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**From:** Will W. Honea  
**Sent:** Monday, September 29, 2008 2:18 PM  
**To:** Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; 'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'  
**Cc:** James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R. Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; 'Scott Thomas'; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

### **Governance Board Members,**

Mr. Berg's description of the Governance Board Interlocal Agreement dated April 30, 2008 is inaccurate and misleading. Moreover, Mr. Berg's mischaracterization of the Governance Board Interlocal Agreement appears to echo a series of emails over the past several days from Deluxe principals Larry McCarter and Steve Snell to County Public Works staff. This causes us to reasonably question the motivation behind Mr. Berg's below email.

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**Again:** everyone already agreed on the CSWMP amendments about which Sedro-Woolley expresses apparent confusion, by signing the GBIA. See GBIA Section 4, last sentence of section.

If there is any irritation reflected by this email, it arises from the fact that the County has explained this issue to the City of Sedro-Woolley on several occasions, including just a few days ago, prior to the recent Sedro-Woolley City Council meeting, at which this issue was inaccurately explained to the City Council (and thus rejected).

This issue is not nearly as hard to understand as Mr. Berg makes it out to be: The only practical effect of the recent CSWMP amendments is to put the Governance Board in charge as a regulatory matter, as everyone has already agreed under the Governance Board Interlocal Agreement.

**Best Regards,**

**Will Honea**  
**Chief Civil Deputy**  
**Skagit County Prosecuting Attorney**

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**From:** Eron Berg  
**Sent:** Monday, September 29, 2008 10:17 AM  
**To:** KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; 'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'  
**Cc:** James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R. Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; Will W. Honea; 'Scott Thomas'; KevinRenz  
**Subject:** CSWMP

To the Solid Waste System Governance Board:

The Sedro-Woolley City Council, responding to the requests of the public and questions regarding the SWSGB's action on the proposed 2008 CSWMP, did not adopt the proposed revisions at its last meeting. Instead, the Council asked me to forward a request to the SWSGB that it take final action on the draft CSWMP as required by Section 4 of the 2008 Interlocal agreement.

At the May meeting of the SWSGB, the board voted to forward the CSWMP to DOE for review, but clearly indicated that it was not taking final action to approve the CSWMP and that the plan would come before the board for final approval. The CSWMP was discussed at the July meeting, but no action was taken; Section 13.6 requires action in the form of supermajority voting.

While we have no doubt that the plan will be approved by the SWSGB, the Sedro-Woolley City Council does not plan to adopt the CSWMP until the SWSGB votes on it in accordance with Section 4. The City Council does understand that it has a contractual obligation to adopt the plan within 30 days of approval by the SWSGB and approval by DOE. DOE has approved, they are now waiting for the SWSGB to approve.

For whomever is in charge of the agenda, would you please put final action on the 2008 CSWMP on the agenda?

Thanks,

Eron

**Eron M. Berg**  
City Supervisor/City Attorney  
**City of Sedro-Woolley**  
**325 Metcalf Street**  
**Sedro-Woolley, WA 98284**  
(360) 855-9922

FAX: 855-9923

[eberg@ci.sedro-woolley.wa.us](mailto:eberg@ci.sedro-woolley.wa.us)

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Despite the Uniform Electronic Transactions Act or the application of any other law of similar substance or effect, in the absence of an express statement to the contrary in this e-mail message, this e-mail message, its contents and any attachments, are not intended to represent an offer or acceptance to enter into a contract and are not otherwise intended to bind the sender of this e-mail message or any other person.

This email is covered by the Electronic Communications Privacy Act, 18 USC 2510-2521 and is legally privileged. The information contained in this electronic message is intended only for the use of the recipient named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this electronic message transmission in error, please notify the sender at (360) 855-1661 or reply e-mail and delete the original message. Thank you.

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**From:** Mike Anderson  
**Sent:** Tuesday, September 30, 2008 8:49 AM  
**To:** Will W. Honea; Eron Berg; Kerig Holmberg; 'Sharon D. Dillon'; DonMunks; Mike Anderson; Melissa Dougher; Julie Rosario; 'Mayor Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Maxwell, Dean'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'; James E. Voetberg; 'Martin, Chal'; Leo Jacobs; Steve Huizinga; Carrie Crisp; Cheryl Brue; Julie Rosario; Shane Walley; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
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So in conclusion, it wasn't Eron's fault. Will, you're jumping to conclusions or connecting dots that aren't there. We haven't heard from Deluxe, McCarter or Snell in a long time. Things are going to happen, let's quit getting personal. You get more flies with sugar than you do with vinegar. Let's work together.

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**Will Honea**  
**Chief Civil Deputy**  
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Thanks,

Eron

**Eron M. Berg**  
City Supervisor/City Attorney  
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This email is covered by the Electronic Communications Privacy Act, 18 USC 2510-2521 and is legally privileged. The information contained in this electronic message is intended only for the use of the recipient named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this electronic message transmission in error, please notify the sender at (360) 855-1661 or reply e-mail and delete the original message. Thank you.

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**From:** Will W. Honea  
**Sent:** Tuesday, September 30, 2008 10:02 AM  
**To:** Mike Anderson; Eron Berg; Kerig Holmberg; Sharon D. Dillon; DonMunks; Mike Anderson; Melissa Dougher; Julie Rosario; Mayor Brunz; Mayor Hayes; Mayor Heinzman; Maxwell, Dean; Mayor Norris; Mayor Wilson; Mayor Wilson; James E. Voetberg; Martin, Chal; Leo Jacobs; Steve Huizinga; Carrie Crisp; Cheryl Brue; Julie Rosario; Shane Walley; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

Mike,

Thanks for your email.

Steve Snell's recent email to Public Works says he has been in communication with Eron in the past few days. You may wish to coordinate stories with your City Supervisor.

