

## MINUTES

### BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

January 26, 2004

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, January 26, 2004, at 2:00 p.m. Commissioners Bob Beerbower, Dennis Morrisette and Al Carter were present. Also in attendance was Donna Caton, Clerk of the Board and Jim Baker, Prosecuting Attorney.

**MINUTES OF PREVIOUS MEETING:** The minutes of the Commissioners' Meeting of January 12, 2004 were approved as presented.

#### **BIDS**

None

#### **RECOGNITION OF KAREN FOURNIER:**

The Board of County Commissioners presented a certificate of appreciation to Karen Fournier for 30 years of service to Grays Harbor County. Judge Brown expressed appreciation to Ms. Fournier for her knowledge, experience and dedicated service to the court system.

#### **HEARINGS**

##### **BOARD OF HEALTH**

Chairman Morrisette announced the following is a Board of Health item and the Board of County Commissioners serve as the Board of Health and that Board convened.

**Consider an Ordinance Governing Solid Waste Handling:** There was a public hearing to consider an ordinance governing solid waste handling, and implementing the comprehensive solid waste management plan covering storage, collection, transportation, treatment, utilization, processing and final disposal of solid waste. Chairman Morrisette asked for a staff report. Doug George, Director of Environmental Health, Public Services Department, reported the proposed ordinance adopts WAC173350 by reference. Mr. George explained there are not a lot of significant changes from the last version. Garbage landfills are now in another WAC. Chairman Morrisette asked for public comment. David Luark resident of 472 Black Creek Road, Montesano, reported that he owns land and would like to do environmental enhancement on the property and organic materials are required. Mr. Luark commented that his property has been heavily depleted of

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organic material. He expressed concern that the proposed ordinance would restrict the organic material that he could use on his property. He reported that lawn material is not allowed to be used. Mr. Luark asked questions regarding a permit or license to utilize solid waste. He commented that laws like this cause people to not help the environment because people do not want to obtain a permit to add something to their pasture or forest. He stated that he would like for the public to be encouraged to use organic materials on their land to enhance the environment. Mr. George responded and explained that the proposed ordinance does not change much and fertilizers can be applied. The state has adopted standards for fertilizers. Paul Easter, Director of Public Services for Grays Harbor County reported that it depends on the volume and could require grade and fill permits to deter overstocking. Mr. George commented the purpose of regulations is to promote recycling and reuse. There was no further public comment and the hearing was closed.

**Action: Approve Board of Health Ordinance Governing Solid Waste Handling and Implementing the Comprehensive Solid Waste Management Plan:** A motion was made, seconded and passed to approve **Grays Harbor County Board of Health Ordinance #2004-1 Grays Harbor County Solid Waste Handling Standards.**

The Clerk of the Board announced an additional item received after the agenda was prepared.

**Consider A Memorandum of Agreement with Washington State University Cooperative Extension:** Mr. George reported the memorandum of agreement is with the Washington State University-Cooperative Extension for the Extension to provide food worker classes and other applicable programs. This is a continuation of the last agreement.

**Action: Approve Memorandum of Agreement with Washington State University Cooperative Extension:** A motion was made, seconded and passed to approve the Memorandum of Agreement with Washington State University Cooperative Extension as outlined.

The Board of Health adjourned and the Board of County Commissioners reconvened.

## **PRESENTATION**

None

## **COMMISSIONERS**

### **Appointments:**

**Fill a Vacancy on the Housing Authority of Grays Harbor:** A motion was made, seconded and passed to appoint Luanne Stricevich, resident of 2861 Wishkah Road, Aberdeen to the Housing Authority of Grays Harbor.

**Appoint two Board Members to South Beach Park & Recreation:** A motion was made, seconded and passed to appoint Beverley Ripley and Sharon Simmons to the South Beach Park and Recreation Board.

### **Contracts:**

**Municipal Services Agreement with Grays Harbor Economic Development Council:** A motion was made, seconded and passed to approve a Municipal Services agreement with Grays Harbor Economic Development Council in the amount of \$13,500.

