

MINUTES

BOARD OF COUNTY COMMISSIONERS MEETING

October 14, 2002

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, October 14, 2002, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Dan Wood were present. Also in attendance was Sandi Daniels, Clerk of the Board and Jim Baker, Senior Deputy Prosecuting Attorney.

MINUTES OF PREVIOUS MEETING: The minutes of the Commissioners' Meeting of October 7, 2002, were approved as submitted.

PRESENTATION:

None

BIDS:

None

HEARINGS:

Chairman Beerbower reported the process for the public hearing as follows: (1) the Clerk of the Board will read the notice; (2) a staff report by County staff; and (3) an opportunity for the public to speak. The public comment section of the hearing was closed and action by the Board of Commissioners was taken.

Right-of-Way Vacation: There was a public hearing to consider a right of way vacation initiated by Grays Harbor County regarding the following road: Vacating all right of way over and across the county road known as Van Orsdol #51710 located in Section 2 Township 18 N Range 8 W.W.M. from milepost 0.047 to 0.197. Chairman Beerbower asked for a staff report. Paul Easter, Director, Department of Public Services, reported that Van Orsdol County Road #51710 was petitioned to become a county road by four citizens in 1976. The Board at the time asked the County Engineer to report on the road, and the Engineer recommended that the petition be denied because the road was substandard. The Board overruled the Engineer and accepted Van Orsdol into the Official Road System. The landowners then did not give the County any Right of Way so the county has been limited with just prescriptive rights of width of the road, which is a twelve-foot gravel road. The road has now been blocked off by a wire gate with a no trespassing sign attached. The adjacent property is *Indian Trust Land* owned by Bernice Van Orsdol, a noncomposmentis adult. Her guardian, Deenie Celestine is in favor of the vacation. She was not aware that it was a public road and said the gate was put up to

stop vandalism that has been occurring to the house. The Department of Public Services recommended that Van Orsdol be vacated from milepost 0.047 to 0.197. 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 **Resolution No. 02-105 – Order of Vacation – Van Orsdol #51710.**

Emergency Appropriation, Superior Court: There was a public hearing to consider Emergency Appropriation as follows: Superior Court Fund #001-000-033 in the amount of \$195,000. Chairman Beerbower asked for a report. Judge Godfrey provided information and reported the request is due to a shortfall in attorney fees for representation of indigent defendants. 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 **Resolution No. 02-101 – Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Superior Court #001-000-033.**

Supplemental Appropriation, Health & Social Services Fund: There was a public hearing to consider Supplemental Appropriation as follows: Public Health and Social Services Fund #001-000-029 in the amount of \$11,770. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, provided a staff report. Ms. Elway reported the request is for \$11,770 in the General Fund Public Health and Social Services Department due to additional funding received by the Department of Health for the Tobacco Program. Funding will be used in professional services. 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 **Resolution No. 02-104 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Public Health and Social Services Department #001-000-029.**

(con't from 9/9) Consideration of Text Amendment, Ordinance 241: There was a public hearing to consider a text amendment to Grays Harbor Zoning Ordinance No. 241. Specifically to add R.V. repair as a Conditional Use under the Resort Residential (R-3) zoning-district regulations. A SEPA Determination of Non-Significance (DNS), dated July 15, 2002, is being issued under WAC 197-11-340. Chairman Beerbower asked for a staff report. Suresh Bhagavan, County Planner, requested the following materials be entered into the record, by reference, as follows:

1. Record of Action of the Planning Commission, containing the Findings of Fact, Conclusions, and Staff Recommendations.
2. Application.
3. Determination of Non-Significance.
4. Environmental Checklist.

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5. Notice of Public Hearing.
6. Photographic documentation of existing RV repair facilities.

Mr. Bhagavan reported the Planning Commission reconsidered the request and recommended approval. 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 following:

Ordinance No. 297 – An Ordinance Amending The Text Of The Grays Harbor County Official Zoning Ordinance No. 241 Approving A Petition For Case #20020859

DEPARTMENT OF PUBLIC SERVICES:

Request Approval, Resolution Changing Speed Limit: A motion was made, seconded and passed to approve **Resolution No. 02-103 – A Resolution Amending Ordinance No. 46 – Wynoochee-Wishkah Road Speed Limit.** This resolution establishes a 35 mph speed limit for that portion of the Wynoochee-Wishkah Road between 13 corners and Wishkah Road. Currently the speed limit for this section of the Wynoochee-Wishkah Road is 25 m.p.h.

