

## MINUTES

### BOARD OF COUNTY COMMISSIONERS MEETING

September 24, 2001

The Commissioners met in session in the Commissioners' Meeting Room of the Administration Building, Montesano, Washington, on Monday, September 24, 2001, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Dan Wood and Sandi Daniels, Clerk of the Board, were present. Jim Baker, Prosecuting Attorney was present.

**MINUTES OF PREVIOUS MEETING:** Minutes from the September 17, 2001 Board of County Commissioners meeting were approved.

#### **BIDS:**

**Proposal for Computer Maintenance:** There was a bid opening for the following: Proposal for Computer Equipment Maintenance. The Clerk of the Board opened and read the following bids received:

Abtech Systems, Carlsbad, California --  
HP 9000 K220           \$4,536 yearly subtotal  
HP 9000 K460           \$5,508 yearly subtotal

Rainier Solutions, Inc., Bellevue --  
HP 9000 K220           \$5,573 yearly subtotal  
HP 9000 K460           \$8,012 yearly subtotal

The bids were referred to Dale Gowan, Director, Department of Central Services, for review and recommendation.

#### **HEARINGS:**

**Proposed Ordinance Amending Ordinance 63:** There was a public hearing to consider an ordinance amending Ordinance 63. The following summary provides a brief description of the ordinance presented to the Board of Commissioners of Grays Harbor County for consideration: An Ordinance Amending And Adding A New Section To Ordinance 63 Imposing A Tax On Bingo, Raffles, And Amusement Games. The Board of County Commissioners found it necessary to amend Ordinance 63 to conform to the requirements of RCW 9.46.110, as amended. The proposed ordinance is to impose no additional tax, but to bring the ordinance with the limits of RCW 9.46.110, and to add new sections defining raffles and providing separately for the tax on amusement games. A full text of the proposed ordinance was available at the County Commissioners Office, Suite 1, County Administration Building, 100 West Broadway, Montesano, Washington, for review, and was available to be mailed upon request. Chairman Beerbower asked for a staff report. Jim Baker, Senior Deputy Prosecuting Attorney, provided a staff report.

Mr. Baker explained this is part of the continuing effort to codify the county ordinances into a single code book. Codification of county ordinances into a single code book will enable county staff, local municipal governments, and citizens to more easily locate, understand and comply with county ordinances. Mr. Baker explained the first draft ordinance amends Ordinance 63 to correct a conflict with state law which limits the tax on amusement games to two percent. The five percent tax imposed on amusement games in Section 3 of Ordinance 63 exceeds the two percent limitation imposed by RCW 9.46.110(3) (b). Since the five percent tax imposed on bingo and raffles is within the limit of RCW 9.46.110(3) (a), the recommended ordinance makes no change in that regard. Mr. Baker explained the proposed ordinance also includes a new section defining "raffle" which is missing in Ordinance 63; this definition is taken verbatim from RCW 9.46.0277. In order to differentiate between the five percent limit on bingo and raffles, and the two percent limit on amusement games under Washington law, Section 2 of the proposed ordinance removes amusement games, and Section 3 of the draft ordinance adds a new section specifically imposing the two percent amusement games tax. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed. A motion was made, seconded and passed to approve **Ordinance No. 286 – An Ordinance Amending And Adding A New Section To Ordinance 63 Imposing A Tax On Bingo, Raffles, And Amusement Games.**

**Proposed Ordinance Amending Ordinance 109:** There was a public hearing to consider an ordinance amending Ordinance 109. The following summary provides a brief description of the ordinance presented to the Board of Commissioners of Grays Harbor County for consideration: An Ordinance Amending Ordinance 109 To Update References To Chapter 70.77 RCW. The Board of County Commissioners found it necessary to amend Ordinance 109 to adopt by reference relevant sections of chapter 70.77 RCW relating to the manufacture, importation, possession, sale, discharge, display or transportation of fireworks and to delete references to chapter 230, Laws of 1982 which has been superseded. A full text of the proposed ordinance was available at the County Commissioners Office, Suite 1, County Administration Building, 100 West Broadway, Montesano, Washington for review and was available to mailed upon request. Chairman Beerbower asked for a staff report. Jim Baker reported the proposed ordinance removes references to chapter 230, Laws of 1982 which have been amended and superseded several times since 1982 by the Washington legislature. The proposed ordinance also cleans up the language in Ordinance 109 to avoid any necessity of amending the ordinance each time the legislature acts. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed. A motion was made, seconded and passed to approve **Ordinance No. 287 – An Ordinance Amending Ordinance 109 To Update References To Chapter 70.77 RCW.**

**PRESENTATION:**

None

**PUBLIC COMMENT I:**

Chairman Beerbower asked for public comment. Fred Hutchison, resident of Elma, commented regarding the PDA Executive Session and open public meeting violation.

