

## MINUTES

### BOARD OF COUNTY COMMISSIONERS MEETING

April 15, 2002

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, April 15, 2002, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Dan Wood were present. Also in attendance were Sandi Daniels, Clerk of the Board and Senior Deputy Prosecuting Attorney Jim Baker.

**MINUTES OF PREVIOUS MEETING:** The minutes of the Commissioners Meeting of April 8, 2002, were approved as presented.

#### **BIDS:**

None

#### **HEARINGS:**

**Appeal of Denial by Planning Commission – Application for Rezone:** There was a public hearing to consider the following: Steve Novy has submitted an application for a rezone pursuant to Grays Harbor County's Comprehensive Zoning Ordinance No. 38, to change the zoning designation of a 29.74-acre parcel of land from Agricultural Use 2 (A02) to General Development 1 (GD-1). The purpose of the rezone is to make available the option to develop a recreational vehicle park.

The rezone is proposed at XX Brittain Road on the property having Assessor's Parcel #170812430010 located approx. two (2.0) miles south of the City of Montesano along the Wynooche River, within the southeast quarter Section 12, Township 17N, Range SW. W.M., Grays Harbor County WA.

This matter was heard before the Grays Harbor County Planning Commission on February 4, 2002, and the application was denied. The applicant has appealed the denial to the Board of County Commissioners.

Jim Baker explained this hearing is a "closed record hearing" and any evidence and testimony to be considered by the Board of Commissioners has to be evidence and testimony that was presented to the Planning Commission. Mr. Baker noted that the zoning ordinance was amended after the last hearing to specifically clarify that this appeal is a "closed record hearing."

Chairman Beerbower asked for a staff report. Jane Hewitt, Grays Harbor County Planner, provided a staff report. Ms. Hewitt reported that the applicant and the Board of

County Commissioners received the following materials and requested they be entered into the record:

1. Appeal application, formal hearing date form, notice of hearing and mailing list.
2. Record of Action containing findings of fact, conclusions, staff recommendations and Planning Commission decision.
3. Minutes of the Grays Harbor County Planning Commission Public Hearing held on February 4, 2002.
4. Application for rezone, site plan and supporting documents.
5. State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance, Case #2001-0911.
6. Environmental Checklist.
7. Notice of public hearing and mailing list.
8. Correspondence received.
9. Personalized notice of application and public hearing that went to the owners of subject property.
10. Affidavit of Publication from *The Daily World* for the Hearing before the Planning Commission.

Chairman Beerbower asked for public comment. Steve Novy, applicant, outlined his plans and spoke in support of his proposal for developing a RV Park Campground. Chairman Beerbower asked for other testimony from the public who provided testimony at the Planning Commission hearing. Terry Willis reported that she and her husband own Olympic View Dairy on Willis Road in Montesano. Ms. Willis spoke in opposition of the rezone request. She spoke in support of preserving Ag property in Grays Harbor County and commented that Ordinance 38 protects agriculture. Ms. Willis commented that she disagrees with the applicant's proposal. She reported that this rezone is a "spot zone" and is not "project specific." Ms. Willis apologized if she stepped out of bounds when speaking previously.

Joyce Daniels, resident of Montesano reported she is an adjacent property owner. Ms. Daniels spoke in opposition to rezoning agricultural land. There was no additional testimony and the hearing was closed.

Commissioner Morrisette expressed understanding for Mr. Novy and his desire for the rezone request. He commented that the Planning Commission had enough information to make a decision. Commissioner Morrisette commented that reclassifying the site from Agricultural Use District-Two to General Development-1 will allow uses that are inconsistent and potentially incompatible with existing large-scale agriculture in the area. The public interest would not be met in upholding this rezone request. A motion was made, seconded and passed to deny the appeal of a re-zone request by Steve Novy, Case 2002-0193.