Request Approval, Resolution Changing Speed Limit: A motion was made, seconded and passed to approve **Resolution No. 02-102 – A Resolution Amending Ordinance No. 46 – Youmans Road Speed Limit.** This resolution establishes a 45 mph speed limit for Youmans Road, which connects US 101 with East Hoquiam Extension Road. Currently the speed limit for this road is 40 m.p.h.

Request Approval, Award Bid, Guidepost Installation Project: The low bid for the Grays Harbor County Guide Post Installation Project, Project No. C-01045-10, Fed Aid No. POMVIP-2014(057) was submitted by Coral Construction Company of Wilsonville, Oregon. The bid was for \$88,888.00. This bid is \$12,380.00 (16%) above the Engineer's Estimate. The Department of Public Services recommended the contract be awarded to Coral Construction Company. A motion was made, seconded and passed to award the contract to Coral Construction Company.

Request Approval, Set Hearing Date, Intent to Lease by Negotiation: The status of the lease with the Elma Cooperative Preschool is a month-to-month tenancy for the premises located at 402 East Young Street, Elma, Washington. October 28, 2002 at 2:00 p.m. is the date and time set for a public hearing to consider a lease agreement with the Elma Cooperative Preschool for the period September 1, 2002 through May 31, 2003.

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Request Approval, Set Hearing Date, Appeal of Planning Commission Decision:

Bascom Pacific, represented by Pacific International Engineering, is appealing the Planning Commission's denial of a re-zone request pursuant to Grays Harbor County's Comprehensive Zoning Ordinance No. 241, to change the zoning designation of approximately 170-acres of land currently zoned General Development-5 (GD-5) to Industrial (I-2). October 28, 2002 at 2:00 p.m. is the date and time set for a public hearing to consider the appeal of Rezone Case 2002-1117; Case #2002-1454.

DEPARTMENTS:

MANAGEMENT SERVICES:

Request Approval, Budget Transfer: A motion was made, seconded and passed to approve **Resolution No. 02-100 – Transferring Items In The Grays Harbor County Insurance Fund #504-000-000.** This resolution authorizes the transfer of \$50,000 to cover the unanticipated increased costs of property insurance. 2001-2002 Property rate was \$68,366 and the 2002 –2003 Property Insurance rate is \$118,252 which is up \$50,000. With the 2001 September 11 occurrence the Property Insurance Market rates have increased. The Royal Insurance Company renewed the Grays Harbor County Property Program at \$40,000,000 in coverage for all County Buildings with 50% earthquake reduction in coverage from \$30,000,000 to \$15,000 per occurrence with a \$100,000 deductible. Additionally the County deductible increased from \$2,500 per occurrence to \$5,000 per occurrence of all other covered events. Funds are available in the Commonwealth Earthquake line within the budget to transfer to the Insurance line.

COMMISSIONERS:

Sign Ordinances/September 30th Hearings: The Clerk of the Board reported that at the September 30, 2002 Board of County Commissioners meeting there were two considerations to text amendment to Ordinance No. 111 and Ordinance No. 241 as recorded in the minutes for the September 30, 2002 meeting. Both text amendments were approved at the September meeting. At that time the Planning Division had not had the ordinances reviewed by the Prosecutor's office and they were not available for action. The Clerk of the Board reported the ordinances have been reviewed and are available for approval. The hearing has been held and action was taken on September 30, 2002 to adopt the ordinances. The Board of Commissioners signed the following ordinances:

Ordinance No. 298 – An Ordinance Amending Grays Harbor County's Subdivision Ordinance No. 111

Ordinance No. 299 – An Ordinance Amending Grays Harbor County’s Zoning Ordinance No. 241

PUBLIC COMMENT:

Chairman Beerbower asked for public comment. Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, read a letter dated October 14, 2002 and requested that it be entered into the records of the October 14, 2002 meeting. For the record Commissioner Wood stated he has read Article XXVII of Washington’s Constitution and the US Code reference from Mr. Trohimovich. He has asked Mr. Trohimovich to provide any court ruling supporting his position and Mr. Trohimovich has not done so. Commissioner Wood reported he finds the arguments to be without merit. He suggested that in the future public comment be restricted to items that the County Commission can take action on. There was no additional public comment.