**DEPARTMENT OF PUBLIC SERVICES**

**Request Approval, Railroad Crossing on Elma-Hicklin Road:** A motion was made, seconded and passed to approve two (2) copies of the Railroad Agreement and three (3) copies of the Local Agency Agreement Supplement for the following four (4) projects: Railroad Crossing Protection – Cloquallum Road C-78150-10, Hicklin Road C-77000-05, Elma Hicklin Road C-79740-03 and Elma-Hicklin Road C-79740-04. The Department of Public Services recommended these agreements be approved so that federal matching funds can be requested for construction.

**Request Approval, Gleason Road Overflow Bridge Replacement:** The Contractor, Brumfield Construction Inc., has completed the Gleason Road Overflow Bridge Replacement SA-3275 C-73120-03 contract. The total amount of the contract is \$121,938.57 which is 1.56% above the original bid amount. The Department of Public Services recommended acceptance of the contract by the Board of Commissioners, which would allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington. A motion was made, seconded and passed to accept the Gleason Road Overflow Bridge Replacement contract as complete and allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington.

**Request Approval, 2001 Stockpiling Sealing Chips and Maintenance Sand Contract:** The Contractor, Northwest Rock, Inc., has completed the 2001 Stockpiling Sealing Chips and Maintenance Sand Contract (Schedule D). The Department of Public Services recommended acceptance of the contract by the Board of Commissioners, which would allow the release of \$2,610.09 as per Section 60.28, Revised Code of Washington. A motion was made, seconded and passed to accept the 2001 Stockpiling Sealing Chips and Maintenance Sand Contract (Schedule D) as complete and allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington.

**Request Approval, Amendment to Professional Services Contract:** A motion was made, seconded and passed to approve a Professional Services Contract Amendment between the County and LWC Consulting for Professional Services related to salmon

recovery. The source of funding for the referenced work is the WDFW Lead Entity grant program for salmon recovery. A program administered by Grays Harbor County on behalf of the Chehalis Basin Partnership.

**Request Set Hearing Date, CDBG, General Purpose Grant Applications:** October 8, 2001 at 2:00 p.m. is the date and time set for a public hearing to solicit, consider, and select a project proposal for the 2001 application cycle of the Community Development Block Grant program. Aberdeen Neighborhood Housing Services expressed an interest in making available a housing rehabilitation program to benefit the low and moderate income households in Grays Harbor County.

**Request Approval, CDBG Planning Only Grant Application:** A motion was made, seconded and passed to approve the CDBG Planning Only Contract. The funds received through this contract will be used to develop a strategic countywide housing plan for low and moderate income individuals and for individuals with special needs. This project will directly benefit approximately 3,372 LMI households, or 8,431 individuals.

**Request Approval, CERB Funding Application Resolution:** The Department of Public Services are in the process of preparing a Community Economic Revitalization Board (CERB) Grant/Loan Application for the Rail Spur to Junction City. The deadline for application to be heard at the November meeting of the CERB Board is October 1, 2001. In the interest of the meeting deadline, the Department of Public Services requested approval of the proposed resolution approving and authorizing the submittal of the CERB Funding Application. A motion was made, seconded and passed to approve **Resolution 01-104 – A Resolution Authorizing A Grant And Loan Application To CERB For The Junction City Rail Spur Project.**

**Request Approval, Junction City Rail Spur Contingency Agreement:** A motion was made, seconded and passed to approve the Junction City Rail Spur Contingency Agreement prepared as a part of the CERB application for the Junction City Rail Spur Project. The agreement between the County and Sierra Pacific Industries spells out certain responsibilities. The County's commitment in the agreement is to provide the rail spur if CERB funding is provided. Sierra Pacific Industries commits to the private investment for mill construction. The deadline for the grant application is October 1, 2001.

**Request Approval, Aberdeen Industrial Waterline Grant Contract & Amendment:** A motion was made, seconded and passed to approve the Aberdeen Industrial Waterline Grant Contract and Amendment. The grant agreement has been prepared to provide \$3,000,000 of Old Growth Diversification Funding for the waterline project. The

amendment is to update the project tasks and timelines for the original \$3,500,000 appropriation from the State Legislature for the project.

