solids accumulated within the septic tanks and/or grease traps.

(1) Right of Inspection. The Advisory Board's representative shall be authorized to enter upon premises served by any building sewer or connected to the community sewer at all reasonable hours to ascertain or make necessary tests as to whether the provisions of local, state and federal laws relative to sewerage have been complied with. The easement signed by the property owner allows entry for this purpose. In the event that entry is refused, necessary steps shall be taken to make application for a search warrant to accomplish the appropriate inspection.

(2) Repair Order. If said sewer, or its attachments, are in conflict with the provisions of any law or resolution in regard thereto, the owner of said premises, or his agent, shall be notified to cause said sewer or its attachments to be so altered, repaired or reconstructed at the owner's expense, so as to make them conform to the requirements established by the Advisory Board.

(3) Easements. All property owners are required to have on file with the County an easement entitling the County to construct, inspect, repair, maintain and/or connect to the Edison Subarea Community Sewer System. Additions resulting only in additional flow through existing on-site components will not require an additional easement. (Ord. O20040001 (part))

12.64.130 Assessments, fees and other charges.

The Board of County Commissioners shall set annual assessments as part of the County's annual budget process. The recommended annual assessment amounts shall be determined by the Advisory Board and shall be based upon equivalent residential units (ERUs). The minimum of one (1.0) ERU shall be charged for each connected service. All residential customers shall be assessed one (1.0) ERU.

All Commercial customers (including the Edison School) shall be charged an assessment based upon flow and strength of flow. The charge for flow will be determined using the water usage records and will be ERU-based. The charge for strength of flow will be assessed using a surcharge for flow above predetermined residential-strength levels as determined by the Advisory Board.

The Advisory Board shall, through adopted policy, establish, adjust, and amend the amount of all fees and charges applicable to services within the Edison Subarea.

(1) Annual Assessments, once imposed on any property or building, shall continue until the serviced building is demolished, torn down, removed or no longer in existence or unless it can be shown by affidavit that the building could not be serviced because of lack of water. Discontinuation of the Annual Assessment shall be based upon a formal request to the Advisory Committee. Disconnection from the sanitary sewer system shall be in accordance with the requirements of Skagit County.

(2) Annual Assessment billings shall be mailed to the owner of record (noted as the taxpayer on the County Assessor/Treasurer's real property assessment roll) of the property on which the structure so served is located so far as the County may reasonably ascertain the same. Failure to receive such bills shall not relieve any person liable therefor from the obligation to pay the same or from paying penalty and interest charges, nor the property receiving such service, or capable of receiving such service, from such lien therefor as may thereafter attach to the property in the manner provided by law.

(3) All new residential connections shall pay, in addition to the other fees, a prorated share of the current year's annual assessment. This fee shall be paid in full prior to the commencement of services.

(4) All new commercial customers (including change in use customers) shall pay an advance assessment deposit equal to two (2) times the current residential annual assessment amount. Once flow and strength testing has been completed and the actual current-year prorated annual assessment for the commercial connection has been determined, any surplus deposit funds shall be refunded to the customer. This fee shall be paid in full prior to the commencement of service.

(5) All new commercial customers (including change in use customers) shall also pay a waste-testing fee, in an amount to be determined by Advisory Board Policy, to offset the actual cost of testing the waste strength for the purpose of establishing the annual assessment amount for the new commercial customer. This fee shall be paid in full prior to the commencement of service.

(6) Capital Assessment Fee. Any property or portions thereof (excluding prepaid connections) desiring a new connection or an existing customer desiring additional flow, or an existing customer with a change in use shall be required to pay a Capital Assessment Fee as a precursor to receiving service. Such charge shall reflect an apportionment to the connector of a pro rata portion of the capital cost of installation of the permanent sewer system. The capital assessment fee shall be ERU-based and rounded to the nearest one-quarter ERU (1/4 ERU). Existing customers desiring additional flow or existing customers with a change in use shall pay a prorated capital assessment fee equivalent to the amount of additional flow.

(7) Latecomer's Fee. In addition to the Capital Assessment Fee, a latecomer's fee will be charged to all new customers (excluding prepaid connections) amounting to five (5) percent of the original Capital Assessment Fee for each year or portion thereof between the time of system construction (1999) and the latecomer service connection.

(8) Plan Review/Inspection. This fee shall be charged, as a precursor to the accepting of a new connection application, to cover the costs of plans review and inspection.