CORRESPONDENCE:

None

ANNOUNCEMENT:

Commissioner Wood read the following statement dated October 14, 2002. He requested the statement be entered in the record in its entirety.

Mr. Chairman,

We serve the citizens at a time when budgets are dwindling, regulations are strangling our state and local economy, and demand for services is increasing.

These certainly are exciting times, and they are filled with opportunity to creatively find solutions to protect county services and meet public expectations.

Since becoming a county commissioner, land use, agriculture and economic development issues have been areas of major focus for me.

These three areas are absolutely critical to our economic success as a county.

We must protect our environment. And, we must be flexible and creative with our land use decisions and policy to ensure that clean, family-wage jobs are created and maintained in Grays Harbor.

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We must also protect and promote agriculture, not only as a vital part of our local economy, but out of recognition that we all must eat in order to survive.

No nation is better at producing food to feed the world than the United States.

And one of the top agricultural states in the nation is Washington State. We are second only to California in the number of commodities produced in our state.

According to the Washington Department of Agriculture, the food and agriculture industry is the largest employer in Washington State.

Farm-gate value -- what farmers receive -- was \$5.6 Billion last year. Retail value of agricultural production was in excess of \$30 Billion.

Food and agriculture products comprise the second-largest category of the state's exports -- \$4.21 Billion.

The protection and promotion of agricultural is critical to the well-being of our local and state economy, our social structure and our very lives.

It is because of the importance of the mission to protect and promote agriculture that I announce today that I am accepting the position of Director of Government Relations for the Washington Farm Bureau, effective November 1.

The Washington Farm Bureau is a 27,000-member advocacy organization representing family farmers and ranchers.

Having previously served with them in another role, I am well aware of Farm Bureau's effectiveness in representing agriculture in Washington State.

I have enjoyed being a county commissioner and loved helping my constituents and the community as an elected official.

There are a great number of committed and talented people working for and leading Grays Harbor County. I will miss working with you and others at the local level.

But the challenge of working on statewide issues -- many of which are also important to Grays Harbor County -- for an organization like Farm Bureau was an opportunity I couldn't turn down.

After consulting with the Prosecutor and Auditor, I will announce the effective date of

my resignation later this year and for the term beginning in 2003.

I want to thank my many supporters, some of whom I met with while travelling the county yesterday to give advance notice of this announcement.

I will be returning the many campaign contributions after my campaign treasurer advises me of the proper process to make and report the refunds.

Later in October, I would like to make a presentation to the Commissioners as a way of acknowledging your service and that of many of our administrators.

I thank you and the voters again for the opportunity to serve as a Grays Harbor County Commissioner. To date, it has been the greatest professional honor and privilege of my career life.

APPOINTMENT:

None

RESOLUTIONS:

The following resolutions were approved and signed by the Board:

- | | |
|----------------|---|
| #02-100 | Transferring Items In The Grays Harbor County Insurance Fund #504-000-000 |
| #02-101 | Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Superior Court #001-000-033 |
| #02-102 | A Resolution Amending Ordinance No. 46 – Youmans Road Speed Limit |
| #02-103 | A Resolution Amending Ordinance No. 46 – Wynooche-Wishkah Road Speed Limit |
| #02-104 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Public Health and Social Services Department #001-000-029 |
| #02-105 | Order of Vacation – Van Orsdol #51710 |

ORDINANCES:

The following Ordinances were approved and signed by the Board:

- #297 An Ordinance Amending The Text Of The Grays Harbor County
Official Zoning Ordinance No. 241 Approving A Petition For Case
#20020859**

- #298 An Ordinance Amending Grays Harbor County's Subdivision
Ordinance No. 111**

- #299 An Ordinance Amending Grays Harbor County's Zoning Ordinance
No. 241**

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The meeting adjourned at 2:41 p.m. to Monday, October 21, 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:

Sandi Daniels
Clerk of the Board