

## MINUTES

### BOARD OF COUNTY COMMISSIONERS MEETING

May 5, 2003

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, May 5, 2003, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Al Carter were present. Also in attendance was Sandra Daniels, Clerk of the Board and Jim Baker, Prosecuting Attorney.

**MINUTES OF PREVIOUS MEETING:** The minutes of the Commissioners' Meeting of April 28, 2003 were approved as presented. The minutes of the rezone meeting of April 28, 2003 at 6:30 p.m. were not completed and will be available next week.

#### **BIDS**

None

#### **HEARINGS**

**Establishing an Extension To Bartell Road #66570:** There was a public hearing to consider that Grays Harbor County has passed a resolution of intent to establish a County road pursuant to R.C.W. 36.81.010 the following right of way:

Establishing an extension to Bartell County Road #66570 from milepost 0.723 to milepost 0.910 located in Section 4, Township 16N, Range 5 W.W.M. Chairman Morrisette asked for a staff report. Paul Easter, Director, Department of Public Services, provided a staff report. Mr. Easter reported that they have received a request to deed back to the County some right of way property. It is reversing a portion of a vacation that was performed earlier. Mr. Easter reported that all fees have been paid for this vacation to proceed. The property owners and County staff are in agreement with the resolution for right of way deed. Chairman Morrisette 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. 03-42 -- Resolution To Establish An Extension To Bartell Road #66570**. This resolution grants approval to include Bartell Road M.P. 0.723 to M.P. 0.910 in the Grays Harbor County Road System.

**Application for Variance from Subdivision Road Standards:** There was a public hearing to consider an application submitted by Cliff Harrel, Ron Golden, and Chris Taylor (DBA CC & R, LLC) 8221 NE Hazel Dell Avenue #102, Vancouver, Washington. The application is for a variance from the required Subdivision Road Standards, Ordinance #190, for a proposed 4-lot subdivision. The applicant is requesting a variance to install a hammerhead-style turnaround in lieu of the required cul-de-sac at

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the end of the private lane serving the proposed subdivision. The purpose of the variance is to preserve approximately 8 large conifers which are a visual amenity to the property and its shoreline environment and may play a role in the stability of the bluff to the east. 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 Morrisette asked for a staff report. Jane Hewitt, with Grays Harbor County Planning, provided a staff report. Ms. Hewitt reported that the applicant and the Board of County Commissioners received the following information and requested that it be entered into the record:

1. 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. (No comment has been received)
7. Affidavit of Publication from *The Vidette*.

Ms. Hewitt reported that staff recommended approval of the Findings of Fact and Conclusions for variance request, Case 2003-0526, as written. Staff recommends approval of applicant's request for variance, Case 2003-0526, as written. Chairman Morrisette asked for public comment. Ron Golden, applicant, spoke in support of the request. There was no further public testimony and the hearing was closed. A motion was made, seconded and passed to approve the variance request from the adopted subdivision road standards of Grays Harbor County, Case 2003-0526.

### **PRESENTATION**

**Donna Rosi, Aberdeen Kiwanis:** Donna Rosi and Susan Iskra made a presentation on behalf of the Kiwanis Club of Aberdeen. They provided information regarding the Aberdeen Kiwanis' "Toast the Harbor" Food and Wine festival 2002. The Aberdeen

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Kiwanis is a non-profit organization that uses “Toast the Harbor” as a fundraiser for the club which in turn helps children in Grays Harbor County. “Toast the Harbor” inaugural event garnered over 525 visitors to Ocean Shores and the Quinault Beach Resort and Casino on October 19, 2002. It brought 20 vendors from around the state and visitors from as far away as Seattle. The Aberdeen Kiwanis spent a total of \$300 advertising “Toast the Harbor” in 2002 and the Quinault Beach Resort and Casino reported a 25% increase in business the week-end of the event. Ms. Rosi requested \$3000 from Grays Harbor County to advertise “Toast the Harbor” 2003. The money will be used to purchase posters, newspaper ads as well as radio in Grays Harbor, Thurston, Mason, Pierce and King counties. “Toast the Harbor” 2003 is scheduled for Saturday, October 18, from 12 noon to 9 p.m. Ms. Rosi provided a 2002 Financial Recap and a budget for 2003. Chairman Morrisette commented that the request will be taken under consideration and she will be informed of a decision.

The Clerk of the Board announced the following presentation:

**Donna McGuin, McCleary, Support for Workshop for the Elderly:** Donna McGuin spoke on behalf of the Peninsula Chapter of Adult Family Homes. Ms. McGuin reported that Peninsula Chapter of Adult Family Homes is a non-profit organization operating with Washington State Residential Care Council (WSRCC). Ms. McGuin provided information regarding the organization and a brochure advertising a workshop scheduled for May 22, 2003. Ms. McGuin asked for help and support from the Board of County Commissioners. She asked that consideration be given to make Mark Reed Hospital a metal health complex for Evergreen Counseling and replace Oakhurst. She commented that it would be helpful to Grays Harbor County to have Evergreen Counseling at the Mark Reed Hospital in McCleary.