When we see Eron and Deluxe raising the same erroneous attacks on County staff's handling of the CSWMP at virtually the same time, it is hard to assume mere coincidence. Given the events thus far, it seems pretty unlikely to be coincidence.

The SWORDS citizens group in Sedro-Woolley is not operating at my direction, although your expressed belief that we're more in tune with your citizens' wishes certainly reflects reality.

1

Your willingness to work together is a welcome change, given that the series of events involving Deluxe has cost the community a great of time, money and acrimony.

With that in mind, a cooperative approach would involve the City of Sedro-Woolley adopting the amended CSWMP as required by our Interlocal Agreement.

Thanks,

Will  
-----Original Message-----

From: "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>  
Subj: RE: CSWMP  
Date: Tue Sep 30, 2008 8:48 am  
Size: 5K  
To: "Will W. Honea" <willh@co.skagit.wa.us>; "Eron Berg" <eberg@ci.sedro-woolley.wa.us>; "Kerig Holmberg" <kholmberg@ci.sedro-woolley.wa.us>; "Sharon D. Dillon" <sdillon@co.skagit.wa.us>; "DonMunks" <donmunks@co.skagit.wa.us>; "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>; "Melissa Dougher" <mdougher@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Mayor Brunz" <edb@ci.burlington.wa.us>; "Mayor Hayes" <Mayor@townoflaconner.org>; "Mayor Heinzman" <mayor\_lyman@msn.com>; "Maxwell, Dean" <dean@cityofanacortes.org>; "Mayor Norris" <mvmayor@ci.mount-vernon.wa.us>; "Mayor Wilson" <jctmwilson@msn.com>; "Mayor Wilson" <jctmwilson@msn.com>; "James E. Voetberg" <jimv@co.skagit.wa.us>; "Martin, Chal" <cmartin@ci.burlington.wa.us>; "Leo Jacobs" <ljacobs@ci.sedro-woolley.wa.us>; "Steve Huizinga" <shuizinga@ci.sedro-woolley.wa.us>; "Carrie Crisp" <ccrisp@ci.sedro-woolley.wa.us>; "Cheryl Brue" <cbrue@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolle .wa.us>; "Shane Walley" <swalley@ci.sedro-woolley.wa.us>;

2

"KevinRenz" <kevinr@co.skagit.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Dennis London" <dlondon@ci-sedro-woolley.wa.us>; "Hugh Galbraith" <hgalbraith@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Pat Colgan" <pcolgan@ci.sedro-woolley.wa.us>; "Rick Lemley" <rlemley@ci.sedro-woolley.wa.us>

Governance Board Members and all,

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Subject: RE: CSWMP

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**From:** Will W. Honea  
**Sent:** Tuesday, September 30, 2008 10:19 AM  
**To:** Eron Berg  
**Cc:** Mike Anderson  
**Subject:** Re: FYI

-----Original Message-----

From: "Eron Berg" <eberg@ci.sedro-woolley.wa.us>  
Subj: FYI  
Date: Tue Sep 30, 2008 10:18 am  
Size: 414 bytes  
To: "Will W. Honea" <willh@co.skagit.wa.us>  
cc: "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>

Will,

Here are my only communications with Mr. Snell since June 3, 2008. My last communication with Mr. McCarter was on July 25, 2008 when I informed him that I could not communicate with him without his attorney's permission (which was not granted).

1

I hope this clears up any confusion you may have about my communications with Mr. Snell, Mr. McCarter or anyone else at Deluxe.

Eron

2

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**From:** Scott Thomas [scottt@ci.burlington.wa.us]  
**Sent:** Tuesday, September 30, 2008 10:22 AM  
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**Subject:** RE: CSWMP

I'm not sure what all the hubbub is about – I have not seen the emails referenced below - but from Burlington's perspective, we need the SWSGB to formally recommend the comp. plan amendments and forward them back to Burlington.

Under GMA, all cities, towns, and the county are required to have a utilities element in their comp. plans. For many cities and towns, the comprehensive solid waste management plan is incorporated into that city or town's GMA comp. plan to meet this GMA requirement. GMA comp. plans have a number of requirements, but the one that is most applicable here is that they can be amended no more frequently than once each year. However, an exception to the once-a-year requirement is allowed for emergencies, with each planning jurisdiction able to define what constitutes an emergency allowing amendment to the comp plan.

As I understand the solid waste interlocal agreement, we have all authorized the County to include provisions in the solid waste comp. plan that addresses the management of solid waste generate in each particular jurisdiction. So far as I know, all of the cities approved the proposed comp. plan amendments, as did the County. The County then forwarded the proposed amendments to DOE for review and approval, as is required by state law. However, I do not think the SWSGB has taken action on those amendments, other than to acquiesce in sending the amendments to DOE. Now that the amendments are back from DOE, it would be appropriate for the SWSGB to formally adopt those amendments and recommend them to the cities and the County for adoption. Under the interlocal agreement, we are all obligated to adopt the amendments as recommended by the SWSGB. This is also my understanding of the process based upon my attendance at the SWSGB meetings (with the exception of the last meeting 2 weeks ago, in which I had a conflict and did not attend.) Finally, I understand that no entity has, or will, propose revisions to the amendments that have just been approved by DOE. If I am wrong about any of that, I hope one of you will correct me.

The reason Burlington would like the SWSGB to take formal action on the amendments is that doing so provides us firmer ground from which to amend our GMA comp. plan. If there is a recommendation from the SWSGB to adopt the solid waste comp. plan amendments in conformance with the interlocal agreement, then we think it is much easier to achieve GMA compliance. If that sounds like a hackneyed view of the process, that's because it probably is. However, complying with the law is always a pretty good defense to any challenge.

