

## MINUTES

### BOARD OF COUNTY COMMISSIONERS MEETING

December 2, 2002

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 2, 2002, at 2:00 p.m. Commissioners Bob Beerbower and Dennis Morrisette were present. Also in attendance was Sandra Daniels, Clerk of the Board. Stew Menefee, Prosecuting Attorney was excused.

**MINUTES OF PREVIOUS MEETING:** The minutes of the Commissioners' Meeting of November 25, 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.

**Consideration of Adoption of the County Budget for 2003:** There was a public hearing to consider adoption of the Grays Harbor County 2003 Budget, and also consideration of resolutions authorizing increase in general expense fund, veteran's fund and road limit factors and Property Tax Levy Adoption for Grays Harbor County, per the requirements of RCW 84.55. Copies of the proposed 2003 Budget and Tax Levy Information were available for study in the office of the County Auditor. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported the proposed budget is a balanced 2003 budget. The County finances are divided into two groups: The County General Fund Operations and the Miscellaneous Fund groups. The General Fund 2003 budget totals \$23,589,584 with operations funded at 99% of the 2002 budget. \$561,853 or 2% of the General Fund is budgeted for courthouse earthquake litigation and repairs. Revenue decreased \$860,090 over the 2002 level with fund balance usage at \$1,656,235, which retains a two (2) month operation reserve of \$4,143,765. The General Fund is comprised of all departments providing general County services. The Law &

Minutes

Board of Commissioners – December 2, 2002

Page 2

Justice Programs consume 79 cents of each general fund non-dedicated dollar. Unfunded state mandates increase the costs for the criminal justice programs with indigent defense, burial and interpreter fees comprising over 2% of General Fund budgets. A county wide Law and Justice Council is actively reviewing citizen protection and law and justice issues affecting all Grays Harbor communities.

Ms. Elway reported the General Fund 2003 budget totals 73% (\$17,268,559) in salary and benefit cost, 27% (\$6,309,528) in goods and services, .1% (\$11,500) capital sewer project for Vance Creek Park. \$7,817,290 from penalties, interest and taxes on assessed property represent 36% of the general fund revenue base. The County pursues available federal, state and local grants which are the second largest revenue source, (\$3,814,879), 17.4% in 2003. Grants and fees fund 82% of the Public Health and Social Service programs with 2.5 cents of the General Fund levy, \$86,000, used as mental health matching funds. The third largest revenues generate 12% each (\$2,318,690) licenses, permits, fees and taxes and (\$2,628,190) court fines, fees and taxes. Forest harvest is the fourth largest revenue at 10% (\$2,181,900). Sales tax is the fifth largest revenue generating 9.6% (\$2,100,000) which is down due to the shut down of the Duke Energy construction project.

Miscellaneous Funds total \$63,839,048 in budgeted funds. The Road Fund has the largest operating budget at 33% of the total for a \$20,963,369 annual road program. The property tax levy generates 16% of available road program revenue of \$3,367,507 which is a 1% increase over the 2002 levy rate. The road program includes \$10,880,000 in road construction projects funded by 70% grants, and \$6,600,000 in road maintenance countywide. Social Services, Mental Health, Development Disabilities, and Substance Abuse pass-through grant programs deliver services totaling \$7,196,845. The Aberdeen Landfill Post Closure fund budget totals \$4,272,910 and the commitment to implement the Solid Waste Plan is funded at \$2,866,473 which continues hazardous waste and recycling programs for Grays Harbor citizens. Grays Harbor County provides forest harvest revenues to county funds, schools, and junior taxing districts with its active Forest Department budgeted at \$3,112,418.

