

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

January 24, 2005

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, January 24, 2005, at 2:00 p.m. Commissioners Bob Beerbower, Al Carter and Mike Wilson were present. Also in attendance was Donna Caton, Clerk of the Board and James Baker, Deputy Prosecuting Attorney.

CALL TO ORDER AND FLAG SALUTE

Commissioner Beerbower called the meeting to order with the pledge of allegiance to the flag of the United States of America being recited.

MINUTES

January 10, 2005: The minutes of the Commissioners' Meeting of January 10, 2005 were approved as presented.

BIDS

None

HEARINGS

1. **Street Vacation – Junction City:** There was a public hearing to consider a petition from Junction City Development Co. LLC to vacate pursuant to R.C.W. 36.87.020 the following County Roads and Rights of Way in the Plat of Junction City:

All of Stanley Street, All of Anderson Street, All of Canal Street, All of Geddes Street South of Block 5 and 6, All of Front Street, All of Division Street, All of Washington Street, All of the Alley in Blocks 4, 6, 7, 9, 10, 12, 13 and 14.

All of the Alley in Block 11 between Lots 1-10 and Lots 23-32.

All of McNeal Street between Blocks 9 and 14, Block 10 and 13, Block 11 Lots 23-32 and Block 12 Lots 1-10.

All of Wagar Street South of Geddes Street, All of Wagar Street between Block 5 Lot 32 and Block 6 Lot 20, and All of Wagar Street between Block 3 Lot 1 and Block 4 Lot 16.

All of Bishop Street between Blocks 4 and 6.

All of Daniels Street North of Block 4 and Block 3 Lots 1-7.

The Clerk of the Board announced that notice of this hearing was published on January 13 and again on January 20, 2005. The Road and Right-of-Way descriptions were also published. Chairman Beerbower asked for a staff report.

Paul Easter, Director of Public Services, reported that Junction City Development Co. LLC has petitioned to have vacated existing County roads and unopened rights-of-way adjacent to property they own in the Plat of Junction City. The Plat of Junction City was dedicated on October 9, 1906. Mr. Easter reported that the vacation would reduce the County's liability. The Department of Public Services recommended the vacations be approved. The Application Fee of \$150.00 and the 50% Appraisal Cost of \$49,215.00 has been paid. Mr. Easter explained that this process is a usual and customary process for Grays Harbor County and occurs when the County determines that there is no longer a public need or a County use for certain right-of-ways. Russ Esses, County Road Engineer, read the Engineer's Report dated January 4, 2005 as follows:

Junction City Development Co. LLC has petitioned to have vacated existing County roads and unopened rights-of-way adjacent to property they own in the Plat of Junction City. The Plat of Junction City was dedicated on October 9, 1906. The County Road Engineer's office has examined the County roads and portion thereof proposed to be vacated and abandoned. It is our opinion that the roads and rights-of-ways identified in the petition should be vacated. The half-mile of roads in current use are bituminous surface roads in fair condition. The petitioner (land owner) is removing all the existing homes along the proposed vacated roads. Therefore it is not necessary to preserve these roads and rights-of-ways for the County road system for future use. The public will benefit by this vacation by reducing future County liability and road maintenance costs. Also, County revenue will increase, as this property will become privately-owned taxable property with development potential. These roads and rights-of-ways do not abut Elliott Slough or any other body of water. The Application Fee of \$150 and the 50% of Appraised Value (\$49,215.00) have been paid.

Mr. Esses reported one correction to the report written as follows:

The *half-mile* of roads in current use are bituminous surface roads in fair condition.

Text should be corrected to read as follows:

The *four-tenths* of one mile of roads in current use are bituminous surface roads in fair condition.

Mr. Esses reported that four-tenths of one mile of roads would be vacated by this petition.

Brian Shea, Director of Planning and Building for Grays Harbor County, provided a staff report and discussed compatible land uses and processes that were required for the vacation to occur. Mr. Shea discussed the SEPA Threshold Determination and information related to the public right-of-way vacation petition. He outlined the Environmental Checklist used in the review process of the vacation request. Mr. Shea reported that copies of the staff report were available for the public. He commented on Attachment 1 – vacation request by Sierra Pacific Industries/Junction City Development Co. LLC and Attachment 2 – Engineer’s Report, including a map and photos of the developed properties in the Junction City area. For the record Mr. Shea commented on the Keith Kramer and Steve Wyckoff properties and explained that lots 17 through 27 are owned separately but jointly by Mr. Kramer and Mr. Wyckoff. The remainder of the lots 28 through 32 in block 5 are owned by Sierra Pacific/Junction City Development Co. LLC. Mr. Shea reported on an Easement in the Plat of Junction City. For the record signs were posted in accordance with County codes and County regulations. Mr. Shea discussed the Grays Harbor Estuary Management Plan. He commented on the Flora and Fauna of Greenspace Report conducted by the City of Aberdeen and dated January 2001. Mr. Shea reported on the Habitat Mitigation Plan: Sierra Pacific Sawmill Project. He commented that they have included Public Comment concerning the Right-of-Way Vacation Request and the Road Vacation Request. Mr. Shea summarized and stated that departmental review of the application showed that there is no significant adverse impact to the environment from the proposed vacation request. It is consistent with the Land Use Policies, Zoning and Comprehensive Plan. Mr. Shea entered their findings into the record and announced that staff is available for questions.