Scott G. Thomas  
City Attorney  
City of Burlington  
(360) 755-9473

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The GBIA says that the County will amend the CSWMP to reflect the GBIA's terms, which is what the County has done. The GBIA also says that going forward from here, any major solid waste decisions and CSWMP changes will be through the Governance Board. So the Governance Board is not losing any authority here whatsoever.

Suffice to say, the County is not trying to "put one over" on anyone. All we are trying to do is execute the basic intent that (almost) everyone seems to share, i.e., to put all decisions going forward in the hands of the Governance Board. That's the only thing that has been accomplished with the recent amendments to the CSWMP.

**Again:** everyone already agreed on the CSWMP amendments about which Sedro-Woolley expresses apparent confusion, by signing the GBIA. See GBIA Section 4, last sentence of section.

If there is any irritation reflected by this email, it arises from the fact that the County has explained this issue to the City of Sedro-Woolley on several occasions, including just a few days ago, prior to the recent Sedro-Woolley City Council meeting, at which this issue was inaccurately explained to the City Council (and thus rejected).

This issue is not nearly as hard to understand as Mr. Berg makes it out to be: The only practical effect of the recent CSWMP amendments is to put the Governance Board in charge as a regulatory matter, as everyone has

already agreed under the Governance Board Interlocal Agreement.

**Best Regards,**

**Will Honea**  
**Chief Civil Deputy**  
**Skagit County Prosecuting Attorney**

---

**From:** Eron Berg  
**Sent:** Monday, September 29, 2008 10:17 AM  
**To:** KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; 'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'  
**Cc:** James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R. Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; Will W. Honea; 'Scott Thomas'; KevinRenz  
**Subject:** CSWMP

To the Solid Waste System Governance Board:

The Sedro-Woolley City Council, responding to the requests of the public and questions regarding the SWSGB's action on the proposed 2008 CSWMP, did not adopt the proposed revisions at its last meeting. Instead, the Council asked me to forward a request to the SWSGB that it take final action on the draft CSWMP as required by Section 4 of the 2008 Interlocal agreement.

At the May meeting of the SWSGB, the board voted to forward the CSWMP to DOE for review, but clearly indicated that it was not taking final action to approve the CSWMP and that the plan would come before the board for final approval. The CSWMP was discussed at the July meeting, but no action was taken; Section 13.6 requires action in the form of supermajority voting.

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For whomever is in charge of the agenda, would you please put final action on the 2008 CSWMP on the agenda?

Thanks,

Eron

**Eron M. Berg**  
City Supervisor/City Attorney  
**City of Sedro-Woolley**  
**325 Metcalf Street**  
**Sedro-Woolley, WA 98284**  
(360) 855-9922  
FAX: 855-9923

[eberg@ci.sedro-woolley.wa.us](mailto:eberg@ci.sedro-woolley.wa.us)

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---

**From:** Scott Thomas [scottt@ci.burlington.wa.us]  
**Sent:** Tuesday, September 30, 2008 10:23 AM  
**To:** Eron Berg; Kevin Rogerson  
**Subject:** RE: CSWMP

No, that is not my understanding. I replied a few moments ago. The problem is, we all have different GMA processes that we need to take into account.

Scott G. Thomas  
City Attorney  
City of Burlington  
(360) 755-9473  
FAX (360) 755-1297

---

**From:** Eron Berg [mailto:eberg@ci.sedro-woolley.wa.us]  
**Sent:** Tuesday, September 30, 2008 9:29 AM  
**To:** Kevin Rogerson; Scott Thomas  
**Subject:** CSWMP

Kevin and Scott,

Is your understanding that the parties have already agreed to the 2008 CSWMP by virtue of the 2008 interlocal agreement? If so, why do we need to take any more action if we have already adopted it by reference in advance of seeing it?

I had not heard this argument before Will's email. Does not make much sense, but it works me if that is how others are interpreting the interlocal.

Thanks,

Eron

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**From:** Will W. Honea  
**Sent:** Monday, September 29, 2008 2:18 PM  
**To:** Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; 'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'  
**Cc:** James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R. Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; 'Scott Thomas'; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

**Governance Board Members,**

Mr. Berg's description of the Governance Board Interlocal Agreement dated April 30, 2008 is inaccurate and misleading. Moreover, Mr. Berg's mischaracterization of the Governance Board Interlocal Agreement appears to echo a series of emails over the past several days from Deluxe principals Larry McCarter and Steve Snell to County Public Works staff. This causes us to reasonably question the motivation behind Mr. Berg's below email.

By signing the Governance Board Interlocal Agreement (“**GBIA**”), all municipalities already agreed to the CSWMP amendments in question. See, last sentence of GBIA Section 4 at page 5 (“The Parties to this Agreement further understand and agree that the County shall promptly amend the CSWMP after execution of this Agreement solely as necessary to incorporate and reflect the terms of the Agreement in the CSWMP, **which amendment shall be applicable to and deemed adopted by all Parties to this Agreement by virtue of their execution of this Agreement.**”)(bolding added)

The GBIA contains the following substantive provisions (among others), which were duly incorporated and reflected in the CSWMP via the CSWMP amendments at issue:

- “Each Party shall designate the County System for the disposal of all Solid Waste...” GBIA Section 5.
- “Any proposed changes significantly affecting the operation of the System (including but not limited to tipping fee adjustments) or the siting of disposal facilities...shall be submitted to the Solid Waste System Governance Board for final decision.” GBIA Section 13.1
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**Best Regards,**

**Will Honea**  
**Chief Civil Deputy**  
**Skagit County Prosecuting Attorney**

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**Sent:** Monday, September 29, 2008 10:17 AM

**To:** KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; 'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor Wilson'

**Cc:** James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R. Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; Will W. Honea; 'Scott Thomas'; KevinRenz

**Subject:** CSWMP

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Thanks,

Eron

**Eron M. Berg**  
City Supervisor/City Attorney  
**City of Sedro-Woolley**  
**325 Metcalf Street**  
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---

**From:** Will W. Honea  
**Sent:** Tuesday, September 30, 2008 10:30 AM  
**To:** Eron Berg  
**Cc:** Mike Anderson  
**Subject:** Re: FYI

Yes, Eron, you are clever enough not to put things in writing.