(9) Return Inspection Fee. If circumstances or conditions require return inspection(s) of completed septic tank installations and/or sewer connections, including appurtenances thereto, the owners or developers requesting a return inspection shall pay a return inspection fee.

(10) Additional Costs. Additional costs incurred by the Edison Subarea or its contractors over and above the minimum fee will be charged to the owner or developer on a time and materials basis. All additional fees must be paid in full prior to the Edison Subarea approving and allowing the use of the new sewer connections. (Ord. O20040001 (part))

12.64.140 Right of entry, enforcement, appeals and liens.

Right of entry shall be governed by SCC 12.05.270. Enforcement of any violation of any provision in this Chapter shall be governed by SCC 12.05.280. Appeals shall be governed by SCC 12.05.290.

In the event that any person, or commercial entity fails to pay any fee or charge as set forth in this Chapter within sixty (60) days after the same is billed by the County, the unpaid balance plus interest shall become and remain a lien against the property.

(1) Lien Attachment. The Advisory Board shall certify periodically the delinquencies to the Skagit County Assessor/Treasurer at which time the lien shall attach.

(2) Lien Interest. The lien shall be for all charges and interest at the current rate to be determined by the Skagit County Assessor/Treasurer to be applied from the date due until paid, and shall attach to the premises to which the services were furnished.

(3) Lien Foreclosure. Upon the expiration of sixty (60) days after the attachment of the lien herein, the County may bring suit in foreclosure by civil action in the Skagit County Superior Court. (Ord. O20040001 (part))

12.64.150 Unlawful use of the system.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other sewage holding facility intended or used for the disposal of wastewater within the boundaries of the Edison Subarea service area, except as permitted by this Chapter or by Chapter 12.05 SCC. This does not include portable privies or other temporary wastewater disposal systems, such as those used at construction sites.

(1) Acceptable Waste. It shall be unlawful for any person to place, deposit or permit to be deposited in an unapproved and unacceptable manner into the community sewer system any human excrement, garbage, hazardous wastes, and/or other unlawful wastes except in accordance with the standards established by Skagit County.

(2) Damaging Waste. No discharge that will result in plugging of the pipelines or damage to or interference with the operation of the treatment and disposal facilities is allowed.

(3) Unlawful Waste. Under no conditions shall unlawful waste be discharged into or be placed where it may find its way into, or be allowed to run, leak, leach or escape into any part of the sanitary sewer system. Unlawful waste includes gasoline, fuel oil, toxins, flammable or explosive liquids or any material that will adversely impact the biological treatment process.

(4) Corrosive Waste. No person shall discharge or cause to be discharged any substances, materials, or wastes in quantities or concentration that will cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, and in no case will discharges be allowed with a pH outside of the limits established by the Advisory Board.

(5) Oil Waste. No person shall discharge or cause to be discharged any substances, materials, or wastes that contain nonbiodegradable oils of mineral or petroleum origin, or that contain biodegradable floatable fats, oils, or grease in excess of the standards established by the Advisory Board.

(6) Prohibited Wastes. No person shall discharge or cause to be discharged any substances, materials, or wastes including, but not limited to: antifreeze, solvents, strong acids and bases (other than very small amounts of bleach), dyes, drain cleaners, slugs or deposited solids resulting from an industrial or pretreatment process, any liquid or vapors having a temperature higher than one hundred forty (140) degrees Fahrenheit, any waters or wastes containing iron, chromium, copper, zinc, antimony, arsenic, barium, beryllium, boron, cadmium, lead, manganese, mercury, nickel, selenium, silver, tin, and similar objectionable or toxic metal substances; or wastes exerting an excessive treatment requirement.

(7) High Temperature Waste. No person shall discharge through any approved grease trap wastewater with temperatures in excess of one hundred forty (140) degrees Fahrenheit or waste from a food disposal unit.

(8) Storm Drain Waste. No person shall discharge or cause to be discharged any storm drainage water, surface water, roof runoff, or subsurface drainage into the sanitary sewer system. Persons discharging swimming pool water, unpolluted cooling water, or unpolluted industrial cooling or process water into the sanitary sewer system shall be charged commercial sewer service rates based on flow, BOD and suspended solids. Connection of roof downspouts, foundation drains, cellar drains, sump pumps, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected to the community sewer, is prohibited.

(9) Foreign Matter. It shall be unlawful for any person to maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or piece of equipment which is part of the sewer facilities by throwing, dumping, discharging or otherwise introducing any dirt, rocks, sticks, debris, or other foreign matter into the community sewer system.