**DEPARTMENT OF PUBLIC SERVICES**

**Request Approval, Set Date to Open Bids, County Vehicles:** June 2, 2003 at 2:00 p.m. is the date and time set for bid opening for purchase of the following vehicles.

- One (1) Passenger vehicle, midsize, four door, 6-cylinder, sedan
- Two (2) Extended cab, ¾ ton, 4x4, Pickup/s
- One (1) 11,200# gvwr regular cab & chassis, pickup, w/rear duals
- One (1) Pneumatic tire asphalt compactor
- One (1) Rotary boom mower with tractor
- One (1) Brush cutting attachment

These vehicles were approved for purchase in the 2003 Budget.

**Request Approval, Corrected Right-of-Way Deed, Aberdeen Gardens-Wishkah Bridge Replacement:**

The Department of Public Services requested authorization for the Board Chairman to sign a corrected right-of-way deed for the Aberdeen Gardens Road Wishkah Bridge Replacement project, C-51240-01. The correction is a title change for the personal representative for the Tietge Trust. The corrected deed is required by the Title Company to issue the County a title insurance policy. The Department of Public Services will forward the deed to the Board Chairman when it arrives from Germany. A motion was made, seconded and passed to approve the request as described.

**Request Approval, Award 2003 Pavement Striping Contract:**

The Department of Public Services provided a Bid Recap for the 2003 Pavement Striping Contract. The low bid of \$158,595.00 is 10.4% under the Engineer's Estimate of \$177,000.00. The Department of Public Services recommended this contract be awarded to the low bidder, Stripe Rite, Inc. A motion was made, seconded and passed to award the 2003 Pavement Striping Contract to the low bidder, Stripe Rite, Inc.

**Request Approval, Community Development Block Grant Agreement:**

The Department of Public Services requested that the Board of County Commissioners consider and execute a Community Development Block Grant Agreement (Contract #00-64020-089). The agreement replaces the original agreement awarded to upgrade the Neilton-Meadowland Water District #8 facilities. The new agreement increased the grant amount from \$729,500 to \$750,000 and modifies the budget and the source of supply from surface water to ground water. A motion was made, seconded and passed to approve the Community Development Block Grant Agreement (Contract #00-64020-089) as described.

**Request Approval, Set Hearing Date, Proposed Forest Practices Ordinance:**

On December 2, 2002, the Grays Harbor County Planning Commission concluded a public hearing on the application to adopt a Forest Practices Ordinance, regulating development moratoriums, Case #2002-1608. The Commission voted unanimously to recommend approval of the ordinance. May 19, 2003 at 2:00 p.m. is the date and time set for a public hearing to consider Case #2002-1608.

**DEPARTMENTS**

**MANAGEMENT SERVICES**

**Request Approval, Change of Website to Grays Harbor**

**County/TourismGraysHarbor.com:** A motion was made, seconded and passed to approve two copies of a form needed to change the TOURISMGRAYSHARBOR.COM website from the Langley Group to Grays Harbor County's website.

## **AUDITOR**

**Request Approval, Payroll and Payables for April:** A motion was made, seconded and passed to approve Payroll and Payable for the month of April 2003. Total Claims -- \$3,795,850.66; Total Salary -- \$1,872,800.14 for a monthly total of \$5,668,650.80.

## **COMMISSIONERS**

**Decision on Rezone Hearing of 4/28:** Chairman Morrisette announced that he would recuse himself from this decision. The Clerk of the Board announced the decision is from a special meeting held on Monday, April 28, 2003 at 6:00 p.m. There was a public hearing to consider the application by Bascom Pacific LLC to rezone approximately 170 acres of land that is currently zoned General Development 5 (GD-5) to Industrial (I-2).

The proposal is located on approximately 170-acres of the east half of Grays Harbor County's Tax Assessor Parcel #170803200000, north of SR 12 and west of Clemons Road, Section 03, Township 17 N, Range 8 W.W.M., Grays Harbor County, Washington.

A SEPA Determination of Non-Significance (DNS), dated August 14, 2001, was issued under WAC 197-11-340.

