

MINUTES

BOARD OF COUNTY COMMISSIONERS MEETING

June 17, 2002

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, June 17, 2002, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Dan Wood were present. Also in attendance was Sandra Daniels, Clerk of the Board. Jim Baker, Senior Deputy Prosecuting Attorney was excused.

MINUTES OF PREVIOUS MEETING: The minutes of the Commissioners' Meeting of June 10, 2002, were approved as presented.

BIDS:

None

HEARINGS:

None

PRESENTATION:

None

PUBLIC COMMENT I:

Chairman Beerbower asked for public comment. Stanley Trohimovich, resident of Hoquiam, testified regarding the issue if the right to petition has been abridged. Mr. Trohimovich read and entered into the record the following statement:

You may recall receiving petitions from me on June 3 and on June 10 of this year. Did you accord these petitions the hearings required by law? I need your answers because I believe you deprived me and Grays Harbor Motors Family Estate (a Trust) the due process to which we are entitled.

In review, I point out Mr. Morrisette indicated to me the issue was over based on the fact that the Board of Commissioners noted receipt of the June 3 petition. Mr. Wood promised to bring up the matter of the June 3 petition at the June 10 hearing. Did Wood do so? As to Mr. Beerbower, he had out-of-town business during the first part of the week of June 3. I contacted his secretary late in the week and left my name and phone number, but he chose not to return the call. Late in the week of June 10, I repeated the attempt to reach Beerbower by leaving a request with his secretary. Again, I did not receive a call from the east county commissioner. Have you three commissioners acted to abridge the right to petition as guaranteed by both constitutions [United States and Washington]? I expect your prompt answers to these questions? If you do not answer, would this mean each of you are remaining silent in order to avoid making a possibly incriminating statement?

For your information, I will quote the appropriate language from each constitution. "Congress shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances." Amendment 1 to the Sept. 17, 1787 Constitution of the United States. "The Constitution of the United States is the supreme law of the land." Article I, Sec. 2, Washington State Constitution [1889]. "The right of petition ... shall never be abridged." Article I, Sec. 4, Wash. St. Const. [1889].

"Abridge. To reduce or contract; usually spoken of written language." Black's Law Dictionary, Revised Fourth Edition [1968], page 21.

Would it be fair to conclude each member of this Board has chosen to "abridge" my [and Trust's] right to petition? Again, an answer is expected. No silence, please. The public and I have a right to know how you view a duty imposed on each of you by both constitutions.

I thank you for your prompt and unabridged consideration of this petition.

Dated: June 17, 2002. (signed) Stanley J. Trohimovich, as a natural person, and as Trustee for the Trust. 1521 Simpson Avenue, Aberdeen, Washington, Ph: 533-3563.

Mr. Trohimovich reported that he has read the official bonds and he urged each Commissioner to remain faithful to the obligations forming the basis for the contracts of official bonds.

Stan Blunt, a resident of Aberdeen commented on the disposition of drug seizure property and funds. Mr. Blunt submitted a request for a Grays Harbor County policy regarding illegal aliens who are in the domain of Grays Harbor County. There was no additional public comment.

DEPARTMENT OF PUBLIC SERVICES

Request Approval, Construction Contract for Junction City Rail Spur: A motion was made, seconded and passed to approve a contract to provide for construction of the Junction City Rail Spur which includes approximately 7,500 feet of rail line to re-establish rail service from the Puget Sound and Pacific main line to Junction City. The project was procured through a "Request for Proposal" process. Quigg Brothers, Inc. of Aberdeen was the successful proposer last year. Since that time the County has been finalizing the project design, budget, and permitting. Additionally a CERB grant/loan package was received to help fund the project, which is budgeted in the 2002 Special Projects Fund #101. The CERB loan of \$700,000 at 1% interest will be repaid from the #301 Fund. The project cost is \$1.4 million. Per the original proposal process, Quigg Brothers is providing the 20% as local match/contribution.

Commissioner Morrisette commented on the development of the mill at Junction City and finalizing the contract agreement for the project. Commissioner Morrisette thanked Paul Easter and Kevin Varness for negotiating the project with the Quigg Brothers and Sierra Pacific and making the project possible.

Request Approval, Easements for Road Improvements on Wishkah County Road:

A motion was made, seconded and passed to approve (2) two construction easements for road improvements along the Wishkah County Road – CRP 94311-35.

Request Approval, Increase in Minimum Value Payment on Right-of-Way

Acquisitions: This item was continued to next week.

Request Approval, Tornow Bridge Scour Repair Resolution: A motion was made, seconded and passed to approve the CRP Resolution for the Tornow Bridge Scour Repair, C-97250-12 project. This project is funded under the Federal Bridge Replacement and Rehabilitation Program. Authorization was granted to advertise for bids on the following dates, June 21 and June 28, 2002. The bid opening is scheduled for 2:00 p.m. on July 8, 2002.

DEPARTMENTS

MANAGEMENT SERVICES

Request Approval, Set Hearing Date, Three Requests for Supplemental Appropriations

Supplemental Budget Request – Fair Construction #303-000-000: July 8, 2002 at 2:00 p.m. is the date and time set for a supplemental budget hearing date for \$5,000 in the Grays Harbor County Fair Construction fund due to funding received from Weyerhaeuser Company to build a 4-H Dog Building at the fairgrounds.