The County continues to solicit grants for county wide infrastructure, utilities development with Special Projects fund totaling \$9,401,540. Projects include \$5,025,000 for the Aberdeen Industrial Waterline, \$350,000 left in the Junction City Rail Spur, \$700,000 grant assists Coastal Erosion, \$547,550 in grants help the Chehalis Basin Management and \$580,000 for Neilton Water with all funding provided by state and federal grants or loans. Various community projects are grant funded, including E-911 grants of \$212,050 through the Washington State Military Department to enhance operations. Low to moderate income programs funded through the community block grant total \$730,906 and include \$475,000 for Aberdeen Neighborhood Housing General

Minutes

Board of Commissioners – December 2, 2002

Page 3

Purpose grants, \$144,906 for the CCAP programs and \$111,000 in Micro-enterprise loans to start new businesses in the community.

The 2003 Capital Construction Programs include a Facilities Capital budget of \$1,450,000 with \$1,100,000 for Jail/HVAC repairs and \$150,000 for Juvenile building repairs. Fair and raceway park improvements total \$202,500. The Capital Improvement fund has created a Capital Facilities long-range plan and county needs assessment which are funded for \$664,000. The County is supporting efforts to maximize economic development with the Distressed Capital Fund budget of \$1,420,588 for infrastructure improvement needs as prioritized in the WACERT county wide ranking list.

The 2003 budget represents a responsible financial plan, providing a balanced response to citizen needs. Impact to citizens was the first priority in balancing a budget which keeps fee and tax increases to a minimum while continuing necessary services to an economically distressed rural county.

Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed. Commissioner Morrisette made comments regarding the budget process and expressed appreciation to Ms. Elway for her assistance with preparing the budget. Chairman Beerbower made comments regarding the budget situation and expressed concerns regarding the next few years. A motion was made, seconded and passed to approve:

**Resolution No. 02-124 – Adopting The Budget For Grays Harbor County For 2003**

**Resolution No. 02-125 – Adopting The Grays Harbor County Annual Road Construction Program for 2003**

These two resolutions are necessary to adopt the 2003 budget. **Resolution No. 02-124 – Adopting The Budget For Grays Harbor County For 2003** adopts the budget for 2003 and has attachments detailing General Fund expenditures by department by salaries/services/capital outlay. It includes a detail listing of General Fund revenue, Miscellaneous Funds by fund total, adopted positions with salaries for all funds and a summary of all capital expenditures.

**Resolution No. 02-125 – Adopting The Grays Harbor County Annual Road Construction Program for 2003.** This resolution adopts the Grays Harbor County Annual Road Construction Program for 2003 as recommended by Public Works County Road Engineer. Attached to the resolution is the detail construction program.

**Resolution No. 02-123 – 2002 Tax Levy For Year 2003 Collections**

Minutes

Board of Commissioners – December 2, 2002

Page 4

**Resolution No. 02-126 – Grays Harbor County Property Tax Increase Resolution  
General Fund 2002 Tax Levy For 2003 Collection**

**Resolution No. 02-127 – Grays Harbor County Property Tax Increase Resolution  
Road Fund 2002 Tax Levy For 2003 Collections**

**Resolution No. 02-128 – Grays Harbor County Property Tax Increase Resolution  
Pacific Beach/Moclips Water System Bond Fund 2002 Tax Levy For 2003 Collection**

These resolutions – Grays Harbor County Property Tax Levy Resolution for the General Fund, Road Fund Resolution and the Pacific Beach Moclips Water System Bond Fund would authorize an increase in the regular property tax levy for the General Fund, Road Fund and Pacific Beach/Moclips Water System Bond Fund in addition to any amount resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property for the 2003 levy.

Grays Harbor County shall authorize the regular property tax levy for the General Fund in the amount of \$6,812,290 which is an increase of 1% from the previous year. This continues the rate at an estimated 1.80 per 1,000 AV.

Grays Harbor County shall authorize the regular property tax levy for the Road Fund in the amount of \$3,367,507 which increased 1% from the previous year. This levy increases the rate per 1,000 AV from \$2.2258 to an estimated \$2.25 per 1,000 AV.

Grays Harbor County shall authorize the property tax levy for the Pacific Beach/Moclips Water System Bond Fund in the amount of \$44,000 which is the continued obligation voted in 1988 for general obligation bond debt service.