(10) Septage. It shall be unlawful for anyone to discharge the contents of any septic tank, cesspool, chemical toilet, or sewage-holding tank into the Edison Subarea community sewer system. All septage shall be hauled off-site by an approved hauler and disposed of in compliance with County regulations.

(11) Unauthorized Connections. Any unauthorized connection, opening or use of the community system will not be allowed. The property owner will be notified by registered mail to disconnect and repair the unauthorized connection, opening, or use. After thirty (30) days, if the work has not been completed, the Advisory Board shall cause the work to be performed and will add one hundred ten (110) percent of the cost to the property owner's subsequent year's tax assessment.

(12) Disconnection. No structure may be disconnected from a building sewer and no building sewer may be disconnected from a public sewer for any reason without prior written notification to, and approval by the Advisory Board. No approval shall be given unless the disconnection is lawful under County regulations and other applicable laws, and satisfactory protection is given by the owner or his contractor to the public sewers of the County including, but not limited to, the satisfactory capping of the building sewer. Sewer service charges for any structure disconnected or to be disconnected shall continue until the County approves such disconnection and the building sewer is capped and otherwise protected to the satisfaction of the Advisory Board. (Ord. O20040001 (part))

12/18/24 Proposed Redrafted 12.64

Chapter 12.64
CLEAN WATER DISTRICT – EDISON SUBAREA

12.64.010 Formation.

Under authority of the Washington State Shellfish Protection District Statutes (RCW 90.72.040), Skagit County hereby establishes the Edison Subarea of the Clean Water District, hereafter to be referred to as the Edison Subarea. The Edison Subarea is one of the first model community plans developed under direction from the State Department of Ecology (DOE) and known as the Small Town Environmental Program.

12.64.020 History and Recognition.

This self-help Program is designed to reduce overhead and operating costs for small communities needing to upgrade sanitation facilities. The Edison Subarea was formed and began operations following the grass-roots efforts of the residents and businesses in the Town of Edison who collaboratively worked with DOE, the Skagit County Board of Commissioners, and various elected officials and department within Skagit County to form, finance and construct a sanitary sewer system whose efforts have contributed to the sustainability of viable shellfish production in Samish Bay. The successful formation of the Edison Subarea has meant that the citizens of Edison assesses themselves and their representatives administer, operate, and maintain the system.

The Board of County Commissioners recognizes the efforts of the citizens and businesses in Edison to successfully form, operate and maintain this sanitary sewer system that has contributed to the health of the marine environment and brought economic development and tourism to Skagit County. In recognition to these on-going contributions, the Board of County Commissioners, through Chapter 12.64, desires to confer upon the Subarea Board a higher degree of operational and administrative authority to enable the continued successful operation of the Edison Subarea sanitary sewer system. The intent of this Chapter is to enable the Subarea Board to secure professional and vendor services, obtain goods and materials, and direct expenditures for the maintenance and operational aspects of the System to fulfill the goal of taxing themselves while also governing themselves with the oversight of the Board of County Commissioners.

12.64.030 Subarea Administration and Operations

To fulfill this desire, the administration and operation of the Edison Subarea will involve the following entities:

1. Skagit County Board of County Commissioners
2. Skagit County Treasurer
3. Skagit County Assessor

4. Skagit County Planning and Development Services (PDS)
5. Skagit County Health Department
6. Burlington-Edison School District
7. Edison Subarea Advisory and Administrative Board

12.64.040 Purpose.

The purpose of the Edison Subarea and Subarea Board is as follows:

1. Provide operational and administrative direction to provide sewer services for the Edison Rural Village which had experienced on-site sewage failures affecting water quality in the Lower Edison Slough and Samish Bay, to protect the public health and recreational/commercial shellfish beds of Samish Bay, and to help promote and ensure the continuation of Tribal Treaty Fishing Rights through:
 - a. Construction and capital improvements to a wastewater treatment system (“System”) to include the collection, conveyance, treatment, and disposal of wastewater for the Edison Rural Village (“Edison”), including the Edison Elementary School.
 - b. Providing a mechanism for funding through application for grants and loans to assist with capital improvements to the system.
 - c. Direct expenditures for the administration, maintenance, and operation of the system.
 - d. Enable and empower the Subarea Board to adopt such policies and procedures, including but not limited to the annual assessment methodologies, that, in the determination of the Subarea Board, are necessary to ensure the health, safety, welfare, and efficient operation of the System.
 - e. Distribution of educational materials to the users of the System and completion of maintenance activities to optimize the function and longevity of the System.
2. Pursuant to RCW 90.72.070, the County may finance the program and on-going operation of the System through County tax revenue, property tax assessments to the users of the system, fees, charges, or rates specified in its protection program and deem advisable by the Subarea Board and the County Board of Commissioners.
3. Establish the administration of grants, loans, taxes, assessments, and other sources of revenue and payments through Skagit County.

