

MINUTES

BOARD OF COUNTY COMMISSIONERS MEETING

October 29, 2001

The Commissioners met in session in the Commissioners' Meeting Room of the Administration Building, Montesano, Washington, on Monday, October 29, 2001, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Dan Wood were present. Sandi Daniels, Clerk of the Board was excused. Jim Baker, Senior Deputy Prosecuting Attorney was present.

MINUTES OF PREVIOUS MEETING: Minutes from the October 22, 2001 Board of County Commissioners meeting were approved.

BIDS:

Proposals for Video Imaging System: There was a bid opening for a Video Imaging System for the Grays Harbor County Sheriff's Department. The video imaging system will work in concert with the computerized jail management system. Copies of the request for proposal was available by contacting Jail Superintendent David Christensen, Montesano, Washington. The Deputy Clerk of the Board reported that two proposals were received. The following proposals were received with bid bond attached:

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| 1. Spillman Technologies, Inc., Logan UT | |
| Total Purchase Price | \$49,590 |
| 2. DSSI, Chatsworth, CA | |
| Total DPIL Software | \$32,500 |

The bids were referred to the Sheriff's Department for review and recommendation.

HEARINGS:

Right of Way Vacation Petition: There was a public hearing to consider a request from Ron and Rosemary Smeland and Christopher Raders to vacate pursuant to RCW 36.87.020 the following right of way: All of Highland Boulevard adjacent to Block 2 Lots 2-6 and previously vacated Second Avenue lying between Blocks 2 & 3 in the Plat of Ocean City Volume 5 page 46 records of Grays Harbor County located in Section 3 Township 18N range 12 W.W.M. Chairman Beerbower asked for a staff report. Paul Easter, Director, Department of Public Services, reported that Ron and Rosemary Smeland and Christopher Raders have petitioned to vacate a 60 foot unopened right of way lying adjacent to property they own in the Plat of Ocean City known as Highland Boulevard. The Plat was approved on May 25, 1925 and is recorded in Volume 5 page 46 records of Grays Harbor County. Mr. and Mrs. Smeland and Mr. Raders primary

reason for seeking the vacation is to prevent further garbage dumping and target practicing from happening on the right of way. The Department of Public Services see no need for this right of way in the future. The Department has no objection to the petition as requested. The Department recommended that the Order of Vacation be approved and the right of way be placed back on the tax rolls. The application fee of One Hundred Fifty dollars (\$150.00) and the fifty percent (50%) appraised value of Four Thousand Four Hundred Fifty Five dollars (\$4,455.00) have been paid. 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 **Order of Vacation – In the Matter of The Vacation of all of Highland Boulevard adjacent to Block 2, Lots 2-6, and All of Highland Boulevard adjacent to previously vacated Second Avenue lying between Block 2 & 3 in the Plat of Ocean City, Volume 5, Page 46, records of Grays Harbor County located in Section 3, Township 18N Range 12.**

Community Development Block Grant Program Funding for 2002: There was a public hearing to obtain citizen input, particularly from those of low and moderate income, on the consideration of an application for funding through the Community Development Block Grant Program funding for 2002. The purpose of this application is to make funds available to the Coastal Community Action program to provide core administrative support for necessary community projects including Volunteer Legal Services, Coastal Supported Employment, Community Jobs, Child Care Resource and Referral, Transitional Housing, In Home Care, Coastal Community Advocates, and the Retired Senior Volunteer Program. Community Development Block funding also assists with administrating the Services Training Officers and Prosecutors, which is designed to enhance victims services, crime reporting and the prosecution of sexual assault and domestic violence. Overall, the agency will assist more than 7,000 households in the two-county area in 2002. All of the programs named herein and all others administered by Coastal Community Action Program are designed to assist low and moderate income persons to become self-sufficient. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that these are federal funds that are being applied for through the state department of Community Development and it is for \$144,000. Ms. Elway reported that Neal Schanbeck, Executive Director, Coastal Community Action Program was available to present a report. Mr. Schanbeck made a presentation and discussed the various programs listed in the notice as follows:

1. Community Jobs: Funding Source: State of Washington CTED and CDBG. CDBG Investment is \$62,056.00. Dollars returned back to the economies of Grays Harbor and Pacific counties is \$743,000.