**Emergency Appropriation, Coroner's Office:** There was a public hearing to consider Emergency Appropriation as follows: Coroner's Fund #001-000-017 in the amount of \$10,000. Chairman Beerbower asked for a staff report. Rose Elway, reported the Emergency Budget Hearing for the Coroner's Office in the amount of \$10,000 in Professional Services is to cover the anticipated expenses of autopsy costs and related services for the remainder of the year. 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. 01-129 – Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Coroner's Office #001-017.**

**Application for Variance, Subdivision Road Standards:** There was a public hearing to consider the following: Ron Golden has submitted an application for a variance from

Minutes

Board of Commissioners – December 2, 2002

Page 5

the required Subdivision Road Standards, Ordinance #190, for a proposed 4-lot subdivision. The applicant is requesting a variance to reduce the required easement for the first 75' of roadway off Diamond Drive into the subdivision from 50' to 35'. The proposed subdivision and associated roadway is located in Pacific Beach, Washington within the northwest quarter of Section 29, Township 20N., Range 12W., W.M., Grays Harbor County, Washington. The property is further described as Assessor's parcel #749700001300. Chairman Beerbower asked for a staff report. Jane Hewitt, Grays Harbor County Planner, provided a staff report. Ms. Hewitt reported the following materials were provided to the applicant and to the Board of Commissioners and she requested that they be entered into the record without reading:

1. A hearing date request.
2. Staff report containing findings of fact, conclusions and staff recommendations.
3. Application for variance including site plan.
4. Notice of public hearing and mailing list.
5. Personalized notice of application and public hearing to owners of subject property.
6. Written comment received to-date.
7. Affidavit of Publication from *The Vidette*.

Ms. Hewitt reported a letter expressing objection to the application was received from Bonita McIntosh and Robert Markot and is included in the packet of materials. She explained the application is to reduce the required width of the easement for the private road going into the subdivision and not to reduce the road standard itself. She confirmed that discussion with Jim Hatton, area Fire Chief, indicates that access to future homesites in the proposed subdivision is adequate for the largest equipment in the Pacific Beach station. Chairman Beerbower asked for public comment. Cliff Harrel, resident of Oregon, spoke in support of the application. There was no further comment and the public hearing was closed. A motion was made, seconded and passed to approve the applicant's request for variance, Case 2002-1579.

**Petition for Vacation of Right-of-Way:** Grays Harbor County has initiated a right of way vacation pursuant to R.C.W. 36.87.010 regarding the following road: Vacating all right of way for Lambert Road #96340 recorded under 86-13244 lying north of new right of way between M.P. 2.680 and 3.060 in Section 8 Township 17 N Range 6 W.W.M. Right of Way to be vacated is now known as Utility Lane. Chairman Beerbower asked for a staff report. Paul Easter, Director, Department of Public Services, provided a staff report. Mr. Easter reported the County is requesting a portion of Lambert Road be vacated as a result of the road realignment near the P.D.A. site. The County is no longer in need of having this portion of roadway in the County road program and it will be used in the future as Utility Lane for the P.D.A. 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. 02-130 – Order of Vacation – Portion of Lambert Road #96340.**

