

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

August 2, 2004

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

MINUTES OF PREVIOUS MEETING: The minutes of the Commissioners' Meeting of July 26, 2004 were approved as presented.

BIDS

None

HEARINGS

None

PRESENTATIONS

Jodi Reng, Director of Timberland Regional Library: Arthur Blauvelt, Grays Harbor County Trustee on the Timberland Regional Library Board of Trustees, reported he has served on the Board of Trustees for almost 14 years. Mr. Blauvelt reported they are now experiencing a good and stable time in the Timberland Library System. A new Director of Timberland Regional Library has been selected. Mr. Blauvelt reported that Jodi Reng was appointed as the new director as of November 3, 2003. She was previously the Director of the Plum Creek Library System in southwestern Minnesota, a regional system of 26 libraries in nine counties. Ms. Reng has 18 years of library experience. Mr. Blauvelt introduced Jodi Reng. Ms. Reng provided the Timberland Regional Library 2003 Annual Report. The goal is to teach people to love reading and to introduce them to the life-long learning that is available through the library. Ms. Reng reported on accomplishments as outlined in the annual report including the Veterans History Project, Services for Hispanic Patrons and the Mother Goose Program. Timberland's plan for 2004 will be to develop a new strategic plan to set the direction for Timberland's future over the next five years. Ms. Reng reported on revenues and expenditures. Timberland's largest source of revenue at 83% is property taxes levied at 48.12¢ per \$1,000 of assessed valuation. Ms. Reng reported on "Information at the Speed of Light" a Timberland Reference Resource available 24 hours a day, 7 days a

week from any Internet connected computer. Ms. Reng discussed the process for appointing trustees to the Timberland Regional Library Board of Trustees.

COMMISSIONERS

1. **Appointments: Fair Board:** A motion was made, seconded and passed to appoint Mary Davis, a resident of Hoquiam, to the Grays Harbor County Fair Board to fill an unexpired term through December 2004.

DEPARTMENTS

MANAGEMENT SERVICES

1. **Request Approval, Set Hearing Date for Supplemental Budget – Public Health and Social Services:** A motion was made, seconded and passed to set August 16, 2004 at 2:00 p.m. as the date and time for a Supplemental Budget hearing date for \$56,480 in the General Fund Public Health & Social Services Department. \$26,250 in funding will be from the Washington Dental Service Foundation and \$30,230 is the Medicaid Match. Funding will be used in staff and support for the Access to Baby and Child Dentistry Program (ABCD) in Grays Harbor and Pacific Counties which provides dental care for medicaid-eligible children under six years old.

2. **Request Approval, Set Hearing Date for Supplemental Budget – Grays Harbor County Noxious Weed Control Board:** A motion was made, seconded and passed to set August 16, 2004 at 2:00 p.m. as the date and time for a Supplemental Budget Hearing for the Grays Harbor County Weed Board in the amount of \$4,200 for funding received from the Washington State Department of Agriculture. Funding will be used to provide support to The Nature Conservancy in assisting with contacting property owners whose properties contain infestations of knotweed along the Elk and Wishkah Rivers and obtain permission for access to their property for infestation control by the staff.

3. **Request Approval, Set Hearing Date for Supplemental Budget – Fair:** A motion was made, seconded and passed to set August 16, 2004 at 2:00 p.m. as the date and time for a Supplemental Budget Hearing for \$4,200 in the Grays Harbor County Fair fund due to a donation received for \$2,700 from the Green Diamond Resource Company for the rabbit and poultry barn and \$1,500 from the Grays Harbor Community Foundation for the Mad Science show at the Fair.

NOXIOUS WEED CONTROL BOARD

1. Request Approval, Contract with The Nature Conservancy to Provide Support for Control of Japanese Knotweed: The Washington State Department of Agriculture has allocated funding for the control of Japanese Knotweed in Southwestern Washington for 2004, in the amount of \$500,000. The Grays Harbor County Noxious Weed Control Board has identified the Wishkah and Elk Rivers as candidates for the pilot project in its first year. A proposal, submitted by The Nature Conservancy, to the Department of Agriculture has been accepted. The Grays Harbor Noxious Weed Control Board will provide support to The Nature Conservancy as a point of contact with property owners, for information and permission to enter. They will also provide the public education and outreach for this project. A motion was made, seconded and passed to approve a contract for partnership with The Nature Conservancy as requested by the Grays Harbor Noxious Weed Control Board.

PUBLIC SERVICES

1. Request Approval, Elma and Ocean Shores Transit Stations: A motion was made, seconded and passed to approve a corrected Local Agency Agreement Supplement No. 1 for the Elma and Ocean Shores Transit Stations, R-70-05950-10 and 20. The original request of July 12 incorrectly stated the PE Agency funding amount at \$7,180 instead of the actual \$7,883. This supplemental agreement requests an additional \$130,000 of Federal Funds, as authorized by the Grays Harbor Council of Governments, to cover additional work associated with these two transit stations.

2. Request Approval, Personal Services Contract with Lou Messmer to Provide Wetland Delineation Services: A motion was made, seconded and passed to approve a Personal Services Contract for Lou Messmer to provide Wetland Delineation Services for the South Bank Road Realignment Project near Briggs Nursery. Mr. Messmer has provided Wetland Delineation Services for the County on other projects.

