

## MINUTES

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

**February 14, 2005**

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, February 14, 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 31, and February 7, 2005:** The minutes of the Commissioners' Meeting of January 31, and February 7, 2005 were approved as presented.

#### **BIDS**

1. **2005 County-wide Aggregate Stockpiling Contract:** There was a bid opening for the construction of the following project: 2005 Countywide Aggregate Stockpiling Contract. The work to be performed under this contract consists of furnishing and hauling to various County Stockpiles the following: ½" – No. 4" Crushed Screenings 11,475 tons, Maintenance Sand 1,000 tons. A set of plans and specifications for the project were available from the County Road Engineer's Office in Montesano, Washington. The notice for bid was advertised on January 20 and 27, 2005.

The Clerk of the Board opened and read the following bids received with bid bond attached:

1. Bayview, Aberdeen, WA
  - Schedule A -- \$32,969.23
  - Schedule B -- \$23,785.38
  - Schedule C -- no bid
  - Schedule D -- no bid
  - Schedule E -- no bid
  - Schedule F -- \$8,577.36
  - Schedule G -- \$5,360.85
  - Schedule H -- no bid

2. Martin Sand & Gravel, Inc., Rochester
  - Schedule A -- \$35,799.92
  - Schedule B -- \$20,904.61
  - Schedule C -- \$28,333.99
  - Schedule D -- \$21,513.25
  - Schedule E -- \$44,057.79
  - Schedule F -- \$ 9,530.40
  - Schedule G -- \$ 6,498.00
  - Schedule H -- \$10,288.50
  
3. Northwest Rock Inc., Aberdeen, WA
  - Schedule A -- \$53,117.09
  - Schedule B -- \$32,693.06
  - Schedule C -- \$28,070.01
  - Schedule D -- \$20,367.17
  - Schedule E -- \$42,033.94
  - Schedule F -- \$13,819.08
  - Schedule G -- \$ 7,445.63
  - Schedule H -- \$ 7445.63

Chairman Beerbower referred the bids to the Department of Public Services for review and recommendation.

### **HEARINGS**

1. **Supplemental Appropriation – Special Projects Fund:** There was a public hearing to consider Supplemental Appropriation as follows: Special Projects Fund #101-000-000 in the amount of \$375,000. This notice was advertised on February 3 and February 10, 2005.

Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that Grays Harbor County has entered into a Service Agreement for Water and Sanitary Sewage Facilities with Seabrook Land Co. LLC. Seabrook will pay the County \$375,000 for engineering work and consulting services and identify and secure approval for necessary plant upgrades to provide required services in the Pacific Beach and Moclips area.

Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

- **Resolution:** A motion was made, seconded and passed to approve **Resolution No. 2005-14 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.**

### **PRESENTATIONS**

None

### **PROCLAMATION**

**Rotary International Day:** The Clerk of the Board read the proclamation. A motion was made, seconded and passed to approve a Proclamation proclaiming February 23, 2005 as Rotary International Day in Grays Harbor County and encouraging all citizens to join in recognizing Rotary International for 100 years of service to improving the human condition in local communities around the world.

### **COMMISSIONERS**

1. **2005-2007 Courthouse/Juvenile & Public Health & Social Service AFSCME Contract:** Rose Elway, Budget Director, reported that the contract has been ratified and the union membership is meeting on Thursday to discuss a language change regarding excluding exempt employees from a “me too” clause. This contract is effective February 1, 2005 and a salary amendment has been prepared accordingly. This item was continued for a special meeting on Friday, February 18, 2005. A motion was made, seconded and passed to approve the 2005-2007 Courthouse/Juvenile and Public Health and Social Service AFSCME Contract offered with the language exception.

### **DEPARTMENTS**

#### **MANAGEMENT SERVICES**

1. **Request Approval, Salary Resolution Amendment:** A motion was made, seconded, and passed to continue the Salary Resolution Amendment pending union membership approval of the 2005-2007 Courthouse/Juvenile & Public Health & Social Services AFSCME Contract offer. A special meeting will be held.

#### **PUBLIC SERVICES DEPARTMENT**

1. **Request Approval, Award 2005 Emulsified Asphalt Contract:** A motion was

made, seconded and passed to award the 2005 Emulsified Asphalt Contract to Chevron Products Company for \$459,340.20. This bid is 1% over the Engineer's Estimate.

**2. Request Approval, Award 2005 Traffic Control Devices Supply Contract:** A motion was made, seconded and passed to award the 2005 Traffic Control Devices Supply Contract to Zumar Industries, Inc. for \$83,992.95. This bid is 5% over the Engineer's Estimate.

**3. Request Approval, Change Order for Additional Work – Aberdeen Industrial Waterline – Phase 4:** A motion was made, seconded and passed to approve a change order for "Phase 4" for additional work to be done under the current contract with Roglin's, Inc. of Aberdeen for the Aberdeen Industrial Waterline. The work to be done under this change order is the replacement of the old wood stave Industrial Waterline from the Rotary Log Pavilion at Morrison Park to the Wishkah River behind the Guesthouse Inn. The project raises the original contract amount by \$716,524.07. The project has been on hold for the last few months because of permitting needed for the work at the Wishkah River. The permit issues have been resolved and based upon the permit conditions, the work is expected to be completed late this summer. Time is of the essence as the cost for pipe and materials will increase on February 28, 2005. This project is included in the 2005 Special Projects Budget.