**Consider Adoption of Proposed Update, Community Development and Housing**

**Plan:** There was a public hearing to consider adoption of a proposed update to the Community Development and Housing Plan of December, 1995, which provides a five-year strategic Plan, entitled Creating Safe and Affordable House of Choice for the Low and Moderate-Income People of Grays Harbor County. Chairman Beerbower asked for a staff report. Lee Napier, Deputy Director of Community Development, provided a staff report. Ms. Napier, reported the request is to consider adoption of an update to the Community Development and Housing Plan, December 1995, and provides a five-year strategic plan. Chairman Beerbower asked for public comment. Billie MacFarland, Director of the Aberdeen Neighborhood Housing Services provided a staff report and spoke in support of the proposed report. John Kliem, Community Development Consultant, reported on the Creating Safe and Affordable Housing of Choice for the Low and Moderate Income People of Grays Harbor County. Will Foster, a local architect, spoke in support of the proposed plan. For the record Ms. Napier reported a letter of support was received from Don Beamish, Chairman of the Elma Planning Commission. An e-mail was received from Vicki Petitt, Housing Manager for Coastal Community Action Program expressing support for the housing plan. Greg Provezano, Attorney with Columbia Legal Services submitted a letter of support for the plan. There was no further public comment and the hearing was closed. Commissioner Morrisette expressed appreciation for the work involved in developing the proposed plan. Chairman Beerbower thanked Ms. Napier and others for the effort in creating the Five-Year Plan. A motion was made, seconded and passed to approve **Resolution No. 02-131 – A Resolution Adopting Creating Safe and Affordable Housing Of Choice For The Low- and Moderate—Income People of Grays Harbor County.**

**Consideration, Distribution of Title III Federal Forest Funds:** There was a public hearing to obtain citizen input on release and use of Federal Forest Title III funds for federal fiscal year 2001. Grays Harbor County has formed a Resource Advisory Committee for Secure Rural School and Community Self-Determination Act of October 30, 2000. This hearing will be conducted in accordance with county policy Resolution #01-95 distributing national forest land revenue for eligible county projects. Title III of Public Law 106-393 Section 302 allocates funding county projects associated with federal lands, community emergency services, planning for fire and disaster prevention and other emergency services. The Pacific Student Resource Corps has an eligible project request: The goal of this program is to accomplish various resource projects in the Lake Quinalt area while providing resource employment to four area high school students. It will be an eight-week on-the-job training program with work projects

including trail, campground and facilities maintenance; noxious weed removal; and small water-shed restoration projects. It will also contain some historic and environmental education component of ecosystems and human uses of the Quinault Valley. This hearing is set to comply with the 45 day public comment period. The public was encouraged to attend this hearing to provide oral or written testimony on this project. Chairman Beerbower asked for a staff report. Ron Strabbing, Grays Harbor County Treasurer, provided a staff report. Mr. Strabbing explained this is an allocation of Federal Forest Title III funds for federal fiscal year 2001. He reported that the Grays Harbor Resource Advisory Committee has recommended that the commissioners appropriate \$10,000 in Title III funds to the Pacific Student Corps program, which provides summer employment and forestry education to students in the Quinault region of the Olympic National Forest. This is an existing program, and the Forest Service supports the recommendation of the Resource Advisory Committee. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed. Commissioner Morrisette made comment regarding the program. A motion was made, seconded and passed to approve the request to release and use Federal Forest Title III funds for federal fiscal year 2001.

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

**Request Set Date, Call for Bids, 2003 Aggregate Stockpile Contract:** February 24, 2003 at 2:00 p.m. is the date and time set for bid opening for the 2003 Countywide Aggregate Stockpile Contract. Bid publications would be February 6 and 13, 2003.

**Request Set Date, Call for Bids, Emulsified Liquid Asphalt Contract:** February 24, 2003 at 2:00 p.m. is the date and time set for bid opening for the 2003 Emulsified Liquid Asphalt Contract. Bid publications would be February 6 and 13, 2003.

**Request Set Date, Call for Bids, 2003 Traffic Control Devices:** February 24, 2003 at 2:00 p.m. is the date and time set for bid opening for the 2003 Traffic Control Devices Stockpiling Contract. Bid publications would be February 6 and 13, 2003.