4. Create a Subarea Board with the intent that it is a model of self-determination and empowered to administer, operate, and maintain the System with staffing assistance from the County Planning and Development Services Department, County Public Health Department, County Public Works Department, and the County Surface Water Management Department as determined and directed by the Skagit County Commissioners to ensure an active role in the support of the Subarea and the Subarea Board.

12.64.050 Boundaries

The Edison Subarea shall consist of all included properties in unincorporated Skagit County that are located within the boundaries shown in Exhibit A attached to the ordinance (service area) codified in this Chapter and on file with the County Clerk's Office. All included properties within this Edison Subarea shall be subject to the provisions of this Chapter and the policies and procedures adopted by the Subarea Board. The boundary has been determined by community input and closely follows the boundary described in the Skagit County Comprehensive Plan for the Edison Rural Village, with the inclusion of specific existing adjoining properties and the exclusion of other specific properties within the Edison Rural Village who have elected to either participate in the Subarea or be excluded.

12.64.060 Primary Roles and Responsibilities

The Skagit County Board of Commissioners, on behalf of the Edison Subarea may:

1. Hold title to property containing the treatment facility and/or other capital improvements, together with easements necessary for the collection and transport of waste to the treatment facility;
2. Acquire land incidental to the to the purpose of the Subarea and/or dispose of such lands as are surplus to the needs of the Subarea in accordance with Chapter 36.34 RCW and/or RCW 90.72.030-070;
3. Accept funds or property by loan, gift or otherwise from and source;
4. Levy assessments against all property owners within the Edison Subarea boundary using the Clean Water District Ordinance as a taxing mechanism to repay loans obtained for capital improvements to the System;
5. Following the determination and recommendation of the Subarea Board, levy annual property tax assessments against all property owners within the Edison Subarea to fund the on-going administration, operation, and maintenance of the System;
6. Maintain the final responsibility for compliance with the DOE Discharge Permit;

7. By separate resolution, establish a Fund into which shall be deposited the proceeds of all tax levies, assessments, gifts, grants, loans, or any other revenues, together with any interest earnings therefrom, which may be available to the Edison Subarea;
8. Following the development and submission of a recommended annual budget by the Subarea Board, preside over and approve the annual budget adoption for the administration, operation, and maintenance of the Subarea;
9. Ensure that all monies generated for the benefit of the Edison Subarea be solely used for the administration, operation, maintenance, debt service, and capital improvement of the system and that any and all other charges against the revenues of the Subarea receive the prior approval of the Board through an invoice system as developed by the Subarea Board and approved at an open public meeting of the Subarea Board.

The Edison Subarea Board shall:

1. Negotiate and enter into Agreement(s) with the Burlington-Edison School District for the housing of Subarea equipment and computer systems on the grounds of the School District, maintenance of the drain field turf by School District staff, and other goods or services to benefit and support the System;
2. Negotiate and enter into Agreements with other private or governmental entities for services such as but not limited to an Operator of the System to comply with the requirements of the DOE Discharge Permit or the reading of water meters for annual assessment calculations;
3. Define the Scope of Services, advertise and enter into Agreements for the administration of the Subarea, facilitation of meetings, drafting of correspondence and crafting of policies/procedures for the approval of and on the behalf of the Subarea Board, as well as completion of overall administrative duties as further defined by the Subarea Board;
4. Define the Scope of Services, advertise and enter into Agreements for the maintenance of the System, including monthly, quarterly and annual testing and monitoring as well as other maintenance activities in support of the Subarea and also authorize and direct the expenditures related to on-call and as-needed maintenance goods and services related to alarms or other operational issues of the System;
5. Define the Scope of Services, advertise and enter into Agreements for any other goods, services, professional services, or consultant services as determined by the Subarea Board, as necessary to ensure the efficient and effective operation of the System;
6. Purchase Equipment, Materials, Supplies and Vendor Services for costs up to \$25,000 (including freight but excluding sales tax) using the state bid list and/or obtaining, when possible, up to three (3) quotes, selecting the lowest responsible price. Purchases up to this threshold shall not be required to use the Notice of Intent process with price quotes

noted in the minutes of the Subarea Board. The Subarea shall follow the Exemptions to Obtaining Competitive Bids contained in County Code.