Mr. Easter summarized that the County Road Engineer believes that the County does not have a need to maintain right-of-ways or hold right-of-ways that have not been opened. He commented that the County is following state law and County Ordinances according to the law in assessing the value of the property. Mr. Easter explained that the County is not selling property to Junction City Development. The County is vacating an easement or a right-of-way across property. Mr. Easter outlined that when plat laws originated and when property is platted the right-of-ways are granted for public use. When they are vacated and no longer needed for access to separate lots the property goes back to the property from where it originated. Mr. Easter explained that in this case Sierra Pacific/Junction City Development is only purchasing back the easement that was granted years ago when the plat was developed. The County does not own the property. It is a right to cross the property.

Chairman Beerbower asked for public comment.

The following individuals testified regarding the vacation request:

1. Sherry Nelson, representing Sierra Pacific Industries/Junction City Development Company provided information supporting the request.
2. Alexander Mackie, with Perkins Coie, 1111 Market Street, Olympia, Washington, representing Sierra Pacific Industries/Junction City Development Company testified in support of the request. Mr. Mackie presented the following exhibits: (1) Map of the area; (2) Photo of the area; (3) Photo of Elliott Slough and (4) additional Photo of Elliott Slough
3. Vickie Raines, Mayor of Cosmopolis, acknowledged the City Council and expressed their support of the vacation request.
4. Keith Kramer, owner of property at 310 Hagara Street, requested that the Board of Commissioners deny the vacation of the 80-foot right-of-way. For the record Mr. Kramer provided a map of the area.
5. Mike Pieti, resident of 12788 Southeast Stark Street, Portland, Oregon and Executive Secretary for the Western Council of Industrial Workers Union representing approximately 1500 workers in Grays Harbor County, spoke in support of the vacation request.
6. Michael Tracy, Executive Director for Grays Harbor Economic Development Council (EDC), spoke on behalf of the EDC Board of Directors requesting approval of Sierra Pacific Industries' request to vacate the unopened road right of way located in the Plat of Junction City, Section 11, Township 17 North, Range 9 West Willamette Meridian. For the record Mr. Tracy submitted a letter in support of the vacation request.
7. Bill Messenger, resident of 742 Falls of Clyde, Ocean Shores, spoke on behalf of Local 211 AWPPW working for Weyerhaeuser in Cosmopolis, requesting approval of the vacation request by Sierra Pacific. For the record Mr. Messenger submitted a petition in support of the request.
8. LeRoy Tipton, President of the Grays Harbor Chamber of Commerce, 506 Duffy Street, Aberdeen, spoke on behalf of the Chamber expressing their support of the Junction City Road Vacation. For the record Mr. Tipton submitted a letter in support of the vacation request.
9. Delroy Cox, resident of 402 Fairway Drive, Aberdeen, and Chairman of Governmental Affairs Committee for the Grays Harbor Chamber of Commerce, spoke on behalf of the committee expressing support of the vacation request.
10. Patrick Quigg, resident of 1831 BelAire, Aberdeen, Secretary and Treasurer of Grays Harbor Paper Company in Hoquiam, expressed support of the road vacation application.
11. Carl Gibey, resident of 620 Hagara Street in Junction City, spoke in opposition to the vacation request. For the record Mr. Gibe submitted a letter in opposition to the vacation request.

