

MINUTES

BOARD OF COUNTY COMMISSIONERS MEETING

November 24, 2003

The Commissioners met in session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, November 24, 2003, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Al Carter were present. Also in attendance was Sharon Meier, Deputy Clerk of the Board. Jim Baker, Prosecuting Attorney was present.

MINUTES OF PREVIOUS MEETING: The minutes of the November 17, 2003 meeting were approved.

BIDS

None

HEARINGS

Proposed Ordinance Imposing An Additional One-Tenth Of One Percent Sales And Use Tax For Emergency Communication Systems And Facilities: There was a public hearing to consider adopting an additional one-tenth sales and use tax pursuant to RCW 82.14.240, which was authorized by the voters of Grays Harbor County on November 4, 2003, to be used solely for the purpose of providing funds for costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, re-equipping, and improvement of emergency communication systems and facilities. Chairman Morrisette asked for a staff report. Rose Elway, Budget Director, reported that the election results were certified on November 20, 2003 and were approved by the voters for the one-tenth of one percent sales and use tax for emergency communication systems and facilities. Ms. Elway reported the earliest that the tax can be imposed is April 1, 2004. A seventy-five day notification period to the Department of Revenue is required and it is required to start on a quarter. Collections will start in April and the proceeds will not arrive to the County until June 2004. It is estimated to be approximately \$55,000 per month or \$385,000 will be received next year. It will raise approximately \$668,000 annually. This ordinance will impose a sales and use tax in addition to any other taxes authorized by law which shall be collected from those persons who are taxable by the State of Washington under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county. The rate of tax shall equal one tenth of one percent of the selling price in the case of sales tax or value of the article used, in the case of a use tax. The revenue generated by the tax shall be used solely for the purpose of providing funds for costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, re-equipping, and improvement of emergency communication systems and facilities. A full text of the

proposed ordinance was available at the County Commissioners office, 100 West Broadway, Suite 1, County Administration Building, Montesano, Washington, for review, and was available to be mailed upon request. 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 **Ordinance No. 311 – An Ordinance Levying And Imposing A One-Tenth Of One Percent Sales And Use Tax To Fund Emergency Communications Systems And Facilities.**

Application For Variance From County Subdivision Road Standards: There was a public hearing to consider an application received from Robin Moser for a variance from the County Road Standards, for a proposed 2-lot Short Subdivision. A variance is requested to reduce the width of the access road serving lot 2 from 20-feet to 16-feet. The project is proposed at 1097 Monte-Elma Road, just west of Elma, portions of which are within the northwest quarter of the southwest quarter and the southwest quarter of the northwest quarter of Section 33, Township 18N., Range 6W. W.M., Grays Harbor County, Washington. The property is further described as Assessor's parcel #763000300001. Chairman Morrisette asked for a staff report. Curt Crites, Grays Harbor County Planning Department, reported that the applicant and the Board of County Commissioners were provided the following materials prior to the hearing. Mr. Crites requested that they be entered into the record by reference:

1. Staff report containing findings of fact, conclusions and staff recommendations.
2. Application for variance and supporting letter.
3. Site Plan.
4. Notice of Public Hearing and list of adjacent property-owners receiving the notice.
5. An excerpt of Ordinance #190.

Mr. Crites explained this is for a conditional approval on a short subdivision application for 2 lots and one condition was that current standards be met. The applicant requested a variance from Grays Harbor County Subdivision Road Standard A. A variance from Standard A will allow the applicant to construct a subdivision roadway to a 16-foot width from that of the required 20-feet. The 16-foot roadway is proposed to be within a 30-foot easement.

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 the variance

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request from the adopted subdivision-road standards of Grays Harbor County, Case #2003-1633.

PRESENTATION

None

DEPARTMENT OF PUBLIC SERVICES

Request Approval, Local Agency Agreement Supplement For Third Street (O'Donnell Ave) Railroad Crossing Closure Project: A motion was made, seconded and passed to approve three (3) copies of Local Agency Agreement Supplement No. 1. This agreement requests federal funding for the construction phase of this Railroad Crossing Closure Project. This project will widen O'Donnell to a 2-lane road, provide a cul-de-sac at the closed crossing and remove the westerly railroad crossing on O'Donnell Avenue in Whites.

Request Approval, Resolution Changing Speed Limit on Anderson Road #80430: A motion was made, seconded and passed to approve **Resolution No. 03-132 – Resolution Amending Speed Limit on Anderson Road #80430**. This resolution changes the speed limit on the Anderson Road, which was recently reconstructed by the Bureau of Indian Affairs (BIA) in accordance with new construction standards. This resolution establishes a 35 mph speed limit for that portion of the Anderson Road between US 12 and Howanut Road. Currently the legal speed limit for this section of Anderson Road in Grays Harbor County is 25 m.p.h.