**Request Hearing Date, Emergency Appropriation, Facilities Services:** October 15, 2001 at 2:00 p.m. is the date and time set for public hearing for an Emergency Budget, General Fund – Facility Services #001-018. The request by Facility Services Department is for \$103,400. Electricity rates have increased overall in 2001 by 30% and a shortfall of \$77,000 is anticipated. In addition, it is necessary to make emergency repairs to the various facilities not anticipated in the budget process. The repairs total \$26,400.

The Clerk of the Board announced the following item received after the agenda was prepared:

**Request Approval, WACERT Project List:** The WACERT Project list was presented for review and approval via resolution to include the Malone Reservoir Replacement Project. Because the project is an emergency, there has not been time to reprioritize the list with the prioritization committee, nor discussed priority changes with those already having prioritized projects on the list. Therefore, the project has been placed at the end of the list. However, it is understood that the repairs are being funded by a grant from the Forest Service and do not believe that the project's priority will affect its completion. A motion was made, seconded and passed to approve **Resolution No. 01-105 – A Resolution For Adding The Malone Water System Project To The Economic Adjustment Initiative Project List For Grays Harbor County.**

## **DEPARTMENTS**

### **HEALTH AND SOCIAL SERVICES**

**Request Approval, Personal Services Contract:** A motion was made, seconded and passed to approve a personal service contract with Perrilyn DeBoer. Ms. DeBoer is a dental assistant and will be working with a contracted dental hygienist to carry out the Dental Sealant Program in schools.

**Request Approval, Agreement w/Grays Harbor College, Nurses Training:** A motion was made, seconded and passed to approve an agreement between Grays Harbor College and the County that allows nursing program students to receive clinical training in the County facility. Nursing students generally spend time with community health nurses seeing clients in WIC, First Steps, and Family Planning. The college provides liability insurance for these students. Students act only under close supervision of registered nurses. The Public Health and Social Services Department reported they are pleased to assist the college in maintaining their nursing program.

## **MANAGEMENT SERVICES**

**Request Approval, Agreement w/State E911:** A motion was made, seconded and passed to approve the E911 State Funded Salary Assistance Contracts and Signature Authorization Forms.

**Request Hearing Date, Supplemental Appropriation:** October 15, 2001 at 2:00 p.m. is the date and time set for a Supplemental Budget Hearing for \$91,481 in state money for the Special Projects Fund. The Emergency Management Division of the WA State Military Department has agreed to contract \$182,962 for E911 State Funded Salary Assistance for the period of July 1, 2001 to June 30, 2002 to be passed on to Grays Harbor County E911.

**Request Approval, Salary Resolution, Superior and District Courts:** A motion was made, seconded and passed to approve **Resolution No. 01-106 – Amending Resolution No. 01-05 and Fixing Compensation Of Employees From and After January 1, 2001.** This salary resolution will amend the Superior Court and District Court salary resolution to reflect a new salary schedule for the state's elected official as adopted by the Washington Citizens Commission. The effective date was September 1, 2001.

## **CORRESPONDENCE:**

None

## **APPOINTMENTS:**

**Grays Harbor County Planning Commission:** A motion was made, seconded and passed to appoint Jim Kalkwarf of Aberdeen to the Grays Harbor County Planning Commission.

## **PUBLIC COMMENT II:**

Fred Hutchison asked questions regarding the cost of the Professional Services contract with LWC Consulting for Professional Services related to salmon recovery. Commissioner Wood reported the consultant cost will be \$55. per hour and not to exceed \$21,600. Mr. Hutchison commented regarding the request from Facility Services Department concerning electricity rate increases resulting in a shortfall. Mr. Hutchison commented on the issue regarding the salary increases for Superior and District Court judges. Mr. Hutchison commented regarding the possibility of the Port selling property located at Westport and the potential of a tsunami. He commented on the current situation in New York and asked if the County would continue to apply for federal grants.

**ANNOUNCEMENTS**

None

**RESOLUTIONS:**

The following resolutions were approved and signed by the Board:

- #01-104      A Resolution Authorizing A Grant And Loan Application To CERB For  
The Junction City Rail Spur Project
  
- #01-105      A Resolution For Adding The Malone Water System Project To The  
Economic Adjustment Initiative Project List For Grays Harbor County
  
- #01-106      Amending Resolution No. 01-05 And Fixing Compensation Of Employees  
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The meeting adjourned at 2:45 p.m. to Monday, October 1, 2001 at 2:00 p.m.

BOARD OF COMMISSIONERS  
for Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2001

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BOB BEERBOWER, Chairman

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DENNIS MORRISETTE, Commissioner

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DAN WOOD, Commissioner

ATTEST:

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Sandra Daniels  
Clerk of the Board