12. Brenda Hagara, resident of 105 McNiel Street, Aberdeen, spoke in opposition to the Junction City Street vacation.
13. Duane Hartford, resident of 850 Monte Elma Road, Montesano, and owner of property located at 120 Bishop Street in Junction City, expressed opposition to the vacation of the roads.
14. Paul Koski, owner/operation of Harbor Hydraulics and Machine located at 725 East Market Street, Aberdeen, spoke on behalf of his employees expressing support of the request to vacate. For the record Mr. Koski submitted a letter in support of the vacation request.
15. Richard Merrill, resident and homeowner at 516 Hagara Street in Junction City, spoke in opposition of Sierra Pacific Industries petition to vacate and any future request from Sierra Pacific.
16. Debra Moss, resident of Yelm, spoke in support of Sierra Pacific Industries request for Junction City Street vacation.
17. Larry Nelson spoke in support of the request for vacating unopened road right of way located in the Plat of Junction City.
18. Jay Sterling, resident of Montesano, reported that his attorney, Smith and Lowney, P.L.L.C., Seattle, has submitted comments on the Petition to Vacate and SEPA Threshold Determination. Mr. Sterling spoke in opposition to the request by Sierra Pacific.
19. Alexander Mackie summarized and provided clarification regarding several comments made.

Prior to this hearing and as a matter of record, comments were received as follows:

Keith G. Kramer, Aberdeen, WA	letter
Davis Wright Tremaine LLP, Seattle, WA	letter
Bill and Brenda Hagara, Aberdeen, WA	letter
Dean Schwickerath	e-mail
Rick Merrill, Aberdeen, WA	letter + photographs + map
Debbie Moss, Yelm, WA	letter
James B. Sterling, Montesano, WA	letter + map
James B. Sterling, Montesano, WA	e-mail
Steve A. Wyckoff, Precision Pipe Fabricators, Aberdeen, WA	letter
Davis Wright Tremaine LLP, Seattle, WA	letter
Ralph, Susan and Paul Larson, Duffy's -- Bee Hive Restaurants, Aberdeen, WA	letter
Ellen Pickell, Ellen Pickell Studios, Hoquiam, WA	letter
Ronnie W. Schmidt, WorkSource Grays Harbor Aberdeen, WA	letter

Candie Gleason	e-mail
William J. Wolfenbarger, Jodesha Broadcasting Inc., Aberdeen, WA	e-mail
Ron Rogstad	e-mail
Terry Veitz, Waypoint, Inc., Ocean Shores, WA	e-mail
Ken Mercer, Tourism and Business Development, Ocean Shores, WA	e-mail
John M. Mertz, Preszler, Lerner, Mertz, & Co., LLP	e-mail
Debbie Soucy, Hoquiam, WA	e-mail
Debi Tracy, Debi Tracy Design Graphics & Marketing Grays Harbor Paper, Hoquiam, WA	e-mail letter
Shelli Hopsecger, Coast Controls & Automation Inc., Aberdeen, WA	letter
Barbara Nelson, Lightz, Westport, WA	e-mail
Larry Nelson, Westport Shipyard Inc., Westport, WA	e-mail
Oscar and Jill Rosenkrantz, Western Steel and Supply, Aberdeen, WA	letter
Jackie C.L. Ross, Cosmopolis, WA	e-mail
Chris William, Pettit Oil, Hoquiam, WA	e-mail
Jerry Brown, Techline, Aberdeen, WA	e-mail
Marvin Prince, Bayview Redi-Mix, Inc., Aberdeen, WA	letter
David and Sandra Bielski, Aberdeen Cemetery Assn./Petland Cemetery, Aberdeen, WA	e-mail
Jack Durney, City of Hoquiam, Hoquiam, WA	letter
Jack Thompson, Port of Grays Harbor, Aberdeen, WA	letter
Susan Wood	e-mail
Gloria Brown	letter
Dorothy Voege, City of Aberdeen, Aberdeen, WA	letter
Donna Rosi, Grays Harbor Radio, Aberdeen, WA	letter
Donna Rosi, Grays Harbor Radio, Aberdeen, WA	e-mail
Jay Sterling, Montesano, WA	e-mail
Alan Stouffer, Coldwell Banker/First Harbor Real Estate, Aberdeen, WA	e-mail
Martha Carr, Coldwell Banker/First Harbor Real Estate, Aberdeen, WA	e-mail
Dan Earley, Earley Tire Factory, Aberdeen, WA	e-mail
Tom Dillard	telephone message
Karen Dillard	telephone message
Jay Sterling, Montesano, WA	e-mail