Snell writes that he got copies of the updated CSWMP from you in the past few days, and immediately thereafter the two of you both started harping on County staff about the CSWMP.

I would suggest that you quit squandering what little reputation you have left trying to promote Deluxe.

-----Original Message-----

From: "Eron Berg" <eberg@ci.sedro-woolley.wa.us>  
Subj: FYI  
Date: Tue Sep 30, 2008 10:18 am  
Size: 414 bytes  
To: "Will W. Honea" <willh@co.skagit.wa.us>  
cc: "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>

1

Will,

Here are my only communications with Mr. Snell since June 3, 2008. My last communication with Mr. McCarter was on July 25, 2008 when I informed him that I could not communicate with him without his attorney's permission (which was not granted).

I hope this clears up any confusion you may have about my communications with Mr. Snell, Mr. McCarter or anyone else at Deluxe.

Eron

2

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**From:** Will W. Honea  
**Sent:** Tuesday, September 30, 2008 10:45 AM  
**To:** Scott Thomas; Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson  
**Cc:** James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; KevinRenz; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

Scott your analysis is not consistent with the Interlocal Agreement, which says on its face that the plan amendments are deemed adopted by all parties. If all parties want to depart from the agreement that's fine, but what you are saying simply does not reflect the agreement.

This is not about the GMA Comp plan. What version of the CSWNP does the current Burlington GMA utilities element reflect?

What I see Sedro-Woolley doing is creating procedural delay and attacking the Governance Board process. I guess I don't really understand why you are supporting this, since Burlington has publically taken a policy position that supports keeping the Solid Waste System together.

1

-----Original Message-----

From: "Scott Thomas" <scottt@ci.burlington.wa.us>  
Subj: RE: CSWMP  
Date: Tue Sep 30, 2008 10:21 am  
Size: 5K  
To: "Will W. Honea" <willh@co.skagit.wa.us>; "Eron Berg" <eberg@ci.sedro-woolley.wa.us>; "KenDahlstedt" <kend@co.skagit.wa.us>; "Sharon D. Dillon" <sdillon@co.skagit.wa.us>; "DonMunks" <donmunks@co.skagit.wa.us>; "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>; "Mayor Bates" <townofhamilton@fidalgo.net>; "Judy Sheahan" <judys@ci.burlington.wa.us>; "Ed Brunz" <edb@ci.burlington.wa.us>; "Mayor Hayes" <Mayor@townoflaconner.org>; "Mayor Heinzman" <mayor\_lyman@msn.com>; "Mayor Maxwell" <cherri@cityofanacortes.org>; "Mayor Norris" <mvmayor@ci.mount-vernon.wa.us>; "Mayor Wilson" <jctmwilson@msn.com>; "Mayor Wilson" <townofconcrete@verizon.net>  
cc: "James E. Voetberg" <jimv@co.skagit.wa.us>; "Brad Furlong" <bef@furlongbutler.com>; "Kevin Rogerson" <kevinr@ci.mount-vernon.wa.us>; "Stephen R. Fallquist" <stephenf@co.skagit.wa.us>; "Buckenmeyer, Fred" <fredb@cityofanacortes.org>; "Chal Martin" <chalm@ci.burlington.wa.us>; "Jon Aarstad" <jona@ci.burlington.wa.us>; "KevinRenz" <kevinr@co.skagit.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Dennis London" <dlondon@ci-sedro-woolley.wa.us>; "Hugh Galbraith" <hgalbraith@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Pat Colgan" <pcolgan@ci.sedro-woolley.wa.us>; "Rick Lemley" <rlemley@ci.sedro-woolley.wa.us>

I'm not sure what all the hubbub is about - I have not seen the emails referenced below - but from Burlington's perspective, we need the SWSGB to formally recommend the comp. plan amendments and forward them back to Burlington.

2

Under GMA, all cities, towns, and the county are required to have a utilities element in their comp. plans. For many cities and towns, the comprehensive solid waste management plan is incorporated into that city or town's GMA comp. plan to meet this GMA requirement. GMA comp. plans have a number of requirements, but the one that is most applicable here is that they can be amended no more frequently than once each year. However, an exception to the once-a-year requirement is allowed for emergencies, with each planning jurisdiction able to define what constitutes an emergency allowing amendment to the comp plan.

As I understand the solid waste interlocal agreement, we have all authorized the County to include provisions in the solid waste comp. plan that addresses the management of solid waste generate in each particular jurisdiction. So far as I know, all of the cities approved the proposed comp. plan amendments, as did the County. The County then forwarded the proposed amendments to DOE for review and approval, as is required by state law. However, I do not think the SWSGB has taken action on those amendments, other than to acquiesce in sending the amendments to DOE. Now that the amendments are back from DOE, it would be appropriate for the SWSGB to formally adopt those amendments and recommend them to the cities and the County for adoption. Under the interlocal agreement, we are all obligated to adopt the amendments as recommended by the SWSGB. This is also my understanding of the process based upon my attendance at the SWSGB meetings (with the exception of the last meeting 2 weeks ago, in which I had a conflict and did not attend.) Finally, I understand that no entity has, or will, propose revisions to the amendments that have just been approved by DOE. If I am wrong about any of that, I hope one of you will correct me.