2. Supported Employment: Funding Source: Grays Harbor County, Division of Vocational Rehabilitation and CDBG. CDBG Investment is \$9,082.00. Dollars returned back into the economies of Grays Harbor County is \$209,000.
3. Transitional Housing: Funding Source: HUD, Fundraising, CDBG and Community Services Block Grant (CSBG). CDBG Investment is \$5,562.00. Dollars returned back into the economies of Grays Harbor County is \$390,000.
4. Grays Harbor Volunteer Legal Services: Funding Source: Northwest Justice Project. CDBG Investment is \$797.00. Dollars returned back into the economies of Grays Harbor County is \$19,500.
5. Coastal Community Advocates: Funding Source: Grays Harbor County, United Way of Grays Harbor and fundraising. CDBG Investment is \$3,092.00. Dollars returned back into the economies of Grays Harbor County is \$24,800.
6. STOP: Funding Source: City of Elma, Department of Justice, Violence against Women and CDBG. CDBG Investment is \$1,906.00. Dollars returned back into the economies of Grays Harbor County is \$12,113.
7. Retired Senior Volunteer Program: Funding Source: Corporation for National and Community Services, United Way of Grays Harbor County, State of Washington CTED, Grays Harbor County, Fundraising, CDBG and CSBG. CDBG Investment \$1,625.00. Dollars returned back into the economies of Grays Harbor and Pacific Counties \$81,781.
8. In Home Care: Funding Source: Olympic Area Agency on Aging and CDBG. Total CDBG Investment is \$141,906.00. Total return on investment is \$1,480,194. Equates to a 90% return on the CDBG investment.

Mr. Schanbeck provided copies to the Board and distributed information on the availability of CDBG funds and the eligible uses at the public hearing. 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 the Community

Development Block Grant Program Funding for 2002.

PRESENTATION:

None

PUBLIC COMMENT I:

Chairman Beerbower asked for public comment. Stanley Trohimovich, resident of Aberdeen, provided a copy of a motion that he filed with the Court Clerk prior to this meeting. Mr. Trohimovich discussed an alleged foreclosure proceeding of liens for delinquent real property taxes that is scheduled for November or December by the County Treasurer and the Prosecuting Attorney. There was no additional public comment.

DEPARTMENT OF PUBLIC SERVICES

Request Approval, Agreement with Phinney Fish Consulting Services: A motion was made, seconded and passed to hire Phinney Fish Consulting Services. Phinney Fish Consulting Services has submitted a proposal to complete a “Biological Assessment and Environmental Classification Checklist” for the South Bank Road Briggs Nursery Curve, C-96412-26 Project.

Request Approval, Letter of Support for Jefferson County: A motion was made seconded and passed to endorse a letter of support for a grant proposal by Jefferson County for the reconstruction of a 4.11 mile segment of the South Shore Road in Quinault. Jefferson County intends to submit a grant application to the Forest Highway Program. If funded, Jefferson is ready to proceed with the project. This project is an important part of the Lake Quinault Economic Vitality Plan developed by Grays Harbor County and supported by the Lake Quinault Community Action Forum.

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

Request Approval, Resolution, Washington State Hazard Mitigation Grant Program: A motion was made, seconded and passed to approve **Resolution No. 01-123 – Authorizing Paul Easter To Execute State of Washington Hazard Mitigation Grant Program**. This resolution authorizes Paul Easter, Director of Public Services or his alternate, Michael Whelan, Sheriff, to execute for and on behalf of Grays Harbor County, application(s) for the State of Washington Hazard Mitigation Grant Program and to file in the Military Department, Emergency Management Division for the purpose of

obtaining certain federal and state financial assistance under Section 404 of P.L. 93-288 as amended by Robert T. Stafford Disaster Relief and Emergency Act of 1988.