Jay Sterling, Montesano, WA	letter
Jim Neeley	telephone message
Julie Grigsby, Western Steel and Supply	e-mail
R.D. Merrill, Aberdeen, WA	letter
Evelyn Baker, Aberdeen, WA	e-mail
Brady Engvall, Westport, WA	e-mail
Vickie L. Raines, City of Cosmopolis, Cosmopolis, WA	e-mail + letter
Cathy Colley, McCleary, WA	e-mail
Alan K. Midkiff, Aberdeen, WA	e-mail
Sandra and Lou Brownfield	e-mail
Arthur (R.D.) Grunbaum, Friends of Grays Harbor, Westport, WA	e-mail + letter
Dwight Lunceford, Aberdeen, WA	e-mail
John Green, Cosmopolis, WA	e-mail
Ken Estes, Ocean Shores, WA	e-mail
Neal E. Schanbeck, Sr.	e-mail
Jill Warne, Century 21 Gateway Real Estate	e-mail
Dean Schwickerath	e-mail
Smith & Lownery, PLLC, Seattle, WA	letter
Petitions (8 pages)	
Petitions (5 pages)	
Petitions (8 pages)	

Mr. Easter reported that after considering both sides of the issue the Department continues to support the vacation and they do not see a need for the County right-of-ways. In this situation there is an incompatible use of property for a nature path or public access in an industrial use area. Mr. Easter reported that Sierra Pacific has purchased the property along Daniels Street and other properties in the area. The Department believes it is appropriate for Sierra Pacific to be entitled to the vacated right-of-ways from where they originated and back to the property owner. In this case Sierra Pacific is the property owner.

There was no additional public comment and the hearing was closed.

Commissioner Carter made comments regarding the background of Grays Harbor County and outlined the need for economic development and the benefits of having Sierra Pacific in Grays Harbor County. Commissioner Carter made the motion to approve the Order of Vacation as the applicant requested and as recommended by County staff.

Commissioner Wilson made comments supporting the need for the public to access recreation. The challenge will be to meet the need of the public and promote economic

development. He reported that there are areas to develop more access to water in the County. Commissioner Wilson summarized and stated that the opportunity provided by Sierra Pacific is important to Grays Harbor County. Commissioner Wilson seconded the move to approve the Order of Vacation.

Commissioner Beerbower expressed appreciation to the public for testifying. He commented that the request being considered has been processed, as the law requires. County staff reviewed all of the information submitted and recommended approval of the vacation. Commissioner Beerbower commented that the right and legal requirements have been met.

? **Order:** A motion was made, seconded and passed to approve **Order Of Vacation In The Matter of Vacating All Unopened Road Right of Way Located in the Plat of Junction City, Section 11, Township 17 North, Range 9 West Willamette Meridian.**

Chairman Beerbower called for a brief recess. The meeting recessed at 4:03 p.m. The meeting reconvened at 4:13 p.m.

PRESENTATIONS

None

COMMISSIONERS

1. **Appointment to Building Code Advisory Council:** A motion was made, seconded and passed to appoint Larry Zimbelman, resident of Hoquiam, to fill an un-expired term on the Building Codes Advisory Board of Grays Harbor County. The term ends February 2006.

2. **Confirmation of Appointment of Jim Eddy as PUD Representative on the Public Development Authority:** A motion was made, seconded and passed to confirm the appointment of Jim Eddy as the Public Utility District representative to the Grays Harbor Public Development Authority Board.

DEPARTMENTS

AUDITOR

1. **Request Approval, Agreement – Disabled American Veterans:** A motion was

made, seconded and passed to approve an Agreement between Grays Harbor County, Washington and the Disabled American Veterans, Department of Washington. This agreement outlines a Grays Harbor County pledge of \$4,000 in support of the purchase of a van for the purpose of transporting eligible Grays Harbor County veterans to the Veterans Administration Hospital in American Lake. This is a joint purchase with Pacific and Mason Counties. This \$4,000 payment is with the understanding that Pacific and Mason counties also pledge a total of \$8,000. Grays Harbor County has appropriated \$4,000 in Veterans Relief Fund No. 114 as part of the Year 2005 County Budget to assist in support of this project.

FORESTRY

1. **Request Approval, Award Contract TRE2005 for Tree Planting to Saul Reforestation:** A motion was made, seconded and passed to award the Forestry Tree Planting Contract – TRE2005 to Saul Reforestation for a contract value of \$23,100.00.

MANAGEMENT SERVICES

1. **Request Approval, 2005 Municipal Services Agreement with Washington Coast Chamber of Commerce:** A motion was made, seconded and passed to approve the 2005 Municipal Services Agreement for \$25,000 between Grays Harbor County and the Washington Coast Chamber of Commerce. Funding will be used for advertising and the promotion of tourism in Grays Harbor County.

2. **Request Approval, 2005 Municipal Services Agreement with Coastal Community Action Program:** A motion was made, seconded and passed to approve the 2005 Municipal Services Agreement between Coastal Community Action Program and Grays Harbor County for the 2005 CDBG Public Services Grant.