Commissioner Wood expressed his concern for maintaining Ag land. He explained because this is not contiguous to other land zoned similarly it would be a spot zone and is not legal. The goal of the Agricultural Element of the Grays Harbor County Comprehensive Plan is to conserve and protect agricultural lands from incompatible development and to encourage the continued economic viability of agriculture. Commissioner Wood discussed the criteria in Ordinance 38 for maintaining agricultural land. He commented the following criteria applies to the current case: Land that is prime or unique agricultural land as defined by the Soil Conservation Service (SCS) and is either in or near existing farm areas. Based on the soil type this is prime agricultural land. Commissioner Wood explained the best way for people to preserve Ag land in Grays Harbor County is note where farm products are being purchased and if there is an opportunity to buy products from the local farmers.

**Consideration of Redistricting Plan:** There was a public hearing to consider the proposed plan for redistricting the three County Commission Districts, per the requirements of RCW 29.70.100. Chairman Beerbower asked a staff report. Wade Reuther, with the County GIS Department, provided a staff report. Mr. Reuther explained he was provided with the census 2000 data compiled by the State of Washington. He worked with Vern Spatz, Ron Pursley and the Board to develop different alternatives. Per RCW 29.70.100, the Board of Commissioners is required to divide the County into three districts, each nearly equal in population of the County as possible. Commissioner Morrisette explained results of the 2000 census data and how it impacted the County Commissioners' districts. A motion was made, seconded and passed to approve **Resolution No. 02-23 – Designating Grays Harbor County Commissioner Districts**. Chairman Beerbower congratulated Mr. Reuther on his work in preparing the alternatives.

**PRESENTATION:**

**Grays Harbor County Master Gardeners:** The Clerk of the Board read a proposed Proclamation proclaiming April 14<sup>th</sup> through April 20<sup>th</sup>, 2002 as Washington State University Master Gardener Volunteer Week. A motion was made, seconded and passed to approve the Proclamation. Don Tapio, Area Extension Agent with Washington State University Cooperative Extension, discussed the Master Gardener Program and provided background information regarding Master Gardener Volunteer Week. Mr. Tapio introduced Marilyn Tucker, President of the Grays Harbor County Master Gardeners. Ms. Tucker provided an update regarding recent activities. Ms. Tucker provided 2002 Home and Garden Show posters for the show scheduled for April 20 and 21 at the Elma Fairgrounds.

**Elma Planning Commission:** Don Beamish, Chair of the Elma Planning Commission, addressed the Board regarding the City of Elma's water supply aquifer recharge area. Mr. Beamish reported the City of Elma has received a grant to establish and develop a new well. The City of Elma Planning Commission, in accordance with the requirements of the Regulatory Reform Act of 1995 (ESHB 1724), has begun review of the City of Elma "critical areas" designations to ensure that such designations have been made using "best available science." The Planning Commission has determined that the City's designation of the "aquifer recharge area" within the City have been made using best available science, as a fairly extensive aquifer report was prepared in 1992 by state Department of Health staff. Mr. Bemish explained that though "the City has responsibility for its water supply...the County has planning authority..." over areas of the aquifer recharge area. Mr. Bemish commented that the Elma Planning Commission requests that the Board direct the County Planning Commission and staff to work with the Elma Planning Commission to develop a cooperative approach to the protection of the aquifer that supplies the City's water system and numerous private wells in the Elma area. Commissioner Wood asked if the expectation was that the discussion be limited to the recharge area for the City of Elma or if there is something more global. Commissioner Wood reported that the County deadline for the Critical Area Ordinance is 2007. Mr. Bemish provided an update from the Oakhurst Acquisition Committee. He reported the issue has been referred to the Elma Parks and Recreation Department for further review. Mr. Bemish explained that it is necessary for them to complete a Parks Comprehensive Plan.

**PUBLIC COMMENT I:**

Chairman Beerbower asked for public comment. Fred Hutchison, resident of Elma, discussed the Oakhurst Project and asked about the timeline. Mr. Hutchison asked why

County owned 4-Wheel Drive vehicles are being used in East County. Mr. Hutchison asked questions regarding an agenda item requesting a special meeting/authorization for Sale of Bonds. Ron Strabbing explained that the request for a special meeting for next Tuesday is to consider adoption of a Resolution authorizing the sale of bonds to finance Courthouse repairs and improvements.