3

The reason Burlington would like the SWSGB to take formal action on the amendments is that doing so provides us firmer ground from which to amend our GMA comp. plan. If there is a recommendation from the SWSGB to adopt the solid waste comp. plan amendments in conformance with the interlocal agreement, then we think it is much easier to achieve GMA compliance. If that sounds like a hackneyed view of the process, that's because it probably is. However, complying with the law is always a pretty good defense to any challenge.

Scott G. Thomas  
City Attorney  
City of Burlington  
(360) 755-9473  
FAX (360) 755-1297

---

From: Will W. Honea [mailto:willh@co.skagit.wa.us]  
Sent: Monday, September 29, 2008 2:18 PM  
To: Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson

4

Cc: James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; Scott Thomas; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
Subject: RE: CSWMP

Governance Board Members,

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5

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6

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**From:** Scott Thomas [scottt@ci.burlington.wa.us]  
**Sent:** Tuesday, September 30, 2008 10:52 AM  
**To:** Will W. Honea; Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson  
**Cc:** James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; KevinRenz; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

This is what the parties all agreed to at the SWSGB meetings, Will. I don't come away with the impression that there are any disreputable motives on anyone's part, but that's just my personal judgment.

Scott G. Thomas  
City Attorney  
City of Burlington  
(360) 755-9473  
FAX (360) 755-1297

-----Original Message-----

From: Will W. Honea [mailto:willh@co.skagit.wa.us]  
Sent: Tuesday, September 30, 2008 10:45 AM

1

To: Scott Thomas; Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson  
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2

<eberg@ci.sedro-woolley.wa.us>; "KenDahlstedt" <kend@co.skagit.wa.us>; "Sharon D. Dillon" <sdillon@co.skagit.wa.us>; "DonMunks" <donmunks@co.skagit.wa.us>; "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>; "Mayor Bates" <townofhamilton@fidalgo.net>; "Judy Sheahan" <judys@ci.burlington.wa.us>; "Ed Brunz" <edb@ci.burlington.wa.us>; "Mayor Hayes" <Mayor@townoflaconner.org>; "Mayor Heinzman" <mayor\_lyman@msn.com>; "Mayor Maxwell" <cherri@cityofanacortes.org>; "Mayor Norris" <mvmayor@ci.mount-vernon.wa.us>; "Mayor Wilson" <jctmwilson@msn.com>; "Mayor Wilson" <townofconcrete@verizon.net>  
cc: "James E. Voetberg" <jimv@co.skagit.wa.us>; "Brad Furlong" <bef@furlongbutler.com>; "Kevin Rogerson" <kevinr@ci.mount-vernon.wa.us>; "Stephen R. Fallquist" <stephenf@co.skagit.wa.us>; "Buckenmeyer, Fred" <fredb@cityofanacortes.org>; "Chal Martin" <chalm@ci.burlington.wa.us>; "Jon Aarstad" <jona@ci.burlington.wa.us>; "KevinRenz" <kevinr@co.skagit.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Dennis London" <dlondon@ci-sedro-woolley.wa.us>; "Hugh Galbraith" <hgalbraith@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Pat Colgan" <pcolgan@ci.sedro-woolley.wa.us>; "Rick Lemley" <rlemley@ci.sedro-woolley.wa.us>

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5

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Cc: James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; Scott Thomas; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
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By signing the Governance Board Interlocal Agreement ("GBIA"), all

6

municipalities already agreed to the CSWMP amendments in question. See, last sentence of GBIA Section 4 at page 5 ("The Parties to this Agreement further understand and agree that the County shall promptly amend the CSWMP after execution of this Agreement solely as necessary to incorporate and reflect the terms of the Agreement in the CSWMP, which amendment shall be applicable to and deemed adopted by all Parties to this Agreement by virtue of their execution of this Agreement.") (bolding added)

The GBIA contains the following substantive provisions (among others), which were duly incorporated and reflected in the CSWMP via the CSWMP amendments at issue:

\* "Each Party shall designate the County System for the disposal of all Solid Waste..." GBIA Section 5.

\* "Any proposed changes significantly affecting the operation of the System (including but not limited to tipping fee adjustments) or the siting of disposal facilities...shall be submitted to the Solid Waste

7

System Governance Board for final decision." GBIA Section 13.1

\* The Governance Board must approve any new site designation. GBIA Section 13.1.2

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**From:** Will W. Honea  
**Sent:** Tuesday, September 30, 2008 11:16 AM  
**To:** Scott Thomas; Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson  
**Cc:** James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; KevinRenz; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

The agreement says what it says, and until I learn otherwise we intend to follow the agreement and not some alleged side arrangement. Who committed the County to this arrangement?

I think it is pretty important for these regional groups to observe their agreements. Otherwise it quickly devolves into the kind of discussion we're now having.

Having spent the last year successfully litigating against Deluxe and Sedro-Woolley to keep the solid waste system intact (something Burlington says it wants), I do not entirely share your optimistic views about the motivations at play here.

This involves a great deal of money, which in my experience causes otherwise honorable men to occasionally behave in less than honorable ways.