Commissioner Carter stated that the Board of County Commissioners has considered the written record and public testimony in their review of Case 2002-1117. He made a motion to adopt the Grays Harbor County Board of Commissioners' written Findings of Fact for Case 2002-1117 dated May 5, 2003, as follows:

1. The Grays Harbor County Board of Commissioners finds that the written record and public testimony for Case 2002-1117 do not support the Findings of Fact and Conclusions contained in the Grays Harbor County Planning and Building Division staff report for Case 2002-1117.
2. The Grays Harbor County Board of Commissioners hereby denies Case 2002-1117, based on the preceding Findings of Fact.
3. This action may be appealed by any aggrieved party to Superior Court within 21 days from the date of this decision.

Commissioner Carter made a motion to deny Case 2002-1117. The motion was made, seconded and passed to deny the rezone request for Case 2002-1117.

**Award County Road Administration Board Certificate of Good Practice to County**

**Engineer:** The Clerk of the Board announced a letter was received from Jay P. Weber, Executive Director of Washington State County Road Administration Board. Enclosed was a Certificate of Good Practice that was approved by resolution of the County Road Administration Board at its meeting on April 17-18, 2003. It was suggested that the certificate be presented to the County Road Engineer at an appropriate time. A Certificate of Good Practice has been transmitted to the State Treasurer on behalf of Grays Harbor County pursuant to the authority contained in RCW 36.78.090 as indicated on the certificate. This action by the CRABoard will assure the continued distribution of the monthly state gas tax allotment from the Office of the State Treasurer. On behalf of the members and staff of the CRABoard, Mr. Weber expressed appreciation for the cooperation they have received from and through the county engineer's office during the past year.

Chairman Morrisette presented the Certificate of Good Practice to Russ Esses, County Road Engineer and thanked him for his service to Grays Harbor County.

**PUBLIC COMMENT**

Chairman Morrisette asked for public comment. Paul O'Brien spoke on behalf of the Grays Harbor Historical Sea Port Authority. Mr. O'Brien invited the County Commissioners and the public to the Seaport Learning Center located on Hagara Street in Junction City. On May 29, 2003 they will host a ribbon cutting ceremony for an addition to their building and their 110-foot spar makers lay. The event is scheduled from 4 to 6:30 p.m. Mr. O'Brien commented that they are proud of the addition to the building. The Lady Washington is expected to return to Grays Harbor between May 26 and May 30.

**CORRESPONDENCE**

The Clerk of the Board announced the following correspondence received:

The Public Employment Relations Commission (PECB) submitted Decision 8043 (PECB, 2003) regarding a case filed against Grays Harbor County by Washington State Council of County and City Employees, Local 275. Chairman Morrisette announced the document is public. The document is a hearing examiner's conclusion regarding an issue that began in 1989 involving an Employee Assistance Program (EAP) to provide a confidential, professional resource to help employees resolve an array of problems affecting their personal lives and/or job performance, including marital problems, divorce, stress, substance abuse, depression, family problems, financial and legal problems, career guidance, elder or child care, and grief counseling. In December 1999 a

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decision was made to cancel the EAP contract due to budget constraints. The union believes that Grays Harbor County has committed an unfair labor practice by refusing to bargain over the cancellation of an existing term of employment. The employer contends the elimination of the EAP is not a mandatory subject of bargaining because the EAP is not a benefit. Chairman Morrisette announced that they are sensitive to the conclusion reached by the examiner and they will do the right thing when it has been concluded. They believe the decision is inappropriate and they are going to ask the full commission of the Public Employees Relations Commission to review the decision.

### **APPOINTMENT**

None

### **ANNOUNCEMENT**

Chairman Morrisette announced that this meeting will recess and reconvene at 5:00 p.m. for a public hearing before the Board of Commissioners for Grays Harbor County and three members of the Aberdeen City Council as appointed by the Mayor, to consider an application by Gordon Peterson for reclassification as Open Space for real property tax purposes. The property is located within the City of Aberdeen.

Following that public hearing where will be a special meeting at 6:30 p.m. to consider a request by the City of Montesano that the Grays Harbor County Board of Commissioners place on the ballot for vote by the residents within the boundaries of the proposed district, the creation of a Metropolitan Park District.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, May 5, 2003, 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 met with the Public Services Director and the Deputy Prosecuting Attorney. Staff meetings will be held during the week.

### **RESOLUTION**

The following resolution was approved and signed:

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**#03-42                      Resolution To Establish An Extension To Bartell Road #66570**

**ORDINANCES**

None

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The meeting recessed at 2:45 p.m. and will reconvene at 5:00 p.m. for a public hearing to consider an application for reclassification as Open Space for real property tax purposes.

BOARD OF COMMISSIONERS  
for Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2003

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BOB BEERBOWER, Commissioner, District 1

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DENNIS MORRISETTE, Chairman

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ALBERT A. CARTER, Commissioner, District 3

ATTEST:

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Sandra Daniels  
Clerk of the Board