7. Obtain other goods and services on an emergency basis necessary, in the determination of the Subarea Board, to ensure public health and safety;
8. Plan and apply for grants and loans to advance the purposes of the Subarea and with the assistance and involvement of various County departments, construct, acquire, repair, maintain, and operate components exclusive to serving the Edison Subarea community.

12.64.070 Supporting Roles and Responsibilities

To ensure and sustain the successful operation of the Edison Subarea, the involvement of other Skagit County elected officials and departments are as follows:

1. The Skagit County Treasurer shall act as the treasurer of the Subarea and shall be responsible for the:
 - a. Utilization and collection of annual assessments to pay for the on-going administration, operation, and maintenance of the System;
 - b. Manage any loan repayment program for the Edison Subarea property owners.
2. The Skagit County Assessor shall:
 - a. Certify the annual assessments to the County Treasurer who shall enter the amount owed as an assessment and tax lien upon the tax roles against the property for the current year, and the same shall become part of the general taxes for that year to be collected at the same time and with the interest at such rates, and in such manner as provided in Chapters 84.56 and 84.60 RCW as now, or hereafter amended, for delinquent taxes, and when collection to be deposited into the Fund(s) established for the Edison Subarea;
 - b. Process on the same basis and timing for other County departments and Funds, all invoices duly presented to and approved by the Edison Subarea Board. All such payments shall first be formally approved by the Edison Subarea Board and then routed through the Planning and Development Services Department.
3. The Skagit County Planning and Development Services Department shall:
 - a. Assist the Edison Subarea Board by providing resources (human and other), act as liaison between the Subarea Board and the Board of County Commissioners, and may act as an authorized representative of the Skagit County Health Department if so determined by the Board of County Commissioners;

- b. Provide staff to the treatment facility to support and ensure compliance with the Wastewater Operator requirements contained in the County's DOE Discharge Permit. Such efforts may be in support of any contracted Operator Agreement the Subarea Board may enter into or may preferably act independently of any outside Agreement, to fulfill the on-site and administrative duties of an Operator as defined by the Discharge Permit;
 - c. In recognition of the overall economic benefits Edison brings to Skagit County through property tax, sales tax, and job creation as well as the unique tourism destination that the Town of Edison has developed which, absent the Subarea Sewer System, would not be possible, all personnel costs dedicated to the Edison Subarea by the Skagit County Planning and Development Services Department shall be at no cost or fee to the Subarea.
4. Other County Departments shall:
- a. Assist the Edison Subarea Board by providing resources (human and other) to fulfill any other DOE Discharge Permit requirements that are now or may be hereinafter be imposed, including but not limited to the fulfillment of any groundwater monitoring requirements. All such personnel costs shall be at no cost or fee to the Subarea.

12.64.080 Subarea Board

The Skagit County Board of Commissioners shall create and appoint a Subarea Board consisting of four (4) residential property owners of the Edison Subarea, to include a member representing the interest of the commercial property owners within the Subarea and one (1) individual representing the interest of the Burlington-Edison School District. Terms of the positions shall be for six (6) years without term limits. The Subarea Board may elect a chairperson and a vice chairperson. The Subarea Board shall have the following duties and responsibilities in addition to those contained in Section 12.64.060;

- 1. Administer, operate and maintain the System to advance the interests of the County, the citizens and business in Edison and in compliance with the County's DOE Discharge Permit;
- 2. Establish and adopt such policies and procedures to guide the operation, maintenance, and administration of the System, including but not limited to the methodology for determining the annual assessments;
- 3. Establish and adopt rate schedules and fees for connection to and/or use of the System;
- 4. Develop and adopt operational and maintenance procedures;
- 5. Direct the activities of contracted individuals and firms, assigning repair and maintenance tasks and authorizing such expenditures;

6. Prepare, review and approve all payments and invoices to be charged against the Subarea and through the liaison services of the Planning and Development Services Department, cause such claims to be forwarded to the Assessor's Office for processing and payment;
7. Adopt policies and procedures to govern its internal affairs;
8. Upon vacancy on the Subarea Board, alert customers of the Subarea that a vacancy exists and forward the names of qualified citizens who expressed an interest in serving to the County Commissioners who shall appoint a replacement member