3. Request Approval, Set Hearing Date of August 16, 2004 re: Preliminary Approval of 11-lot Long Plat Subdivision: A motion was made, seconded and passed to set August 16, 2004 at 2:00 p.m. as the date and time for a public hearing to consider Preliminary Approval of Long Plat Case 2004-0287. The project is proposed on the property having Assessor's Parcel Number 770501000700 within the north half of the southeast quarter of Section 7, Township 17N., Range 8 W.W.M., Grays Harbor County, Washington.

4. Request Approval, North River Road Realignment CRP-96130-31: A motion was made, seconded and passed to approve a review appraisal on the North River Road Realignment Project, CRP-96130-31. With approval of just compensation the County right-of-way agent will begin negotiations to acquire the necessary right-of-way.

ANNOUNCEMENT(S):

None

CORRESPONDENCE:

Chairman Morrisette announced a notice received from the Public Employment Relations Commission (PERC), a state agency. It concerns a grievance and appeal by the County and a second appeal on the decision and finally this conclusion. Chairman Morrisette reported that in 1989, the employer, Grays Harbor County, formed a Wellness Committee for the purpose of improving health education opportunities for all County employees. An advisory committee was selected and provided a support system and the County contracted with Employee Support System Company (ESSCO). ESSCO was contracted to provide employee assistance programs to services for all County employees. A memorandum from the County's Deputy Director of Insurance and Risk Management and dated November 8, 1999 was sent to all elected officials and department heads. The memorandum announced, with the County Commissioners approval, that the contract was going to be terminated on December 31, 1999. The contract was terminated due to budget problems. On November 17, 1999 the union sent a letter to the County stating that that they considered the cancellation of the contract and service a unilateral change in working conditions and they demanded to bargain the effects or impacts of the termination of the ESSCO contract. The County did not agree and did not bargain the matter. The issue continued for years and a hearing was held before the State of Washington Public Employment Relations Commission. All parties were allowed to present evidence and argument. The Commission determined that the County committed unfair labor practices in violation of a State Collective Bargaining Law and ordered the County to post the notice to employees. Chairman Morrisette announced the notice is a public document and will be available to the public. Grays Harbor County is required to take the following actions to remedy its unfair labor practices:

1. CEASE AND DESIST from:
 - a. Failing and refusing to bargain the effects of changes of wages, hours, and working conditions of employees in the bargaining units represented by the Washington State Council of County and City Employees.

- b. In any other manner, interfering with, restraining, or coercing its employees in the exercise of their rights under the Public Employees' Collective Bargaining Act, Chapter 41.56 RCW.
2. TAKE THE FOLLOWING AFFIRMATIVE ACTION to effectuate the purposes and policies of Chapter 41.56 RCW:
 - a. Upon request, negotiate with the Washington State Council of County and City Employees, Local 275, regarding the effects of the decision to cancel the ESSCO contract.
 - b. Post, in conspicuous places on the employer's premises where notices to all employees are usually posted, copies of the notice attached hereto and marked "Appendix." Such notices shall be duly signed by an authorized representative of the respondent, and shall remain posted for 60 days. Reasonable steps shall be taken by the respondent to ensure that such notices are not removed, altered, defaced, or covered by other material.
 - c. Read the notice attached to this order into the record at a regular public meeting of the Board of Commissioners of Grays Harbor County, and permanently append a copy of the notice to the official minutes of the meeting where the notice is read as required by this paragraph.
 - d. Notify the complainant, in writing, within 30 days following the date of this order, as to what steps have been taken to comply with this order, and at the same time provide the complainant with a signed copy of the notice attached to this order.
 - e. Notify the Executive Director of the Public Employment Relations Commission, in writing, within 30 days following the date of this order, as to what steps have been taken to comply with this order, and at the same time provide the Executive Director with a signed copy of the notice attached to this order.

Chairman Morrisette read into the record the Public Employment Relations Commission Notice as required. A copy of the notice was added to the official minutes of this meeting. A motion was made, seconded and passed to authorize Chairman Morrisette to sign the Public Employment Relations Commission Notice and post the notice for 60 consecutive days from the date of posting.

PUBLIC COMMENT

Chairman Morrisette asked for public comment. H. F. Vanairsdale, former owner of Harbor Tool Rental in Aberdeen, asked if the Board was considering any new regulations for the control of fireworks. Mr. Vanairsdale reported that he lives in Central Park and there is a problem with fireworks and he believes the issue needs to be addressed. Chairman Morrisette explained the concern would be taken under advisement. There was no additional public comment.

EXECUTIVE SESSION

Chairman Morrisette announced that the Board would recess to Executive Session to meet with the Director of the Health Department to discuss a personnel matter. At 2:44 p.m. the Board recessed to Executive Session.

The Board reconvened at 3:11 p.m. Chairman Morrisette announced no decisions were made and no action was taken.

STAFF MEETINGS

The Board held staff meetings on Monday, August 2, 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, Department of Public Services.

RESOLUTIONS

None

ORDINANCES

None

The meeting adjourned at 3:11 p.m. to Monday, August 9, 2004 at 2:00 p.m.

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

BOB BEERBOWER, Commissioner, District 1

DENNIS MORRISETTE, Chairman

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board