**Teamster's Contract for the Sheriff's Department:** A motion was made, seconded and passed to approve the Washington Teamsters Welfare Trust Subscription Agreement, Collective Bargaining Agreement Providing for Participation in Trust. The parties' Collective Bargaining Agreement is in effect from January 1, 2004 to December 31, 2006.

## **DEPARTMENTS**

### **FORESTRY**

**Request Approval, Award Forestry Tree Planting Contract to Saul Reforestation and Authorize Signing of the Contract:** A motion was made, seconded and passed to award the Forestry Tree Planting Contract – TRE2004 to Saul Reforestation for a contract value of \$17,710.00.

### **JUVENILE COURT**

#### **Request Approval, Department of Social and Health Services Contracts:**

**ESSB 5903 Contract for Actual Treatment Costs:** A motion was made, seconded and passed to approve DSHS Contract ESSB 5903 for actual treatment costs.

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**Various Services Contract for Diagnostic and Firearms:** A motion was made, seconded and passed to approve the Diagnostic contract per service costs, the E3SHB-3900 and Firearms contract in the amount of \$78,512.

**Consolidated Contract:** A motion was made, seconded and passed to approve the Consolidated contract in the amount of \$460,575.

### **MANAGEMENT SERVICES**

**Request Approval, Set Hearing for a Supplemental Budget Request – Fair #103-000-000:** February 23, 2004 at 2:00 p.m. is the date and time set for a supplemental budget hearing for \$9,750 in the Grays Harbor County Fair fund due to funding received from the Department of Agriculture Special Assistance Grant Funds provided by the Washington State Legislature for the 2003-2005 biennium. Funds will be used for health and safety improvements at the fairgrounds.

**Request Approval, Adopt Resolution Freezing New Employee Hires and Capital Outlay Expenditures:** Rose Elway reported the Grays Harbor County revenue base has sustained several losses and 2003 revenue budget projections are expected to have a shortfall. The state forest harvest restrictions and lowered assessed timber market valuations are the main problem. With the loss of motor vehicle excise tax revenue and the subsequent I-695 State funded backfill, compounded by the 1% statutory property levy limit, taxes are the second shortfall area. Each of these reductions have contributed to a lower fund/cash balance which has almost eliminated investment interest revenue earnings. Because of this shortfall it is recommended the proposed resolution freezing new employee hiring and capital outlay purchase be adopted. It requires all departments to have written authorization by the Board to proceed in each category and provides the Board the mechanism to exercise prudent measures to preserve resources adequate to fund mandated services. A motion was made, seconded and passed to approve **Resolution No. 2004-02 – A Resolution Freezing New Employee Hiring And Capital Outlay Expenditures In Grays Harbor County.**

**Request Approval, Authorize Chairman's Signature on the Community Trade & Economic Development 2004 Public Services Block Grant:** A motion was made, seconded and passed to approve a \$144,906 2004 Community Development Block Grant with the Department of Community Trade and Economic Development.

**Request Approval, Amend Salary Resolution to Reflect Ratification of the 2004 Criminal Division Sheriff Dept. Contract:** A motion was made, seconded and passed to approve **Resolution No. 2004-03 – Amending Resolution No. 2004-01 and Fixing Compensation of Employees From & After January 1, 2004.** This resolution allows

employees of the Grays Harbor County Sheriff's Department Criminal Division during the 2004 year to receive monthly salaries and wages set forth in the salary schedule included with the resolution.

### **PUBLIC HEALTH & SOCIAL SERVICES**

**Request Approval, Agreement with Grays Harbor County Fairgrounds in the Event of a Public Health Emergency:** A motion was made, seconded and passed to approve an Agreement with the Grays Harbor County Fairgrounds in the Event of a Public Health Emergency. As part of the Emergency Response Planning, it is necessary to have arrangements in place for sites which may be used to operate mass vaccination or dispensing clinics. By the document, the Grays Harbor County Fairgrounds agrees that, if able, they will allow the Department to use their facilities in the event of a public health emergency.