3. **Request Approval, 2005 Bargaining Agreement with Teamsters Local Union #252/Sheriff's Corrections/Clerical Division:** A motion was made, seconded and passed to approve the 2005 Collective Bargaining Agreement between Grays Harbor County and Teamsters Local Union #252 for the Sheriff's Department Corrections/Clerical Division. Kirsten Barron, Labor Attorney, has reviewed and approved the contract. The 2% increase offsets the deletion of the WT-Plus medical plan and conversion to Teamsters Plan A medical plan. The Sheriff's office has reviewed the contract and is in agreement with all changes.

4. **Request Approval, Salary Resolution – Sheriff's Department Corrections/Clerical Division -- #001-000-032:** A motion was made, seconded and passed to approve **Resolution No. 2005-05 –Amending Resolution No. 2005-03 And**

Fixing Compensation Of Employees From & After January 1, 2005. This salary resolution amendment reflects the ratification of the 2005 Corrections/Clerical Division Sheriff's Department contract.

5. Request Approval, Schedule Hearing – Supplemental Hearing – Capital Facilities #301: A motion was made, seconded and passed to set March 21, 2005 at 2:00 p.m. as the date and time for a public hearing for a Supplemental Budget – Facilities Capital -- #301-000-000. The supplemental budget is in Fund #301 Capital Facilities for \$23,447 from the transfer in from Fund #309 to make principal and interest payments to Fund #117 Landfill Post-Closure Fund. Revenue is available within Fund #309 to make the 10 year repayments as a transfer annually to Fund #301 Facilities Capital.

A motion was made, seconded and passed to set March 21, 2005 at 2:00 p.m. as the date and time for a public hearing for a Budget Transfer – Capital Improvement -- #309-000-000. Funds were budgeted within Fund #309 Capital Improvements to repay the \$23,447 principal and interest for the Fund #301 Capital Facilities construction improvement loan.

6. Request Approval, Loan Resolution Fund #301 Facilities Capital: A motion was made, seconded and passed to approve **Resolution No. 2005-06 – Loaning Funds From Fund #117 Landfill Post-Closure Fund To Fund #301 Facilities Capital Fund.** This resolution is required to loan \$200,000 from Fund #117 Landfill Post-closure Fund to Fund #301 Facilities Capital. The loan funds are budgeted for necessary construction improvements at the Juvenile and Pearsall facilities and planning for the Administration Building. Funds are available within the #309 Capital Facilities Fund for the 10 year repayment amortization schedule attached to the resolution. The Juvenile, Pearsall and Administration buildings are on the County Capital Facilities Improvement Plan which allows this loan to be repaid from Fund #309.

PROSECUTING ATTORNEY

1. Request Approval, Resolution to Commence Quiet Title Suit: A motion was made, seconded and passed to approve **Resolution No. 2005-07 – A Resolution Authorizing The Prosecuting Attorney To Commence Legal Action To Quiet Title County's Interest In Land And Timber Situated On Grays Harbor County Parcel #1611126120000.** This resolution authorizes the prosecuting attorney to commence a quiet title action in superior court to remove a cloud on the county's interest in timber located on a portion of Grays Harbor Tax Parcel No. 1611126120000. This action was recommended due to unclear language in a 1953 Treasurer's deed for sale of timber on this parcel, but which now presents a cloud on the county's title in its efforts to sell this property to the Department of Natural Resources.

2. Request Approval, Resolution to Commence Legal Action to Abate: A motion was made, seconded and passed to approve **Resolution No. 2005-08 –A Resolution Requesting The Prosecuting Attorney To Commence Legal Action To Abate County Code Violations Constituting A Public Nuisance On Real Property**

Located At 2068 State Route 105. This resolution authorizes the prosecuting attorney's office to commence legal nuisance abatement proceedings in superior court against real property located at 2068 State Route 105. The problems with unlicensed and/or abandoned vehicles on the property, along with other junk and debris and persons using recreational vehicles as residences in violation of the County Code continues despite staff efforts over several years to obtain the owners' voluntary compliance.

PUBLIC HEALTH AND SOCIAL SERVICES

1. Request Approval, Amend Contract With Department of Social and Health Services – Mental Health Division: A motion was made, seconded and passed to approve an amendment to the County's contract with the State DSHS Mental Health Division. The amendment replaces a previous amendment signed by the Board in December that was subsequently not signed and executed by DSHS. On December 29, the Federal Center for Medicaid and Medicare Services notified DSHS that an extension of six months had been granted for the State to comply with new Medicaid regulations. The Public Health and Social Services Department has until July 1, 2005 to comply fully with using Medicaid funding only for Medicaid eligible persons and services. This current amendment makes minor language changes that the department is currently in compliance with.