Supplemental Budget Request – Special Project Fund #101-000-000: July 8, 2002 at 2:00 p.m. is the date and time set for a supplemental budget hearing date for \$200,000 due to a grant received from the Department of Ecology for an instream flow study. The purpose of this grant is to gather flow data in the Chehalis Basin that will assist with the development of the Watershed Management Plan.

Supplemental Budget Request – WSU Extension Office Special Project Fund #101-000-000: July 8, 2002 at 2:00 p.m. is the date and time set for a supplemental budget hearing date for \$19,500 in the General Fund WSU Extension Office due to a grant the Grays Harbor County Noxious Weed Board has received from the US Forest Service for

a Quinault Gateway Weed Project. The goal of this project is to stop the spread of noxious weed species to forest lands from Grays Harbor County. A weed control effort along State Highway 101 corridor leading into Lake Quinault will reduce the amount of seed dispersal.

Request Approval, Budget Transfer: A motion was made, seconded and passed to approve **Resolution No. 02-46 -- Transferring Items In The Grays Harbor County Miscellaneous Fund Auditor's M&O**. The resolution authorizes \$8,000 be transferred from the ending fund balance to capital outlay for the upgrade of the digital document recording system.

Request Approval, Authorize Chair to Sign 9-1-1 Grant Application to Washington State Military Department: A motion was made, seconded and passed to approve an Interlocal Agreement between Grays Harbor County Communications E-911 and Washington State Military Department E-911. The Grays Harbor Communications E-911 has received a \$54,000 Washington State Military Department E-911 grant for reimbursement of necessary expenditures for E-911 network, database and customer equipment as well as other operational items necessary for county wide operations. The grant was anticipated in the 2002 budget process as a pass through item to assist the county enhanced E-911.

HEALTH & SOCIAL SERVICES

Request Approval, Sign Contracts w/ESD 113 and St. Peter's for Chemical Dependency Treatment Services: A motion was made, seconded and passed to approve the following contracts. Contracts with the ESD 113 and St. Peter's will provide chemical dependency treatment services in Grays Harbor over the next twelve months – July 1, 2002 through June 30, 2003. Revenues derived from the County's contract with the State's DSHS Division of Alcohol and Substance Abuse are used to fund these agreements. Chemical dependency treatment services are focused on Medicaid recipients, low-income, and indigent youth and adults. Approximately 2,000 County residents will be served.

Request Approval, Sign Contract w/Confederated Tribes of the Chehalis Nation: A motion was made, seconded and passed to approve a contract with the Confederated Tribes of the Chehalis Nation including funding and provisions for both mental health and chemical dependency services. Chemical dependency funding will be approximately \$400,000 through these agreements in addition to Medicaid billings by providers that are paid directly by the state. Of this total, \$349,403 is federal funding. The Mental Health

and Human Services Advisory Boards were involved in reviewing proposals and receive regular reports from all contractors. The Boards recommended approval of the above-listed contracts.

Request Approval, Sign Contracts w/Six Agencies for Day Program Services for People w/Developmental Disabilities: A motion was made, seconded and passed to approve contracts with six agencies. These contractors will provide day program services for people in the County with Developmental Disabilities during the next year – July 1, 2002 to June 30, 2003. Full funding for these contracts is provided by the State's DSHS Division of Developmental Disabilities. All of the funding is State only.

The Human Services Advisory Board was involved in the contractor selection process and recommended the following contracts:

- Timberland Opportunities Association – Employment Services
- Coastal Community Action Program – Employment and Community Access Services
- Harbor Alternative Living Association – Employment and Community Access Services
- Morningside – Employment Services
- Washington Initiative for Supported Employment – Employment Services
- ARC of Washington – Information and Education Services
- Betty Beckett – Information and Education Services

FAIR

Request Approval, Agreement w/Brownfield for Upgrade of Electrical Equipment:

A motion was made, seconded and passed to approve a One Time Only Municipal Services Agreement with Brownfield Promotions, Inc. The Municipal Services Agreement Extension is to reimburse Brownfield Promotions, Inc. for the upgrade of electrical service in the Grays Harbor Raceway Park Tower. This agreement was authorized by the County Commission on May 13, 2002.

CORRESPONDENCE:

None

APPOINTMENT:

None

PUBLIC COMMENT II

Chairman Beerbower asked for public comment. Fred Hutchison, resident of Elma, asked questions regarding several agenda items. Stan Blunt asked questions regarding agenda items. Mr. Blunt presented a request to the Board of County Commissioners for the County's policy regarding illegal aliens in Grays Harbor County. There was no additional public comment.

ANNOUNCEMENT:

None

RESOLUTIONS:

The following resolution was approved and signed by the Board:

**#02-46 Transferring Items In The Grays Harbor County Miscellaneous Fund
Auditor's M&O**

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The meeting adjourned at 2:35 p.m. to Monday, June 24, 2002 at 2:00 p.m.

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

BOB BEERBOWER, Chairman

DENNIS MORRISETTE, Commissioner

DAN WOOD, Commissioner

ATTEST:

Sandra Daniels
Clerk of the Board