Request Approval, Bid Opening of February 2, 2004, for 2004 Traffic Control Devices Stockpiling Contract: A motion was made, seconded and passed to set February 2, 2004 at 2:00 p.m. as the date and time for bid opening for the 2004 Traffic Control Devices Stockpiling Contract. Bid publications would be January 15 and 22, 2004.

Request Approval, Bid Opening of February 2, 2004, for 2004 Emulsified Liquid Asphalt Contract: A motion was made, seconded and passed to set February 2, 2004 at 2:00 p.m. as the date and time for bid opening for the 2004 Emulsified Liquid Asphalt Contract. Bid publications would be January 8 and 15, 2004.

Request Approval, Bid Opening of February 23, 2004, for 2004 Countywide Aggregate Stockpile Contract: A motion was made, seconded and passed to set February 23, 2004 at 2:00 p.m. as the date and time for bid opening for the 2004

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Countywide Aggregate Stockpile Contract. Bid publications would be February 5 and 12, 2004.

Request Approval, Additional Racetrack Improvements: The Department of Public Services have been discussing additional racetrack improvements with Brownfield Promotions. They wish to develop a quarter midget racing track on the eastern end of the property that is currently leased to them as the racetrack facility. The track to be developed is rather small and designed primarily for children on small racecars that utilize lawn mower engines. Brownfield Promotions has provided information and requests approval to implement the project. The Department of Public Services have notified Brownfield Promotions that the project must include noise and dust mitigation measures to minimize impact to adjacent properties. The Department of Public Services recommended approval. A motion was made, seconded and passed to approve authorization to continue work with Brownfield Promotions to ensure the project is built to the County's satisfaction.

Request Approval, Grays Harbor-Pacific Counties Food Distribution Center Title VI Certification: A motion was made, seconded and passed to approve the Grays Harbor-Pacific Counties Food Distribution Center – Title VI Certification. A required component of the contract between the Grays Harbor County and the Office of Community Development is documentation related to the passage by the Board of a Title VI certification. This project entails constructing a 25,000 square-foot food distribution warehouse for the Grays Harbor-Pacific Counties Food Bank. The building will serve as a storage and distribution center for food banks in a seven-county region. The structure will have four loading and unloading bays and cold storage in outside freezer units. The property, owned by Grays Harbor County, is a 2.76-acre parcel within the City of Hoquiam.

DEPARTMENTS

MANAGEMENT SERVICES

Request Approval, Employment Agreement: A motion was made, seconded and passed to approve an Employment Agreement for Patricia Pearson.

Request Approval, Fund Transfer #101-000-000, Special Projects: A motion was made, seconded and passed to approve **Resolution No. 03-133 – Transferring Items In The Grays Harbor County Miscellaneous Fund Special Projects #101-000-000**. The resolution authorizes \$3,188 to be transferred in the Special Projects Fund. Additional funding is required in the Miscellaneous Projects category to cover the YMCA donation and the Municipal Services Agreement with the Chehalis Basin Fisheries Task Force.

Request Approval, Budget Transfer #310-000-000, Distressed Area Capital: A motion was made, seconded and passed to approve **Resolution No. 03-134 – Transferring Items In The Grays Harbor County Miscellaneous Fund Distressed Area Capital #310-000-000**. The resolution authorizes a \$21,608 budget transfer to be made from within the Distressed Area Capital Fund for the payment of the LTGO 2003 Bond interest that is due to the Bank of New York on December 1, 2003.

Request Approval, Set Hearing Date, Supplemental Budget, Pavilion #103-100-000 and Fair Equine #103-200-000: A motion was made, seconded and passed to set December 15, 2003 at 2:00 p.m. as the date and time for a Supplemental Budget hearing in the Fair Pavilion Fund for \$8,862 and the Fair Equine for \$8,400. Additional revenue has been received in the pavilion concessions and equine stall rentals. Funding will be used in items purchased for resale and for maintaining the equine stalls at the fairgrounds.

Request Approval, Set Hearing Date, Supplemental Budget, District Court #001-000-024: A motion was made, seconded and passed to set December 15, 2003 at 2:00 p.m. as the date and time for a Supplemental Budget hearing in the District Court #001-000-024. The supplemental budget request in the amount of \$12,040 in the District Court Office is due to an increase in traffic infraction revenue collections as a result of driving while intoxicated cases. Funding will be used to replace computers that are technologically obsolete with the programs District Court is now operating and with the programs to be presented by the state in the future.