DEPARTMENTS

MANAGEMENT SERVICES

Request, Budget Transfer General Fund, WSU Cooperative Extension: A motion was made, seconded and passed to approve **Resolution No. 01-124 – Transferring Items In The Grays Harbor County General Fund Cooperative Extension #001-022.** The resolution approves moving \$1,600 from Interfund Services ER&R to Extra Help. Additional time is required to submit a grant application and finish year-end projects. Rose Elway, Budget Director, reviewed the request and funds are available within the Weed Budget to accommodate the extra help hours.

JUVENILE COURT SERVICES

Request Approval, Agreements with Juvenile Rehabilitation Administration: A motion was made, seconded and passed to approve the following agreements between Grays Harbor County and Juvenile Rehabilitation Administration for funding of county Juvenile Court Services provided from July 1, 2001 through June 30, 2003.

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|------------------------|------------|
| 1. Detention Services | 0163-02971 |
| 2. Diagnostic Services | 0163-02994 |
| 3. SHB 3900 | 0163-03559 |

The Agreements prepared by the Juvenile Rehabilitation Administration have included the court administrator on the contract.

PUBLIC HEALTH AND SOCIAL SERVICES

Request Approval, Lease Agreement with Aberdeen Associates: This item was continued for further review and consideration.

Request Approval, Agreement with Thurston County: A motion was made, seconded and passed to approve an Agreement with Thurston County. Through this Agreement, the Thurston County Public Health and Social Services Department will be providing data management services to support the BCHP program. The Department of Public Health and Social Services will utilize the State BCHP funding to pay for staff there to enter local data into the State's management information and billing system. The contract totals \$7,500 and runs through June 30, 2002.

Request Approval, Washington State Liquor Control Board Grant: A motion was made, seconded and passed to approve a one-year \$50,000 federal grant from the Washington State Liquor Control Board for the purpose of reducing underage drinking. This grant brings several law enforcement agencies, the Liquor Control Board and nine High School Prevention Teams together to implement community education and prevention strategies, as well as to conduct retailer training and compliance checks. This Agreement had been signed previously, but effective October 1, the administering agency at the State changed from the Washington Traffic Safety Commission to the Liquor Control Board.

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

PROSECUTOR

Request, Set Hearing Date, Request to Repeal Ordinance 20: November 19, 2001 at 2:00 p.m. is the date and time set for a public hearing to consider adoption of an ordinance repealing Ordinance No. 20. During the course of staff review of Grays Harbor County Ordinance 20, which requires registration of persons engaged in the business of garbage collection, in consultation with the Environmental Health Department, it has been determined that this ordinance is no longer in force and should be repealed. Regulation and licensing of garbage collection activities are presently handled under state law and the county no longer registers persons under Ordinance 20.

Request, Approval of Resolution – Courthouse Repairs Bond: A motion was made, seconded and passed to approve **Resolution No. 01-125 –A Resolution Confirming Disposition Of Future Claim Settlement Funds Toward Grays Harbor County Courthouse Repair Bonds.** The resolution addresses the County's intent to use all insurance funds for courthouse repair to pay down/off general obligation bonds issued in the event the voters of the County approve the proposition on November 6, 2001 at the special election.

CORRESPONDENCE:

The Deputy Clerk of the Board reported a lawsuit against Grays Harbor County was received from Dusty L. Wambolt. Chairman Beerbower referred the lawsuit to the Prosecutor's office.

APPOINTMENTS:

None

PUBLIC COMMENT II:

Chairman Beerbower asked for public comment. There was no public comment.

ANNOUNCEMENT:

The meeting recessed at 2:40 p.m. and will be continued at 6:00 for a briefing on DSHS Plan to Site Transitional Housing Facilities for Violent Sexual Predators in Grays Harbor, Thurston and 11 other counties.

The meeting reconvened at 6:05 p.m.

The following introductions were made:

Bob Holter, Commissioner for Mason County, Herb Baze, Commissioner for Mason County, Kevin O'Sullivan, Commissioner for Thurston County, Cathy Wolfe, Commissioner for Thurston County, Wesley Johnson, Commissioner for Mason County, Dan Wood, Commissioner for Grays Harbor County, Bob Beerbower, Commissioner for Grays Harbor County, Dennis Morrisette, Commissioner for Grays Harbor County and Stew Menefee, Grays Harbor County Prosecutor. Jeff Rasmussen, Commissioner for Cowlitz County was introduced. Sheriff Michael Whelan, Grays Harbor County and Sheriff Gary Edwards, Thurston County were introduced.