2. Request Approval, Amend Contract With Department of Social and Health Services – Division of Developmental Disabilities: A motion was made, seconded and passed to approve an Amendment to the County's Agreement with the State DSHS Division of Developmental Disabilities. The amendment adds \$31,422 for a new total of \$1,250,710 for the current biennium. This additional funding will be used to purchase employment services from local vendors on behalf of adults with developmental disabilities

3. Request Approval, Appointment to Mental Health Advisory Board: A motion was made, seconded and passed to reappoint Terry Myers-McQuaid to the Mental Health Advisory Board. She is eligible for reappointment to the Board and has expressed an interest in remaining on the Board. Maryann Welch, Director, Public Health and Social Services Department, recommended her reappointment.

PUBLIC SERVICES DEPARTMENT

- 1. Request Approval, North River Road Horseshoe Curve Realignment Project C-96130-31:** A motion was made, seconded and passed to approve two (2) copies of the Local Agency Agreement Supplement No. 2 requesting an additional \$250,000 of Federal Funds for the North River Road Horseshoe Curve Realignment Project.
- 2. Request Approval, Grays Harbor and Pacific Counties Emergency Alert System Local Area Plan:** A motion was made, seconded and passed to approve the Grays Harbor and Pacific Counties Emergency Alert System Local Area Plan. The plan was written by the Local Emergency Communications Committee (LECC) which is a subcommittee of the Washington SECC (State Emergency Communications Committee). The Coastal Operational Area includes both Grays Harbor and Pacific Counties. The LECC is composed of representatives from Grays Harbor and Pacific Counties Emergency Management and E9-1-1 as well as KDUX and KSWW. The LECC is responsible for administering this plan. The Emergency Alert System (EAS) is a national alerting system which provides government officials with a mechanism to issue emergency warnings to the public through local broadcasting.
- 3. Request Approval, 2004 and 2005 Agreements with Grays Harbor Transit Authority:** A motion was made, seconded and passed to approve the 2004 and 2005 Agreements between Grays Harbor Transit Authority and the ER&R Division for radio equipment maintenance. A fee of \$500 per month will be paid by Grays Harbor Transit Authority for ER&R to service all two-way radio systems and associated electronics gear.
- 4. Request Approval, Hazardous Materials Emergency Preparedness (HMEP) Grant:** A motion was made, seconded and passed to grant authorization for F. Paul Easter to sign a grant from the Washington State Emergency Management Division in the amount of \$3,000. The funds from this grant will be used to help offset the costs associated with updating the Hazardous Materials Response Plan which is part of the County's Comprehensive Emergency Management Plan. The Local Emergency Planning Committee (LEPC) is currently working on updating the plan.
- 5. Request Approval, Set Hearing Date – Case #2004-2310:** A motion was made, seconded and passed to set February 7, 2005 at 2:00 p.m. as the date and time for a public hearing for Case #2004-2310 to amend the text of the Grays Harbor County Code Chapter 15.04 governing Construction Codes, and Chapter 15.16 governing Administration and Enforcement. On January 11, 2005, the Building Codes Advisory Council concluded a public hearing on the above-referenced application and recommended approval of the amendment.

- 6. Request Approval, 2004 Countywide Aggregate Stockpiling Contract Retainage Release:** The contractor, Northwest Rock, Inc., has completed the 2004 Countywide Aggregate Stockpiling Contract. A motion was made, seconded and passed to accept the contract as complete and allow the release of retainage in the amount of \$7,198.60 as per Section 60.28 Revised Code of Washington.
- 7. Request Approval, 2005 Road Levy Certification:** A motion was made, seconded and passed to approve the 2005 Road Levy Certification. This document certifies the estimated road revenue produced by the 2005 Road Levy.
- 8. Request Approval, U.S. Fish and Wildlife Cooperative Agreement #13320-3-J007:** A motion was made, seconded and passed to approve two (2) copies of Modification #1 to the U.S. Fish and Wildlife Cooperative Agreement #13320-3-J007. This agreement transfers approximately \$80,000 of unused federal matching funds from Hulten Creek Culvert Project to Kellogg Creek Bridge Project.
- 9. Request Approval, Request to Purchase From State Contract:** A motion was made, seconded and passed to approve the purchase of the following equipment from the State Contract: Two (2) Snow Plows.
- 10. Request Approval, Request to Purchase From State Contract:** A motion was made, seconded and passed to approve the purchase of the following vehicles from the State Contract: Six (6) Police Pursuit Vehicles and One (1) ½ Ton Pickup.
- 11. Request Approval, Request to Purchase Sander/s:** A motion was made, seconded and passed to approve the purchase of equipment utilizing an inter-local agreement with King County, pursuant to the Washington State Inter-local Cooperative Act RCW 39.34: Two (2) Skid Mounted V-Box Material Spreader/s.
- 12. Request Approval, Request for Bid Date:** A motion was made, seconded and passed to set February 28, 2005 at 2:00 p.m. as the date and time for bid opening for the following equipment purchase: Three (3) Used, Pup Type Trailers. This was approved in the 2005 budget.
- 13. Request Approval –**