1

-----Original Message-----

**From:** "Scott Thomas" <scottt@ci.burlington.wa.us>  
**Subj:** RE: CSWMP  
**Date:** Tue Sep 30, 2008 10:52 am  
**Size:** 5K  
**To:** "Will W. Honea" <willh@co.skagit.wa.us>; "Eron Berg" <eberg@ci.sedro-woolley.wa.us>; "KenDahlstedt" <kend@co.skagit.wa.us>; "Sharon D. Dillon" <sdillon@co.skagit.wa.us>; "DonMunks" <donmunks@co.skagit.wa.us>; "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>; "Mayor Bates" <townofhamilton@fidalgo.net>; "Judy Sheahan" <judys@ci.burlington.wa.us>; "Ed Brunz" <edb@ci.burlington.wa.us>; "Mayor Hayes" <Mayor@townoflaconner.org>; "Mayor Heinzman" <mayor\_lyman@msn.com>; "Mayor Maxwell" <cherri@cityofanacortes.org>; "Mayor Norris" <mvmayor@ci.mount-vernon.wa.us>; "Mayor Wilson" <jctmwilson@msn.com>; "Mayor Wilson" <townofconcrete@verizon.net>  
**cc:** "James E. Voetberg" <jimv@co.skagit.wa.us>; "Brad Furlong" <bef@furlongbutler.com>; "Kevin Rogerson" <kevinr@ci.mount-vernon.wa.us>; "Stephen R. Fallquist" <stephenf@co.skagit.wa.us>; "Buckenmeyer, Fred" <fredb@cityofanacortes.org>; "Chal Martin" <chalm@ci.burlington.wa.us>; "Jon Aarstad" <jona@ci.burlington.wa.us>; "KevinRenz" <kevinr@co.skagit.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Dennis London" <dlondon@ci-sedro-woolley.wa.us>; "Hugh Galbraith" <hgalbraith@ci.sedro-woolley.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Pat Colgan" <pcolgan@ci.sedro-woolley.wa.us>; "Rick Lemley" <rlemley@ci.sedro-woolley.wa.us>

This is what the parties all agreed to at the SWSGB meetings, Will. I don't come away with the impression that there are any disreputable motives on anyone's part, but that's just my personal judgment.

Scott G. Thomas

2

City Attorney  
City of Burlington  
(360) 755-9473  
FAX (360) 755-1297

-----Original Message-----

From: Will W. Honea [mailto:willh@co.skagit.wa.us]  
Sent: Tuesday, September 30, 2008 10:45 AM  
To: Scott Thomas; Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson; Mayor Bates; Judy Sheahan; Ed Brunz; Mayor Hayes; Mayor Heinzman; Mayor Maxwell; Mayor Norris; Mayor Wilson; Mayor Wilson  
Cc: James E. Voetberg; Brad Furlong; Kevin Rogerson; Stephen R. Fallquist; Buckenmeyer, Fred; Chal Martin; Jon Aarstad; KevinRenz; Julie Rosario; Dennis London; Hugh Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
Subject: RE: CSWMP

Scott your analysis is not consistent with the Interlocal Agreement, which says on its face that the plan amendments are deemed adopted by all parties. If all parties want to depart from the agreement that's fine, but what you are saying simply does not reflect the agreement.

This is not about the GMA Comp plan. What version of the CSWNP does the current Burlington GMA utilities element reflect?

What I see Sedro-Woolley doing is creating procedural delay and attacking the Governance Board process. I guess I don't really understand why you are supporting this, since Burlington has publically taken a policy position that supports keeping the Solid Waste System together.

3

-----Original Message-----

From: "Scott Thomas" <scottt@ci.burlington.wa.us>  
Subj: RE: CSWMP  
Date: Tue Sep 30, 2008 10:21 am  
Size: 5K  
To: "Will W. Honea" <willh@co.skagit.wa.us>; "Eron Berg" <eberg@ci.sedro-woolley.wa.us>; "KenDahlstedt" <kend@co.skagit.wa.us>; "Sharon D. Dillon" <sdillon@co.skagit.wa.us>; "DonMunks" <donmunks@co.skagit.wa.us>; "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>; "Mayor Bates" <townofhamilton@fidalgo.net>; "Judy Sheahan" <judys@ci.burlington.wa.us>; "Ed Brunz" <edb@ci.burlington.wa.us>; "Mayor Hayes" <Mayor@townoflaconner.org>; "Mayor Heinzman" <mayor\_lyman@msn.com>; "Mayor Maxwell" <cherri@cityofanacortes.org>; "Mayor Norris" <mvmayor@ci.mount-vernon.wa.us>; "Mayor Wilson" <jctmwilson@msn.com>; "Mayor Wilson" <townofconcrete@verizon.net>  
cc: "James E. Voetberg" <jimv@co.skagit.wa.us>; "Brad Furlong" <bef@furlongbutler.com>; "Kevin Rogerson" <kevinr@ci.mount-vernon.wa.us>; "Stephen R. Fallquist" <stephenf@co.skagit.wa.us>; "Buckenmeyer, Fred" <fredb@cityofanacortes.org>; "Chal Martin" <chalm@ci.burlington.wa.us>; "Jon Aarstad" <jona@ci.burlington.wa.us>; "KevinRenz" <kevinr@co.skagit.wa.us>; "Julie Rosario" <jrosario@ci.sedro-woolley.wa.us>; "Dennis London" <dlondon@ci-sedro-woolley.wa.us>; "Hugh Galbraith" <hgalbraith@ci.sedro-woolley.wa.us>; "Julie Rosario"

4

<jrosario@ci.sedro-woolley.wa.us>; "Pat Colgan"  
<pcolgan@ci.sedro-woolley.wa.us>; "Rick Lemley"  
<rlemley@ci.sedro-woolley.wa.us>

I'm not sure what all the hubbub is about - I have not seen the emails referenced below - but from Burlington's perspective, we need the SWSGB

to formally recommend the comp. plan amendments and forward them back to

Burlington.

Under GMA, all cities, towns, and the county are required to have a utilities element in their comp. plans. For many cities and towns, the

comprehensive solid waste management plan is incorporated into that city

or town's GMA comp. plan to meet this GMA requirement. GMA comp. plans have a number of requirements, but the one that is most applicable here is that they can be amended no more frequently than once each year.