### **PUBLIC SERVICES**

**Request Approval, Aberdeen Industrial Waterline Phase 2 Project Acceptance:** The final pay request and change order was processed in mid December for Phase 2 of the Industrial Waterline Project. The punchlist has now been completed. The final contract price is \$4,128,145.51 including sales tax. The Department of Public Services recommended acceptance of the project and authorization to proceed with project closeout. A motion was made, seconded and passed to accept the project and grant authorization to proceed with project closeout.

**Request Approval, 2004 Road Levy Certifications:** A motion was made, seconded and passed to approve the 2004 Road Levy Certification. This document certifies the estimated road revenue produced by the 2004 Road Levy.

**Request Approval, Right-of-Way Certifications:** A motion was made, seconded and passed to approve two (2) right of way certifications. The Public Works Department will proceed with acquisition of 2-10' drainage easements between Hart Street and Schmid Road in Grayland.

**Request Approval, Negotiation of Design Service Contract for Stamper Road/Cloquallum River Bridge Rehab Project C-11-76730-01:** The Department of Public Services have completed advertising and review of submittals from prospective consultants and rated them as follows:

- 1) SARGENT Engineers, Inc. Olympia
- 2) CES, Inc. Olympia

- 3) CTS Engineers Inc. Bellevue
- 4) PND Inc., Seattle
- 5) Redi Middleton, Everett

The selection from the submittal process was SARGENT Engineers Inc. of Olympia. They presented the proposal, which was both appropriate and innovative for the bridge rehabilitation project. They are adequately staffed with qualified personnel who can complete the work within the time limits desired. All firms submitting had a site visit and met with the Engineer. The Department of Public Services requested authorization to negotiate a contract with SARGENT Engineers, Inc. A motion was made, seconded and passed to approve authorization to negotiate with SARGENT Engineers, Inc. as requested.

**Request Approval, Contract with WA Emergency Management Division for Table**

**Top Drill:** A motion was made, seconded and passed to approve Emergency Management Contract Agreement #HMEWA3039110 with the Washington State Emergency Management Division which provides \$3000 in funding to develop a scenario for a multi-agency/multi-jurisdictional table top drill to test the Hazardous Materials Response Plan and the Comprehensive Emergency Management Plan as well as the Terrorism Annex.

**Request Approval, Contract with WA Emergency Management Division for FEMA**

**Emergency Management Performance Grant Funding:** A motion was made, seconded and passed to approve Emergency Management Contract Agreement #EMS-2004-GR-0004 with the Washington State Emergency Management Division, which provides \$23,195 in funding. This FEMA Emergency Management Performance Grant is available to local jurisdictions that have emergency management programs in order to supplement budgets.

**TREASURER**

**Request Approval, Resolution Authorizing Sale of Tax Title Property – Silver**

**Dollar Tavern in Aberdeen to the Grays Harbor Transit Authority:** A motion was made, seconded and passed to approve **Resolution No. 2004-04 – Declaration of Tax Title Surplus Property Order of Sale.** This resolution authorizes the sale of the former Silver Dollar Tavern in Aberdeen to the Grays Harbor Transportation Authority. This sale meets the requirements for a negotiated sale and the County Treasurer recommended the property be sold for the minimum amount allowed by statute, the taxes outstanding at the time of foreclosure. By approving this request the County would waive collection of the accrued delinquent charges, \$2,202.97 and the foreclosure costs, \$505.00. With the City's plan to demolish this building, such a sale is in the public's interest.