 - Harp Road/Garrard Creek Bridge Replacement C-69030-03**
 - Forrest Road/Garrard Creek Bridge Replacement C-69290-02**
 - Brooklyn Road/Garrard Creek Bridge Replacement C-68900-06**
 - Schmid Road/Drainage Channel Bridge MP 0.1 Replacement C-11171-02**
 - Schmid Road/Drainage Channel Bridge MP 0.5 Removal C-11171-01**

Monte-Elma Rd/Satsop River Bridge Preventative Maintenance C-97100-24

The County has received State funding approval through the Bridge Replacement Advisory Committee (BRAC) for the above referenced bridge replacement projects. A motion was made, seconded and passed to grant authorization to advertise for engineering consulting services for the projects on the dates of January 27 and February 3, 2005. A copy of the advertisement was provided.

14. Request Approval, Resolution Acknowledging Vacation: The Department of Public Services received a petition from Wilmer and Brenda Bartlett to acknowledge vacation of right of way adjacent to property they own in the Plat of Peterson's First Addition. The Department found no record of this right of way ever being opened within the applicable time period. They have no objection to the Board acknowledging this right of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2005-09 – Resolution Acknowledging Vacation – Wilmer and Brenda Bartlett.**

15. Request Approval, Engineering Agreement CH2M Hill: A motion was made, seconded and passed to approve an Engineering Agreement between the County and CH2M Hill. This Agreement provides for engineering assistance to complete an update of the Water Supply Plan and the Sewer Facilities Plan for the Pacific Beach utilities. This work is needed to address issues related to serving the Seabrook Development and is being funded by the Seabrook developer per the terms of the Utility Services Agreement for Seabrook. The scope of work includes review time for plans and specifications to be submitted by Seabrook. The cost of the Agreement is \$176,348.00.

16. Request Approval, Utilities Service Agreement – Seabrook Development: A motion was made, seconded and passed to approve a Utilities Service Agreement for the Seabrook Development. This Agreement has been prepared for the orderly development and expansion of the water and sewer utilities at Pacific Beach to serve the Seabrook Development. The Agreement provides for Seabrook to pay to the County \$375,000.00 for planning, permitting, and design work related to the utilities. In addition, Seabrook will design and construct improvements within the plat including water lines, water reservoir, sewer lines, sewer pump stations, and a water transmission line from the existing water distribution system at Diamond Drive along SR 109. This Agreement will lead to a capital construction agreement that will provide for the developer to fund their share of the Treatment Plant expansion. The Prosecutor's Office has worked closely with the Department on this Agreement.

17. Distribution of 2004 Sign Vandalism Report: The 2004 Sign Vandalism Report was distributed and made available to the public. Mr. Easter reported that sign vandalism in 2004 has declined and is down to approximately \$27,000 annually. Last year the County spent nearly \$28,000 repairing and replacing stop, speed limit and cautionary signs. That is a 34 percent decline from 2003 when the County spent \$42,600 on sign repair. It's also an all-time low, especially when compared to 1999 when it cost the County approximately \$80,000 to repair and replace signs. Mr. Easter reported that efforts would continue to reduce sign vandalism in the County.

SHERIFF

1. Request Approval, Agreement – West Sound Regional EVOC Instructors: A motion was made, seconded and passed to approve an Agreement with West Sound Regional EVOC Instructors for the provision of emergency vehicle operations training. The training provided by the West Sound Regional EVOC Instructors is superior to what could be provided locally. They have a larger pool of instructors and a great deal of experience and expertise. There will be a savings in out of pocket expenses and in man hours necessary to provide this training. The contract has been reviewed by the Grays Harbor County Prosecuting Attorney and has been approved as to form.

2. Request Approval, Jail Services with City of Westport: A motion was made, seconded and passed to approve an Agreement for jail services between Grays Harbor County and the City of Westport. This is the final agreement to be signed by the cities that house prisoners in the Grays Harbor County jail. The Board has previously approved and signed agreements for the Cities of Aberdeen, Cosmopolis, Elma, Hoquiam, McCleary, Montesano, Oakville, Ocean Shores and Westport.