Chairman Beerbower reported the purpose of the briefing was to receive input regarding a DSHS plan to site Transitional Housing Facilities for Violent Sexual Predators in Grays Harbor Thurston and 11 other counties in Washington State.

Briefing reports were received from the following:

Paul Rogerson, Grays Harbor County Building and Planning Director. Mr. Rogerson discussed requirements and land use issues regarding the plan.

Mark Freedman, Administrator, Thurston/Mason Regional Support Network. Mr. Freedman discussed recidivism of sexual predators.

Mike Whelan, Grays Harbor County Sheriff. Sheriff Whelan discussed local law enforcement and public safety regarding the plan.

Gary Edwards, Thurston County Sheriff. Sheriff Edwards discussed law enforcement and public safety regarding violent sexual predators.

Chris Curtis, Risk Analyst for Thurston County. Mr. Curtis discussed the liability issues for the county.

Joe Wheeler, Deputy Prosecuting Attorney, Thurston County. Mr. Wheeler discussed protecting safety and welfare.

Chairman Beerbower asked for public comment. Janet, a victim of a sexual assault, expressed concern and voiced opposition to the DSHS Plan to site transitional housing facilities for violent sexual predators in Grays Harbor County. Jackie, voiced concern for her personal safety and is opposed to the DSHS plan. Fred Hutchison, resident of Elma, asked questions regarding liability issues for Grays Harbor County. Mr. Hutchison asked questions regarding the 3-Strike law and discussed concern with cell phones not working in all areas of Grays Harbor County. Carol Burns, Thurston County media representative, voiced opposition to the proposed plan.

County Commissioners made closing remarks. The Deputy Clerk of the Board read a proposed resolution as follows:

Whereas, The Washington State Department of Social & Health Services proposes placing transitional housing facilities for violent sexual predators in Grays Harbor County and 12 other counties and,

Whereas, these proposed facilities would place violent sexual predators, who are deemed extremely likely to re-offend, near vulnerable citizens, and

Whereas, the DSHS guidelines anticipate supervised leave into the community for a variety of purposes, and

Whereas, the DSHS requirements for training and equipment appear to be insufficient to guarantee public safety, and

Whereas, DSHS has been given authority to supercede local land use laws and regulations to force such facilities onto local counties and cities, and

Whereas, Grays Harbor County Commissioners have sworn to protect public health and safety,

NOW, THEREFORE, the Grays Harbor County Commissioners demand that the Legislature remove authority of DSHS to supercede local land use authority, and

The Grays Harbor County Commissioners insist that no violent sexual predator transitional housing facility be sited in Grays Harbor County unless expressly permitted by the county commission or city council, and

The Grays Harbor County Commissioners commit to protect public health and safety by legally and politically opposing the siting of these dangerous transitional housing facilities for violent sexual predators.

APPROVED and ACCEPTED this 29th day of October, 2001.

A motion was made, seconded and passed to approve **Resolution No. 01-126 – DSHS Proposed Transitional Housing Facilities for Violet Sexual Predators.**

RESOLUTIONS:

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| #01-123 | Authorizing Paul Easter To Execute State of Washington Hazard Mitigation Grant Program |
| #01-124 | Transferring Items In The Grays Harbor County General Fund Cooperative Extension #001-022 |
| #01-125 | Confirming Disposition of Future Claim Settlement Funds Toward Grays Harbor County Courthouse Repair Bonds |
| #01-126 | DSHS Proposed Transitional Housing Facilities for Violent Sexual Predators |

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The meeting adjourned at 8:30 p.m. to Monday, November 5, 2001 at 2:00 p.m.

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

BOB BEERBOWER, Chairman

Absent

DENNIS MORRISETTE, Commissioner

DAN WOOD, Commissioner

ATTEST:

Clerk of the Board