Terry Fernsler spoke as the President of Habitat For Humanity of Grays Harbor. Mr. Fernsler explained that Habitat For Humanity is a non-profit ecumenical Christian Ministry working in partnership with low-income families to help build homes for them. Mr. Fernsler expressed an interest in several pieces of property located in Aberdeen and owned by the County. He reported the properties have been available for public auction on several occasions without a sale. Mr. Fernsler asked the County to donate these pieces of tax land to the Habitat For Humanity of Grays Harbor. There was no further public comment.

#### **DEPARTMENT OF PUBLIC SERVICES**

**Request Approval, Resolution Changing Speed Limit:** A motion was made, seconded and passed to approve **Resolution No. 02-24 -- Amending Ordinance 46, Changing Speed Limit, Wakefield Rd.** This resolution establishes a 35 mph speed limit for that portion of Wakefield Road between Wenzel Slough Road and Fourth Street. Currently the speed limit is 45 mph for this section of Wakefield Road.

**(Con't from 4/8) Request Approval of Contract, Lambert Road/Tower Blvd.**  
**Project:** A motion was made, seconded and passed to approve five (5) sets of contract documents for the Satsop Development, Lambert Road/Tower Boulevard Improvements, C-96340-03 Project. This project was awarded to the low bidder, Wilder Construction Company of Olympia, Washington.

#### **DEPARTMENTS**

#### **COMMISSIONERS**

**Continued from 4/8 – M.O.U. w/ Quinault Nation, Impact Mitigation:** A motion was made, seconded and passed to approve A Memorandum of Understanding Between The Quinault Indian Nation and The City of Ocean Shores, Grays Harbor County, and Washington State Gambling Commission for establishing a Community Impact Mitigation Committee.

**Contract w/ The Vidette:** A motion was made, seconded and passed to approve the contract for the 2002 County Printing of Official Publications between Grays Harbor County and The Montesano Vidette for the period of one year beginning July 1, 2002.

**Set Date, Special Meeting/Authorization, Sale of Bonds:** A motion was made, seconded and passed to set Tuesday, April 23, 2002, at 1:30 p.m. as the date and time for a Special Meeting to consider adoption of a resolution authorizing the sale of bonds to finance courthouse repairs and improvements.

### **HEALTH & SOCIAL SERVICES**

**Request Approval, Information Sharing Agreement:** A motion was made, seconded and passed to approve an Information Sharing Agreement that will allow the County to continue to participate in CHILD Profile. CHILD Profile is a statewide immunization registry in which the Public Health and Social Services Department have participated since 1999. CHILD Profile can improve immunization rates for children and provide increased information to parents regarding their child's immunization status.

**Request Approval, Revised Agreement w/State Liquor Board:** A motion was made, seconded and passed to approve a revised Agreement for the one-year \$50,000 federal grant from the Washington State Liquor Control Board for the purpose of reducing underage drinking. The budget categories have been changed and there are changes to reporting requirements. The total of the grant is unchanged.

### **CORRESPONDENCE:**

A Claim for Damages against Grays Harbor County was received from Donna M. Johnson/Eric C. Dudley. The claim was referred to the Claims Review Committee.

### **APPOINTMENT:**

None

### **PUBLIC COMMENT II**

Chairman Beerbower asked for public comment. Fred Hutchison asked questions regarding the agenda for the week of April 15<sup>th</sup> and Ferry Project. There was no additional public comment.

**ANNOUNCEMENT:**

None

**RESOLUTIONS:**

**No. 02-23      Designating Grays Harbor County Commissioner Districts**

**No. 02-24      Amending Ordinance 46, Changing Speed Limit, Wakefield Rd.**

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The meeting adjourned at 3:20 p.m. to Monday, April 22, 2002 at 2:00 p.m.

BOARD OF COMMISSIONERS  
for Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2002

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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