**Request Approval, 2003 Planning & Building Division Permit Fees:** Brian Shea, Director, Planning and Building Division, reported the proposed rate resolution has been prepared to increase the fees charged by the Planning and Building Division to reflect increased in operational costs. Fees have not been adjusted for Grays Harbor County since 1995. The proposed resolution provides for some increases effective January 1, 2003, and automatic increases thereafter based on the previous year's June CPI-U (Seattle-Tacoma-Bremerton). A motion was made, seconded and passed to approve **Resolution No. 02-132 – A Resolution Establishing Planning And Building Permitting Fees For Grays Harbor County.**

**Request Approval, Combine Division of Emergency & Risk Management w/Public Services:** Commissioner Morrisette explained the proposal for the consolidation of the Departments of Emergency Management and Risk Management will conserve the county's assets and ensure efficient and consistent service. The combined savings for the County will be approximately \$191,000. This division will report to the Director of Public Services who will also hold the title of Director of Emergency Management. Statutory responsibilities and authorities for the Safety Officer and Risk Manager will not be affected. A motion was made, seconded and passed to approve **Resolution No. 02-133 – A Resolution Establishing The Division of Emergency And Risk Management Within The Department Of Public Services.**

**Request Approval, Local Agency Supplement Agreement #1/Supplemental Agreement for Consulting Services:** A motion was made, seconded and passed to approve three (3) copies of the Local Agency Agreement Supplement #1 for the Aberdeen Gardens Wishkah River Bridge Replacement and three (3) copies of Supplemental Agreement for Consulting Services. These agreements request federal matching funds for the right of way phase and increased preliminary engineering costs.

**Request Approval, Letter of Intent To Brownfield Promotions, Inc.:** Commissioner Morrisette thanked Kevin Varness and Paul Easter for their work in negotiating with Brownfield Promotions to develop a contract extension that would provide for continued racing activities including the World of Outlaws at the County Fairgrounds in Elma. These negotiations have had to be accelerated due to an opportunity to have the World of Outlaws event next August be televised on a national and international level. At the center of the negotiations is the request by Brownfield Promotions for the County to provide improvements to the grandstand tower and to provide additional restrooms and concession stands. Commissioner Morrisette explained that under the contract extension the County will receive an additional \$10,000 from ticket sales. A motion was made, seconded and passed to approve the Letter of Intent regarding Grays Harbor Raceway Park Operating Agreement with Brownfield Promotions. Chairman Beerbower thanked Mr. Easter, Mr. Varness and Commissioner Morrisette for their effort in negotiating the new agreement.

## **DEPARTMENTS**

### **MANAGEMENT SERVICES**

**Request Approval, Amend Resolution 93-68/Procedures, Washington Counties Risk Pool:** A motion was made, seconded and passed to approve **Resolution No. 02-134 – A Resolution Amending Resolution 93-68.** This resolution is an amendment updating the appointment of representatives to the Washington Counties Risk Pool Board of Directors.

Minutes

Board of Commissioners – December 2, 2002

Page 9

Bob Beerbower, Chairman is appointed County Representative; Rose Elway, Director of Management Services is appointed first alternate; and Mary Davis is appointed second alternate as County Risk Manager and Safety Officer.

### **COMMISSIONERS**

**Resolution Filling Vacant Senate Position, 19<sup>th</sup> Legislative District:** The Clerk of the Board announced that a resolution filling vacant Senate Position in the 19<sup>th</sup> Legislative District was approved on November 26, 2002. Senator Sid Snyder submitted his resignation for his position as senator for the 19<sup>th</sup> Legislative District. The State Democratic Central Committee submitted a list of three names for consideration by the Joint Boards of Commissioners for Cowlitz County, Wahkiakum County, Pacific County, and Grays Harbor County. The Joint Boards of County Commissioners for Cowlitz County, Wahkiakum County, Pacific County, and Grays Harbor County convened in joint session and duly considered the three names submitted by the State Democratic Central Committee. The Joint Boards of County Commissioners for the counties of the 19<sup>th</sup> Legislative District meeting in special session appointed Mark Doumit to fill the vacant position of Senator for the 19<sup>th</sup> Legislative District. The resolution was forwarded to the Governor and the Secretary of State.