FAIR

Request Approval, Surplus Property: A motion was made, seconded and passed to grant authorization to declare the following equipment surplus:

| | |
|---------------------------|-------------|
| Tug "A" | Asset #0060 |
| Tug "B" | Asset #0061 |
| Race Track Starting Gates | Asset #0076 |

Neither of the Tugs are operable or used by the fairgrounds. The racetrack starting gates were used for horse racing and are no longer of use for fairgrounds events.

FORESTRY

Request Approval, Bid Opening Date, Tree Planting: December 15, 2003 at 2:00 p.m. is the date and time set for a bid opening date for the planting of approximately 230 acres of County forestland.

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Request Approval, Contract Extension – TBR-0205: The Department of Forestry received a request from Norris Logging Company, who is the purchaser of the Stevens Creek No. 4 Timber Sale, for a six-month extension to his contract. Adverse market conditions have made it very difficult for Norris Logging to complete this sale by year-end. The Department of Forestry recommended that the County's best interest would be served by granting the extension as requested. It was recommended that the completion date for Contract TBR0205 be modified to read as: June 30, 2004. A motion was made, seconded and passed to approve Contract Extension – TBR-0205.

PUBLIC HEALTH AND SOCIAL SERVICES DEPARTMENT

Request Approval, Amendment, County's Clinical Services Contract with Thurston County: A motion was made, seconded and passed to approve an amendment to the County's Clinical Services Contract with Thurston County for women who qualify for the State's Breast and Cervical Health Screening Program. This amendment adjusts fees charged to the State for services under the contract.

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

AUDITOR

Request Approval, Resolution for 2003, Tax Levy For Year 2004 Collections: A motion was made, seconded and passed to approve **Resolution No. 03-135 – 2003 Tax Levy For Year 2004 Collections**. The several junior taxing districts have submitted certified budgets for the year 2004 and requested tax levies for regular, debt, or special purposes according to statute. The County Commissioners shall certify to the County Assessor taxes levied for county purposes and taxes for each city or other junior taxing district in accordance with RCW 54.52.070. The County Assessor shall extend tax rates and amounts upon the tax rolls, subject to limitations imposed by law, in a manner and form prescribed by statute.

PUBLIC COMMENT

Chairman Morrisette asked for public comment. Lee Dotson, resident of Satsop commented regarding Grays Harbor County Zoning Ordinance No. 38. Mr. Dotson expressed concern with the inability to enforce the ordinance. There was no additional public comment.

ANNOUNCEMENT(S)

There will be no meeting on Monday, December 1, 2003.

CORRESPONDENCE

The Deputy Clerk of the Board announced correspondence received from Doug Sutherland, Commissioner of Public Lands. The correspondence includes a projection of income from State Forest Board Lands. The correspondence was referred to Rose Elway, Budget Director and Larry Smith, Director of the Forestry Department.

APPOINTMENT(S)

None

STAFF MEETINGS

The Board held staff meetings on Monday, November 24, 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 Deputy Clerk of the Board reviewed calendars and pending daily office issues. The Board met with the Risk Manager, Public Services Director and the Director of the Forestry Department.

RESOLUTIONS

The following resolutions were approved and signed:

- #03-132 Resolution Amending Speed Limit on Anderson Road #80430**
- #03-133 Transferring Items In The Grays Harbor County Miscellaneous Fund
Special Project #101-000-000**
- #03-134 Transferring Items In The Grays Harbor County Miscellaneous Fund
Distressed Area Capital #310-000-000**
- #03-135 2003 Tax Levy For Year 2004 Collections**

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ORDINANCE

The following ordinance was approved and signed:

**Ordinance No. 311 An Ordinance Levying And Imposing A One-Tenth Of
One Percent Sales And Use Tax To Fund Emergency
Communications Systems And Facilities**

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The meeting recessed at 2:31 p.m. and will reconvene at 6:00 p.m. for a public hearing to consider a proposal from the Washington State Department of Fish and Wildlife and to take testimony to consider the possibility of restricting the use of motorized boats on certain parts of both the Wynooche and Satsop Rivers.

BOARD OF COMMISSIONERS

for Grays Harbor County

This _____ day of _____, 2003

BOB BEERBOWER, Commissioner, District 1

DENNIS MORRISETTE, Chairman

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Sharon Meier
Deputy Clerk of the Board