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**Request Approval, Resolution Authorizing Sale of Tax Title Property – 207 N.**

**Jeffries in Aberdeen:** A motion was made, seconded and passed to approve **Resolution No. 2004-05 – Declaration of Tax Title Surplus Property Order of Sale.**

This resolution pertains to the sale of a small parcel at 207 N. Jeffries. This request was forwarded to the Treasurer's office by one of the banks involved in this property's original financing and would allow it and an adjacent house to be returned to common ownership. As this parcel was offered for sale during the past 12 months (it was in the 12/12/03 foreclosure sale), a minimum sale price in excess of the amount due at that sale would meet the requirements of the RCW's and the County Code for a negotiated sale. As such, Ronald Strabbing, County Treasurer, recommended this parcel be offered for sale with a minimum price of \$813.00, the amount due at the tax foreclosure sale rounded up to the next dollar.

**ANNOUNCEMENT(S):**

None

**CORRESPONDENCE:**

The Clerk of the Board announced the following correspondence received:

Library 2003 Levy Rate For 2004 Collection, received from Timberland Regional Library.

A Lawsuit received from James Chumbley and Evelyn Chumbley. The lawsuit was referred to the Prosecuting Attorney and Risk Management.

A Claim For Damages against Grays Harbor County received from Donald Entue. The claim was referred to the Claims Review Committee and the Prosecuting Attorney.

A Lawsuit received from Leodegario Infante-Cisneros and Idolina Infante. The lawsuit was referred to the Prosecuting Attorney and Risk Management.

An e-mail dated January 25, 2004 received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The subject is: Mandamus to all elected county officers to perform the promise stated in said officer's official bond. Chairman Morrisette reported the correspondence would be placed on file and forwarded to the Prosecuting Attorney.

**PUBLIC COMMENT**

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Chairman Morrisette asked for public comment. Stanley Blunt, resident of 1813 Arnold, Aberdeen, Washington, commented on the Forestry Tree Planting contract awarded to Saul Reforestation. Mr. Blunt asked if the Forestry Department is requiring all workers to report to the Forestry Department to sign an application to work on County property and what the County policy is regarding the performance of the contract. Chairman Morrisette responded and suggested that a letter be sent to the Forestry Department or that the Forestry Director be contacted. Mr. Blunt read portions of a letter that he submitted to the Board on January 12, 2004 regarding marriage forms used by the County Auditor's office. He asked for the status of his request. Chairman Morrisette reported that the letter was referred to the County Auditor's office and he suggested that Mr. Blunt contact the County Auditor or State or Federal elected officials for additional information.

Stanley Trohimovich, resident of 1521 Simpson Avenue, Aberdeen, Washington, commented that the Board of Commissioners have been receiving his e-mail and he has not received any response. He asked if the promise stated in the official bonds would be honored. Mr. Trohimovich commented that if he has not received a response by March 15, 2004, and if the records in Olympia remain the same as they are, he plans to notify each bonding company.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, January 26, 2004, starting at 9:00 a.m. These staff meetings are advertised public meetings, held in the Commissioners' Conference Room. The Commissioners and Clerk of the Board reviewed calendars and pending daily office issues. The Board met with Paul Easter, Director of Public Services, Rose Elway, Director of Management Services, Larry Smith, Director of Forestry Maryann Welch, Director of Public Health and Social Services and James Baker, Prosecuting Attorney.

### **RESOLUTIONS**

The following resolutions were approved and signed:

- #2004-02      A Resolution Freezing New Employee Hiring And Capital Outlay Expenditures In Grays Harbor County**
  
- #2004-03      Amending Resolution No. 2004-01 And Fixing Compensation Of Employees From & After January 1, 2004**

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**#2004-04 Declaration Of Tax Title Surplus Property Order Of Sale**

**#2004-05 Declaration of Tax Title Surplus Property Order Of Sale**

**ORDINANCE**

The following ordinance was approved and signed:

**#2004-1 Grays Harbor County Board of Health Ordinance  
Grays Harbor County Solid Waste Handling Standards**

The meeting adjourned at 2:49 p.m. to Monday, February 2, 2004 at 2:00 p.m.

BOARD OF COMMISSIONERS  
for Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2004

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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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Donna Caton  
Clerk of the Board