**4. Request Approval, Set Hearing Date for Rezone Case #2004-2311:** Kent Morrison has submitted an application to rezone approximately 9.2 acres of land that is currently zoned General Development Five (GD-5) to Rural Residential (RR). On February 1, 2005, the Planning Commission recommended approval of this application. A motion was made, seconded and passed to set February 28, 2005 at 2:00 p.m. as the date and time for a public hearing to consider the rezone application for Case #2004-2311.

**5. Request Approval, Set Hearing Date for a Variance From the Performance Bond Requirements As Specified in GHC Code 16.20.330 For Case #2003-1000:** Pacific International Engineering, representing Seabrook Land Company, has submitted an application for a Variance from the performance-bonds requirements as specified in Grays Harbor County Code 16.20.330. This request, if granted by the Board, will allow the applicant to bond for road-improvements other than ballasting, paving, and road drainage. At this time, the applicant has either complied with the conditions of approval or will submit the required performance-bonds, prior to recording the final plat. A motion was made, seconded and passed to set February 28, 2005 at 2:00 p.m. as the date

and time for a public hearing to consider the application for a Variance from the performance-bonds requirements as specified in Grays Harbor County Code 16.20.330.

**6. Request Approval, Change Order – Additional Work – Food Bank**

**Distribution Center:** A motion was made, seconded and passed to approve Change Order No. 4 to provide for additional work for the Food Bank Distribution Center. The changes include electrical work and modifications at the loading docks. Funding for this project is included in the 2005 Special Projects Budget.

**7. Request Approval, Extend Design Contract Date – Cougar Smith Road,**

**Middle Satsop River Bridge Replacement Project:** A motion was made, seconded and passed to approve three (3) copies of the Consulting Supplemental Agreement with CES, Inc. for designing the replacement bridge on Cougar Smith Road over the Middle Satsop River. This agreement extends the completion date to October 31, 2005 to allow for the additional time required for the Right of Way process to be completed, additional environmental analysis due to new species listings, and requested revised bridge rail design.

**8. Request Approval, Contract – North River Road Horseshoe Curve**

**Realignment Project, M.P. 3.25 to M.P. 3.95:** A motion was made, seconded and passed to approve four (4) sets of contract documents for the North River Road Horseshoe Curve Realignment project, which was awarded to the low bidder, Scarsella Brothers of Kent, Washington.

**9. Request Approval, Authorize Public Services Director to Sign Agreement**

**With Washington State Emergency Management:** A motion was made, seconded and passed to authorize F. Paul Easter to sign a Memorandum of Agreement with Washington State Emergency Management Division for supplies available through the Homeland Defense Equipment Reuse Program. The personal protective equipment listed in the agreement is being provided to the Westport Fire Department at no cost to them or to the County.

**SHERIFF**

**1. Request Approval, Retire Apprehension Dog and Authorize Adoption:**

Sheriff Whelan reported that on December 31, 2004 they retired Czar, the apprehension dog for the Grays Harbor County Sheriff's Department. Over the years Czar and Deputy Rob Lewis captured a number of suspects for law enforcement agencies throughout

Grays Harbor County. Czar and Deputy Lewis were an excellent team who worked very well together. The suspects they caught and brought to justice would probably not have been caught if not for hard work, dedication, and the continual training necessary in order to be a K-9 team. As the years have passed they have taken their toll on Czar. He has slowed down some and is no longer capable of accomplishing the extreme physical demands that are placed on an apprehension dog. Czar has earned his retirement. Deputy Lewis has asked to adopt Czar and Sheriff Whelan supports that request. Given the training that Czar has experienced, it is not appropriate for anyone else to try to adopt him. A motion was made, seconded and passed to retire Czar and authorize Deputy Rob Lewis to adopt Czar as his pet for the rest of his life.

**ANNOUNCEMENT(S):**

Most County offices will be closed for the President's Day Holiday on Monday, February 21, 2005. The next regularly scheduled Board meeting will be on February 28, 2005.

**CORRESPONDENCE:**

The Clerk of the Board announced the following correspondence received:

A lawsuit against Grays Harbor County and Junction City Development Company, LLC was received from James Sterling. The lawsuit was referred to the County Clerk and the Prosecuting Attorney.

An e-mail dated February 13, 2005 was received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The subject is: Elliot Slough Suit. The e-mail was made available to the public and forwarded to the Prosecuting Attorney.

An e-mail dated February 13, 2005 was received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The subject is: Communication from Safeco. The e-mail was made available to the public and forwarded to the Prosecuting Attorney.

A letter and petition was received from Edward and Susan Herman, 108 Schrader Lane, Aberdeen, regarding gunfire near their neighborhood. They requested that the area be changed to a restricted area. The correspondence and petition was referred to the Department of Public Services for review and recommendation.

A letter was received from Roy Permain requesting Grays Harbor County provide assistance and dumpsters for the Artic Spring Cleanup event. The event is scheduled for



The meeting adjourned at 2:46 p.m. to Monday, February 28, 2005 at 2:00 p.m.

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

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BOB BEERBOWER, Chairman  
Commissioner, District 1

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MIKE WILSON, Commissioner, District 2

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ALBERT A. CARTER, Commissioner, District 3

ATTEST:

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Donna Caton  
Clerk of the Board