However, an exception to the once-a-year requirement is allowed for emergencies, with each planning jurisdiction able to define what constitutes an emergency allowing amendment to the comp plan.

As I understand the solid waste interlocal agreement, we have all authorized the County to include provisions in the solid waste comp.

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plan that addresses the management of solid waste generate in each particular jurisdiction. So far as I know, all of the cities approved the proposed comp. plan amendments, as did the County. The County then forwarded the proposed amendments to DOE for review and approval, as is required by state law. However, I do not think the SWSGB has taken action on those amendments, other than to acquiesce in sending the amendments to DOE. Now that the amendments are back from DOE, it would be appropriate for the SWSGB to formally adopt those amendments and recommend them to the cities and the County for adoption. Under the interlocal agreement, we are all obligated to adopt the amendments as recommended by the SWSGB. This is also my understanding of the process based upon my attendance at the SWSGB meetings (with the exception of the last meeting 2 weeks ago, in which I had a conflict and did not attend.) Finally, I understand that no entity has, or will, propose revisions to

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**From:** RAE WILSON [jctmwilson@msn.com]  
**Sent:** Tuesday, September 30, 2008 8:23 PM  
**To:** Mike Anderson; Will W. Honea; Eron Berg; Kerig Holmberg; Sharon D. Dillon; DonMunks; Melissa Dougher; Julie Rosario; edb@ci.burlington.wa.us; Mayor@townoflaconner.org; mayor\_lyman@msn.com; dean@cityofanacortes.org; mvmayor@ci.mount-vernon.wa.us; James E. Voetberg; cmartin@ci.burlington.wa.us; Leo Jacobs; Steve Huizinga; Carrie Crisp; Cheryl Brue; Shane Walley; KevinRenz; Dennis London; Hugh Galbraith; Pat Colgan; Rick Lemley  
**Subject:** RE: CSWMP

I know you have not herd from me in a while but i think we all need to grow up and work together no more he said she said working together will get more done.

>From: "Mike Anderson" <manderson@ci.sedro-woolley.wa.us>  
>To: "Will W. Honea" <willlh@co.skagit.wa.us>, "Eron Berg"  
><eberg@ci.sedro-woolley.wa.us>, "Kerig Holmberg"  
><khholmberg@ci.sedro-woolley.wa.us>, "Sharon D. Dillon"  
><sdillon@co.skagit.wa.us>, "DonMunks" <donmunks@co.skagit.wa.us>, "Mike  
>Anderson" <manderson@ci.sedro-woolley.wa.us>, "Melissa Dougher"  
><mdougher@ci.sedro-woolley.wa.us>, "Julie Rosario"  
><jrosario@ci.sedro-woolley.wa.us>, "Mayor Brunz"  
><edb@ci.burlington.wa.us>, "Mayor Hayes"  
><Mayor@townoflaconner.org>, "Mayor Heinzman" <mayor\_lyman@msn.com>, "Maxwell, Dean"

1

><dean@cityofanacortes.org>, "Mayor Norris"  
><mvmayor@ci.mount-vernon.wa.us>, "Mayor Wilson"  
><jctmwilson@msn.com>, "Mayor Wilson" <jctmwilson@msn.com>, "James E. Voetberg"  
><jimv@co.skagit.wa.us>, "Martin, Chal"  
><cmartin@ci.burlington.wa.us>, "Leo  
>Jacobs" <ljacobs@ci.sedro-woolley.wa.us>, "Steve Huizinga"  
><shuizinga@ci.sedro-woolley.wa.us>, "Carrie Crisp"  
><ccrisp@ci.sedro-woolley.wa.us>, "Cheryl Brue"  
><cbrue@ci.sedro-woolley.wa.us>, "Julie Rosario"  
><jrosario@ci.sedro-woolley.wa.us>, "Shane Walley"  
><swalley@ci.sedro-woolley.wa.us>, "KevinRenz"  
><kevinr@co.skagit.wa.us>, "Julie Rosario"  
><jrosario@ci.sedro-woolley.wa.us>, "Julie Rosario"  
><jrosario@ci.sedro-woolley.wa.us>, "Dennis London"  
><dlondon@ci-sedro-woolley.wa.us>, "Hugh Galbraith"  
><hgalbraith@ci.sedro-woolley.wa.us>, "Julie Rosario"  
><jrosario@ci.sedro-woolley.wa.us>, "Pat Colgan"  
><pcolgan@ci.sedro-woolley.wa.us>, "Rick Lemley"  
><rlemley@ci.sedro-woolley.wa.us>  
>Subject: RE: CSWMP  
>Date: Tue, 30 Sep 2008 08:48:35 -0700  
>  
>Governance Board Members and all,  
>  
>  
>  
> Eron Berg explained in details that the SW City Council should  
>passed the CSWMP at last Wednesday's nights meeting. Tensions have been  
>running high with citizens questioning everything that they perceive

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>might help Deluxe. Another agenda item, the council denied a motion  
>because of negative citizens' comments to allow Fireridge LLC  
>(landlords of Deluxe) to start the annexation process allowing some of  
>their property now in UGA. Same thing happened to this CSWMP. Eron  
>tried to explain to the council and audience this is what the County  
>wants but the people and council wanted to go slower. I have many  
>e-mails from anti-Deluxe people wanting us to slow down on the CSWMP.  
>People are confused and emotional. I think they think it helps Deluxe.  
>Will, you ought to get your SWORDS people act together so they know  
>what legislation to support or not to support. And then again, the SW  
>Council might be doing what they want to do and not what County, Eron  
>or I am telling them what to do. The SW Council thinks for themselves,  
>staff doesn't run them.