12.64.090 Annual Budget

The Board of County Commissioners, utilizing a recommendation from the Subarea Board, shall annually, at the same time the County budgets are prepared and adopted, prepare and adopt an annual budget for the Edison Subarea. The Subarea Board, after discussing and adopting their recommended annual budget, shall forward the same to the Planning and Development Services Department who shall cause such budget to be forwarded on to the County Commissioners for consideration. The Subarea budget shall;

1. Following the General Ledger (GL) accounts adopted by the County, be divided into those estimated budget categories necessary to cover the administrative, operational, and maintenance activities of the Subarea. The Board may also recommend budget allocations for potential capital expenditures, debt retirement, and miscellaneous expenses;
2. For each budgeted GL expenditure line item, an estimation of the amounts necessary for expenditure in the subsequent year shall be listed. However, as is the case for other County departmental budget, the expenses incurred by the Subarea shall not be limited to the specific line-item amount but rather, any budget amendment shall only be required if the entire budget of the Subarea in any particular year may be exceeded;
3. The adoption of the Subarea budget or any supplemental budget shall be approved by the County Commissioners only after a public hearing, notice of which shall be governed by RCW 36.40.100.

12.64.100 On-Site Sewer Improvement Loans and Future Connections to the System

The Edison Subarea sewer system is a "closed system" in that the boundaries were formed in coordination with the Department of Ecology and therefore it has a predetermined number of allowed connections with geographic limitations, including a certain number of Future Connections whose owners are allowed to connect to the system in the future.

While these Future Connections are currently privately owned and assigned to a particular Parcel Number within the boundaries of the Subarea, as long as any future connection to the system is from a parcel located with the Subarea, these Future Connections can and are allowed to be

moved within the Subarea and the owners of the Future Connections are permitted to transfer ownership.

The Board of County Commissioners have declared that failing on-site sewerage systems constitutes a health hazard that is harmful to the welfare and safety of the citizens of Skagit County. Pursuant to Chapter 35.80 RCW, a Clean Water District – Edison Subarea Improvement Fund has been established to use public monies to assist in the cost of repairs. This may take the form of repairing the existing failing on-site sewerage system or, utilizing one of the Future Connections, the abandonment of the failing on-site sewerage system and connection to the Edison Subarea System.

The Edison Subarea Board has established connection fees and initial capital assessments necessary for the conversion of a Future Connection to an Active Connection and these costs shall be paid to the Subarea prior to connection, either in cash or utilizing the Edison Subarea Improvement Fund administered by the Skagit County Health Department and the Skagit County Treasurers Office.

12.64.110 Use of the System – Pretreatment, Grease Traps, and Septic Tanks

It shall be unlawful to discharge into any natural outlet within the Edison Subarea service area, or onto any land or body of water within the exterior boundaries of the service area, any sewerage effluent, wastewater, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with County, State, and Federal Regulations. A single residential building sewer shall be provided for each residential building unless the connection of more than one building to a single building sewer has been approved by the Subarea Board. No more than one multiple residential dwelling or commercial building shall be connected to a single building sewer, unless otherwise approved by the Subarea Board. The Subarea Board shall establish standards for maximum BOD, FOG, and TSS standards for both residential and commercial users.

1. Residential Wastewater. All participating residential properties with the Edison Subarea shall be connected to the System. Where usage of the System is not available, all building sewers must be connected to an approved private sewage disposal system. Private sewage disposal system shall comply with Chapter 12.05 SCC and any other County, State, and/or Federal regulations.

The Subarea board shall have the maintenance contractor periodically test all residential septic tanks and if they are in need of pumping, such need shall be passed onto the Subarea Board and the residential property owner notified in writing of the need to pump their tanks. The property owner is financially responsible for pumping at whatever frequency may be mandated by usage and/or Subarea Board policy. If, in the estimation of the Subarea Board, the integrity of the collection system is best served by having the Subarea Board pump any tank, either because of the homeowner's delay in pumping or, in the case for tanks with internal pumps that require specialized equipment to pump and service for which the pumping must be completed by the Subarea's maintenance

contractor, such pumping costs shall be paid by the Subarea and the cost added to the property owner's subsequent year's assessment.