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

**Letter Received From Dan Wood:** The Clerk of the Board announced a letter dated November 26, 2002, was received from Dan Wood officially declining the term, beginning in January of 2003, to which he was recently elected.

### **ANNOUNCEMENT**

None

### **PUBLIC COMMENT**

Chairman Beerbower asked for public comment. George Garland, President of Quinault Property Owners Association and Board member of the United Property Owners of Washington and resident of Gig Harbor, spoke on the matter of designating interim zoning classification of fee land holdings within the Quinault Indian Reservation. Mr. Garland commented on a legal challenge to the Shoreline Management Act Program Guideline approved by the Washington Department of Ecology in 2000 and a proposed settlement. He commented on a report from the Citizens Standup! Committee regarding Expanded Tribal Jurisdiction. Mr. Garland provided copies of the report to the Board of

Commissioners. He discussed the County taxes for his property and the financial benefit to the County if Fee Land Holdings were re-appraised and taxed accordingly. Mr. Garland discussed Grays Harbor County Resolution No. 98-145 passed on December 14, 1998 and litigation regarding control of Fee Land on the Quinault Indian Reservation. Mr. Garland summarized and asked the Board of Commissioners to consider an ordinance on behalf of the Fee Land owners on the Quinault Indian Reservation considering the concept of Resolution No. 98-145. Chairman Beerbower explained they would review the request when a new commissioner is appointed to fill the District 3 vacancy.

Bob Bonnell, resident of Montesano, asked questions regarding the 2003 budget. He asked when the courthouse earthquake litigation against the insurance company would be settled. He asked questions regarding the loss of revenue from sales tax from the Duke Energy construction project. There was no additional public comment.

### **CORRESPONDENCE**

None

### **APPOINTMENT**

None

### **STAFF MEETINGS**

The Board held staff meetings on Monday, December 2, 2002, starting at 9:00 A.M. These staff meetings are public meetings, held in the Commissioners' Conference Room. The purpose is for information and discussion only. No decisions are made, nor any action taken at staff meetings. The Commissioners and Clerk of the Board reviewed calendars and pending daily office issues. The Board also met with the Budget Director and Director of Public Services for information relating to agenda items. Staff meetings will be held during the week.

### **RESOLUTIONS**

The following resolutions were approved and signed by the Board:

**#02-123                      2002 Tax Levy For Year 2003 Collections**

**#02-124                      Adopting The Budget For Grays Harbor County For 2003**

- #02-125                    Adopting The Gays Harbor County Annual Road Construction Program For 2003**
- #02-126                    Grays Harbor County Property Tax Increase Resolution General Fund 2002 Tax Levy For 2003 Collection**
- #02-127                    Grays Harbor County Property Tax Increase Resolution Road Fund 2002 Tax Levy For 2003 Collections**
- #02-128                    Grays Harbor County Property Tax Increase Resolution Pacific Beach/Moclips Water System Bond Fund 2002 Tax Levy For 2003 Collection**
- #02-129                    Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Coroner's Office #001-017**
- #02-130                    Order of Vacation Portion Of Lambert Road #96340**
- #02-131                    A Resolution Adopting Creating Safe And Affordable Housing Of Choice For The Low And Moderate Income People Of Grays Harbor County**
- #02-132                    A Resolution Establishing Planning And Building Permitting Fees For Grays Harbor County**
- #02-133                    A Resolution Establishing The Division of Emergency And Risk Management Within The Department Of Public Services**
- #02-134                    A Resolution Amending Resolution 93/68**

Minutes  
Board of Commissioners – December 2, 2002  
Page 12

The meeting adjourned at 3:25 p.m. to Monday, December 9, 2002 at 2:00 p.m.

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

\_\_\_\_\_  
BOB BEERBOWER, Chairman

\_\_\_\_\_  
DENNIS MORRISETTE, Commissioner

\_\_\_\_\_  
*Vacant*  
Commissioner, District 3

ATTEST:

\_\_\_\_\_  
Sandra Daniels  
Clerk of the Board