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>  
> So in conclusion, it wasn't Eron's fault. Will, you're jumping  
>to conclusions or connecting dots that aren't there. We haven't heard  
>from Deluxe, McCarter or Snell in a long time. Things are going to  
>happen, let's quit getting personal. You get more flies with sugar than  
>you do with vinegar. Let's work together.

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>  
>From: Will W. Honea  
>Sent: Monday, September 29, 2008 2:18 PM  
>To: Eron Berg; KenDahlstedt; Sharon D. Dillon; DonMunks; Mike Anderson;

3

>'Mayor Bates'; 'Judy Sheahan'; 'Ed Brunz'; 'Mayor Hayes'; 'Mayor  
>Heinzman'; 'Mayor Maxwell'; 'Mayor Norris'; 'Mayor Wilson'; 'Mayor  
>Wilson'  
>Cc: James E. Voetberg; 'Brad Furlong'; 'Kevin Rogerson'; Stephen R.  
>Fallquist; 'Buckenmeyer, Fred'; 'Chal Martin'; 'Jon Aarstad'; 'Scott  
>Thomas'; KevinRenz; Julie Rosario; Julie Rosario; Dennis London; Hugh  
>Galbraith; Julie Rosario; Pat Colgan; Rick Lemley  
>Subject: RE: CSWMP

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>  
>Governance Board Members,  
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>  
>  
>Mr. Berg's description of the Governance Board Interlocal Agreement  
>dated April 30, 2008 is inaccurate and misleading. Moreover, Mr.  
>Berg's mischaracterization of the Governance Board Interlocal Agreement  
>appears to echo a series of emails over the past several days from  
>Deluxe principals Larry McCarter and Steve Snell to County Public Works  
>staff. This causes us to reasonably question the motivation behind Mr.  
>Berg's below email.

>  
>  
>  
>By signing the Governance Board Interlocal Agreement ("GBIA"), all  
>municipalities already agreed to the CSWMP amendments in question.  
>See, last sentence of GBIA Section 4 at page 5 ("The Parties to this  
>Agreement further understand and agree that the County shall promptly

4

>amend the CSWMP after execution of this Agreement solely as necessary  
>to incorporate and reflect the terms of the Agreement in the CSWMP,  
>which amendment shall be applicable to and deemed adopted by all  
>Parties to this Agreement by virtue of their execution of this  
>Agreement.") (bolding  
>added)  
>  
>  
>  
>The GBIA contains the following substantive provisions (among others),  
>which were duly incorporated and reflected in the CSWMP via the CSWMP  
>amendments at issue:  
>  
>  
>  
>\* "Each Party shall designate the County System for the disposal  
>of all Solid Waste..." GBIA Section 5.  
>  
>  
>  
>\* "Any proposed changes significantly affecting the operation of  
>the System (including but not limited to tipping fee adjustments) or  
>the siting of disposal facilities...shall be submitted to the Solid  
>Waste System Governance Board for final decision." GBIA Section 13.1  
>  
>  
>  
>\* The Governance Board must approve any new site designation.  
>GBIA Section 13.1.2

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>\* Any private solid waste proposals must be advanced through (and  
>only through) the Governance Board, via a request for proposal (RFP)  
>process. GBIA Section 13.1.4.  
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>  
>The GBIA says that the County will amend the CSWMP to reflect the  
>GBIA's terms, which is what the County has done. The GBIA also says  
>that going forward from here, any major solid waste decisions and CSWMP  
>changes will be through the Governance Board. So the Governance Board  
>is not losing any authority here whatsoever.  
>  
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>  
>Suffice to say, the County is not trying to "put one over" on anyone.  
>All we are trying to do is execute the basic intent that (almost)  
>everyone seems to share, i.e., to put all decisions going forward in  
>the hands of the Governance Board. That's the only thing that has been  
>accomplished with the recent amendments to the CSWMP.  
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>Again: everyone already agreed on the CSWMP amendments about which  
>Sedro-Woolley expresses apparent confusion, by signing the GBIA. See  
>GBIA Section 4, last sentence of section.  
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>Instead, the Council asked me to forward a request to the SWSGB that it  
>take final action on the draft CSWMP as required by Section 4 of the  
>2008 Interlocal agreement.

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>At the May meeting of the SWSGB, the board voted to forward the CSWMP  
>to DOE for review, but clearly indicated that it was not taking final  
>action to approve the CSWMP and that the plan would come before the  
>board for final approval. The CSWMP was discussed at the July meeting,  
>but no action was taken; Section 13.6 requires action in the form of  
>supermajority voting.

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>  
>While we have no doubt that the plan will be approved by the SWSGB, the  
>Sedro-Woolley City Council does not plan to adopt the CSWMP until the  
>SWSGB votes on it in accordance with Section 4. The City Council does  
>understand that it has a contractual obligation to adopt the plan  
>within 30 days of approval by the SWSGB and approval by DOE. DOE has  
>approved, they are now waiting for the SWSGB to approve.

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>  
>For whomever is in charge of the agenda, would you please put final  
>action on the 2008 CSWMP on the agenda?

>  
>  
>

>Thanks,

>  
>  
>  
>Eron

>  
>  
>  
>Eron M. Berg  
>  
>City Supervisor/City Attorney  
>  
>City of Sedro-Woolley  
>  
>325 Metcalf Street  
>  
>Sedro-Woolley, WA 98284  
>  
>(360) 855-9922  
>  
>FAX: 855-9923  
>  
>eberg@ci.sedro-woolley.wa.us

>  
>  
>  
>Advisory: Please be advised the City of Sedro-Woolley is required to  
>comply with the Public Disclosure Act Chapter 42.56 RCW. This act  
>establishes a strong state mandate in favor of disclosure of public

>records. As such, the information you submit to the City via email,  
>including personal information, may ultimately be subject to disclosure  
>as a public record.

>  
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>  
>