2. **Commercial Wastewater.** All commercial customers shall be required to pretreat waste to achieve a flow into the System that does not exceed the maximum loading standards established or amended by the Subarea Board. All costs related to the installation of any pretreatment devices shall be borne by the property owner. When pretreatment does not lower commercial loading to acceptable levels, the Subarea Board may add an annual assessment penalty to the property owner for payment in the subsequent year's property taxes.
3. **Industrial Wastewater.** No industrial wastewater shall be introduced into the Edison System.
4. **Pretreatment of Wastewater.** Acceptable methods of pretreatment may include grease traps, chemical or biological plants, sedimentation chambers and any other similar devices. Any and all such devices and equipment shall be subject to approval of the Subarea Board and shall not be put into operation nor revised in any manner without written permission and approval by the Subarea Board and other approving governing agencies. Ownership and operation of pretreatment units shall be the responsibility of the property owner and/or user. The Subarea Board or designee may inspect any pretreatment device, including grease traps, at any time during normal business hours without advance notice.
5. **Grease Traps.** Grease Traps, in addition to Septic Tanks, shall be required for businesses with restaurants, bakeries, and/or food service businesses or residential users who discharge excessive concentrations of fat, oil, or grease into the collection system. The property owner is financially responsible for grease trap pumping at whatever frequency may be mandated by usage and/or Subarea Board policy. If, in the estimation of the Subarea Board, the integrity of the collection system is best served by having the Subarea Board pump any grease trap, such pumping costs shall be paid by the Subarea and the cost added to the property owner's subsequent year's assessment.

12.64.120 Users of the System

As noted, there are a preset number of allowable connections to the Edison System. The possible users of the System are as follows:

1. **Residential Users.** When the boundary of the Subarea was established, existing residential properties had the option of joining into the Subarea. The majority of the homes in Edison did. These Users pay an annual assessment covering their proportionate cost of operating the System.
2. **Future Connections.** There are a number of Future Connections for which no sewer service is currently provided, and these Future Connections may be activated when the owner desires to exercise their option for connection to the System. This might be for an

existing residential building who is not connected or a vacant parcel within the boundaries of the Edison Subarea upon which a home is be constructed.

The written request to activate a Future Connection shall first be brought to the Subarea Board for approval. If approved, the Subarea Board shall send a letter to the requestor stating that the connection may be made, supply the Subarea adopted engineered drawings for the installation of the septic tank, inform the requestor of the amount of the connection fees, tank inspection fees, any other fees that may be due and when these are to be paid to the County Treasurer for the benefit of the Edison Subarea. The cost for installation of a septic tank and associated components shall be the responsibility of the requestor.

The Subarea's engineer shall review and approve/reject submitted sewer connection plans prior to the approval of any building permits and/or commencement of any construction and the all installations shall be inspected prior to operation. No backfilling is allowed until all proper inspections are made.

As with existing connected properties, ownership of the sewer components downstream from the point by which the building's sewer connection enters the septic tank, shall be conveyed in writing to the Edison Subarea together with an Access Easement allowing the Subarea access to the property and these components.

3. Other Potential Users

- a. Existing Customers Desiring Additional Flow. These may be for Accessory Dwelling Units (ADU), on-site short-term rentals, or requests for additional users. The allowability of these shall be dictated and controlled by both any Subarea Board Polices, and the regulations adopted by Skagit County.
- b. New Customers With the Subarea Boundary. Requests for sewer service for nonparticipating properties within the Edison Subarea will be dictated by the policies of the Subarea Board, County regulations, and approval by the Department of Ecology and/or other State or Federal agencies allowing for an expansion to the maximum number of sewer connections within the Subarea boundary.
- c. New Customers Outside of Subarea Boundary. Requests for sewer service for properties outside the Edison Subarea Boundary will be dictated by the policies of the Subarea Board, County regulations, and approval by the Department of Ecology and/or other State or Federal agencies allowing for an expansion to both the boundary of the Subarea and the maximum number of sewer connections to the system.

12.64.130 Sewer Connections and Repairs

No person or entity shall uncover, make connections with or openings into, use, alter, or disturb any public sewer or appurtenance thereof or construct any connection to the sewer system without first obtaining written approval from the Edison Subarea Board. Sewer connection plans

must conform and satisfy the Subarea connection standards and polices as adopted or herein after amended by the Subarea Board.

1. **Building Connection Repairs.** Any needed repair to the building's sewer connection upstream of the point at which the building's sewer line enters the septic tank and/or grease trap shall be made within thirty (30) calendar days after the date of mailing or personal service by the Subarea Board or the Skagit Health Department.

All such repairs shall be done at the property owner's expense. In the event of an emergency or if the property owner cannot be located or does not promptly make such repair, the Subarea Board may take steps to complete such repairs, the cost of which will be added to the subsequent year's assessment for the property owner. All repairs to the sewer components downstream of the building's connection to the septic tank and/or grease trap will be the responsibility of the Subarea Board.