TREASURER

1. Request Approval, Cancellation Of Personal Property From Tax Rolls: Pursuant to RCW 84.56.240 a list of Personal Property was submitted for consideration and request to issue an order that the same be canceled from the Personal Property Tax Rolls. A motion was made, seconded and passed to issue an order that the list of Personal Property Taxes submitted be canceled from the Personal Property Tax Rolls.

2. Request Approval, Resolution – Fee Increase for Returned Checks: A motion was made, seconded and passed to approve **Resolution No. 2005-10 – Establishing A Fee For Returned Checks**. This resolution authorizes increasing the fee charged for returned (nsf) checks from \$20.00 to \$30.00. The current charge of \$20.00 has been in effect since August of 1997. The bank has raised the fee charged to the County for

returned checks to \$30.00. The \$10.00 increase will cover this increased cost of doing business.

WASHINGTON STATE UNIVERSITY – GH COUNTY EXTENSION

1. Request Approval, Agreement Between Taholah Head Start, WSU Gear Up and GH County Use of Classrooms: A motion was made, seconded and passed to approve a letter of Agreement between Taholah Head Start (THS), Washington State University Gear Up, and the County. WSU has secured and managed the Gear Up grant for seven years, for a total of more than 1.6 million dollars brought in for the benefit of county residents. The youth receiving support from Gear Up have a step up on securing a bright future through preparation for post secondary education, including scholarship dollars, worth over an additional million dollars. Three full time living wage jobs and several part-time positions have resulted from this grant.

ANNOUNCEMENT(S):

None

CORRESPONDENCE:

The Clerk of the Board announced the following correspondence received:

1. An e-mail from Stanley J. Trohimovich dated January 12, 2005. The Subject is: Criminal Anarchy And The Rule Of Law, Which Is Being Expounded By The Gregoire Supporters. The e-mail was referred to the Prosecuting Attorney's office and placed on file.
2. An e-mail from Stanley J. Trohimovich dated January 13, 2005. The Subject is: A Fraudulent Certification By Washington's Legislature Is Void. The e-mail was referred to the Prosecuting Attorney's office and placed on file.
3. A letter was received from Ray Damitio the organizer of the Doo Wop Rally Series event. The event takes place annually on the first weekend of March. Mr. Damitio has received permission to use the Grays Harbor County portion of the Brooklyn/Oakville Road on Sunday, March 6th. He is requesting permission to use a portion of the Blue Slough Road on the same day. The road would be closed to normal traffic from approximately 8:00 a.m. to 9:30 a.m. on March 6th. Emergency traffic would be delayed from one to five minutes. An advertisement in the Legal Notice section of the Aberdeen World would be published five and seven days before the closure, outlining the reason and time of closure. An

insurance policy acceptable to Grays Harbor County will be furnished covering event liability. A motion was made, seconded and passed to approve subject to review and recommendation by the Sheriff's Department, Public Services and Insurance and Risk Management.

PUBLIC COMMENT

Chairman Beerbower asked for public comment. Stanley Blunt, resident of Aberdeen, complimented Steven Friederich on the Daily World article regarding the outsourcing of meth. Mr. Blunt commented on issues involving illegal aliens and the borders. There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, January 24, 2005, 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 Rose Elway, Budget Director; Maryann Welch, Director of Public Health and Social Services, Claudia Kalles, Deputy Assessor, Vern Spatz, County Auditor, Larry Smith, Director of Forestry and Paul Easter, Kevin Varness and Brian Shea, Department of Public Services.

RESOLUTIONS

- #2005-05 Amending Resolution No. 2005-03 And Fixing Compensation Of Employees From & After January 1, 2005**
- #2005-06 Loaning Funds From Fund #117 Landfill Post-Closure Fund To Fund #301 Facilities Capital Fund**
- #2005-07 A Resolution Authorizing The Prosecuting Attorney To Commence Legal Action To Quiet Title County's Interest In Land And Timber Situated On Grays Harbor County Parcel #1611126120000**
- #2005-08 A Resolution Requesting The Prosecuting Attorney To Commence Legal Action To Abate County Code Violations Constituting A Public Nuisance On Real Property Located At 2068 State Route 105**
- #2005-09 Resolution Acknowledging Vacation – Wilmer and Brenda Bartlett**
- #2005-10 Establishing A Fee For Returned Checks**

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ORDINANCES

None

The meeting adjourned at 4:51 p.m. to Monday, January 31, 2005 at 2:00 p.m.

BOARD OF COMMISSIONERS
for Grays Harbor County
this _____ day of _____, 2005

BOB BEERBOWER, Chairman
Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board