2. **Workmanship and Hold Harmless.** The installation of a building sewer connection, septic tanks, and/or grease trap to the System shall be made by a qualified, bonded, and licensed certified installer. As an approval precondition, the property owner for all new connections shall be required to submit a document that will indemnify and hold harmless the Subarea Board, Skagit County, and/or their agents, contractors, etc. against any damage to personal or public property or personal injury caused by the performance of such actions in a form acceptable to the Subarea Board and Skagit County. In addition, the property owner shall provide a warranty of all materials and workmanship used in connection with such actions for a minimum period of two (2) years from the date of acceptance of said actions by the Subarea Board.

12.64.140 Property Access for Maintenance and Inspection

All property owners are required to have on file with the County an easement entitling the County and/or Subarea Board representatives' access to construct, inspect, maintain, or repair connections and all components of the Subarea's sewer system located on private property.

The Subarea Board's maintenance contractor and their employees or representatives shall be authorized to enter upon the property connected to the System to conduct regular maintenance tasks such as inspection cleaning and repair as well as other activities required for an efficiently operated System such as smoke testing or measuring solids accumulated within the septic tanks and/or grease traps.

12.64.150 Assessments, Fees, and Other Charges

The Board of County Commissioners shall set annual assessments, following a recommendation from the Subarea Board, as part of the County's annual budget process. The recommended annual assessment amounts shall be determined by the Subarea Board following their adopted polices and methodology and shall be based on Equivalent Residential Units (ERU's). The Board shall recommend assessments for all residential, commercial, school, and future connections based on the mathematical methodology adopted or thereafter revised by the Board. All residential customers will be charged the minimum of one (1) ERU.

All commercial customers shall be charged an assessment based upon flow (as determined by water meters) and strength of flow (as determined by periodic testing) in a proportionate basis as determined by the Subarea Board. Commercial customers shall also be charged for the cost of the periodic flow testing to determine flow strength. The assessments for both residential and commercial customers shall also include any tank and/or grease trap pumping or other charges from the current year. In addition, an annual assessment for the Edison Elementary School shall also be recommended on an equivalent ERU basis.

The Subarea Board, through adopted policy, shall establish, adjust, and amend the amount of any and all fees and charges applicable to services within the Edison Subarea if, in their judgement, such modifications increase user equity, ensure efficient operations of the System, and/or serve to protect the public health, safety, or welfare of the users of the System, the citizens of Skagit county and/or visitors to the Town of Edison.

1. Other Provisions Related to Assessments, Fees, or Other Charges.

- a. Annual assessments, once imposed on any property or building, shall continue until the serviced building is demolished, torn down, removed, or no longer in existence or unless it can be shown by affidavit that the building cannot be services because of lack of water. Discontinuance of the annual assessment shall be based upon a formal request to the Subarea Board. Disconnection from the sewer system shall be in accordance with the requirements of Skagit County.
- b. All new residential connections shall pay, in addition to any other fees, a prorated share of the current year's assessments in full prior to the connection and activation of the sewer connection.
- c. All new commercial connections shall pay an advance assessment equal to two (2) times the current residential annual assessment amount. Once flow and strength testing has been completed to the satisfaction of the Subarea Board, the actual current year's assessment shall be determined (including waste testing fees) with any outstanding balance billed to the property owner and any surplus refunded. This advance assessment shall be paid in full prior to the connection and activation of the sewer connection.
- d. All other fees and charges including but not limited to new customer Capital Assessment fees, Latecomer Fees, Plan Review/Inspection Fees, Return Inspection Fees, or other costs and fees shall be determined by the Subarea Board and adopted as policy.

12.64.160 Right of Entry, Enforcement, Appeals, and Liens

Right of entry shall be governed by SCC 12.050270. Enforcement of any violation of any provision of this Chapter shall be governed by SCC 12.05.280. Appeals shall be governed by SCC 12.05.290.

In the event that any person or entity fails to pay any fee or charge as set forth in this Chapter within sixty (60) calendar days after the same is billed by the County, the unpaid balance plus interest shall become and remain a lien against the property. The Subarea Board shall certify periodically and as-needed as to such delinquencies to the Skagit County Assessor/Treasurer at which time the lien shall attach. The lien shall be for all charges and interest at the current rate to be determined by the Skagit County Assessor/Treasurer to be applied from the date due until paid, and shall attach to the premises to which the services were furnished or the amounts due. Upon the expiration of sixty (60) calendar days after the attachment of the lien herein, the County may bring suit by civil action in the Skagit County Superior Court.