

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

May 16, 2005

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, May 16, 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. Jim Baker, Senior Deputy Prosecuting Attorney was present.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

May 9, 2005: The minutes of the Commissioners' Meeting of May 9, 2005 were approved as presented.

BIDS

None

HEARINGS

1. **Vote-by-Mail:** There was a public hearing to consider whether to establish Grays Harbor County as a vote-by-mail county. If approved by the Board of Commissioners to establish Grays Harbor as a vote-by-mail county, the Auditor would be authorized to undertake any and all actions required to conduct all Grays Harbor County elections by mail in accordance with state law. Notice of this hearing was advertised on April 28 and May 5, 2005. The Clerk of the Board announced that a letter was received from Mary E. Weed, Action Chairman for League of Women Voters of Grays Harbor. The letter endorsed and supported the plan proposed by Grays Harbor County Auditor, Vern Spatz, to hold all vote by mail elections in Grays Harbor County. Chairman Beerbower asked for comment. Vern Spatz, Grays Harbor County Auditor, reported that he is proposing that Grays Harbor County move to a vote-by-mail system, an all mail ballot system. This is a follow-up to discussions initiated February 14, 2005. Mr. Spatz provided a brief history regarding vote-by-mail (VBM) elections. He explained a mail-ballot or VBM election is one conducted entirely by mail. Mail ballots are put together mailed to all voters 20 days prior to an election. The voters then have until Election Day to drop off or mail in their ballots. As long as they are postmarked no later than Election Day they may

be included in the totals up to the time the election is certified. There are no polls open requiring people to appear to vote. Grays Harbor County currently has a dual system of people already voting by mail (55%) and at the polls (45%). Mr. Spatz reported that earlier this year the State Legislature agreed that counties should have the option of going to VBM. HB1754 was passed in the House 83 to 13 – 86% in favor. Basically the bill removes an obstacle to converting to mail ballots. Precincts no longer have to be less than 200 voters. Governor Gregoire signed the bill May 3 and the effective date is July 24. Mr. Spatz outlined disadvantages of VBM. The main reason not to switch to VBM is the sense of loss felt in losing a community event that draws people together at the polls. He commented that even as inconvenient as it is sometimes, he personally votes at the polls because he enjoys the ceremony of the voting ritual. In a survey done by the Elway Co. voters expressed concern that ballots would be lost or delayed by the post office. Additionally, approximately 9% of those surveyed felt that it might be easier to commit voter fraud in a mail ballot election. Mr. Spatz discussed reasons to switch to VBM for the voters. The biggest factor is the convenience of having ballots delivered to their home. Voters have time to become more informed about election issues and candidates. It saves the voter's time – no driving to the polls, standing in line to get the ballot, or standing in line to deposit it in the ballot box. Voters don't have to take time off from work to vote. Mr. Spatz outlined reasons to switch to VBM for the County and voters. It is easier to administer one election process instead of two. Since it is less complex, fewer errors are anticipated. VBM cost savings to county, special districts, and the voters is between 10% and 20% per election, estimated to be between \$18,000 and \$20,000 per year with three elections per year. This is based on the elections as currently set up. Mr. Spatz reported that another savings is the avoidance of the one-time capital costs for new equipment of \$205,500. Help America Vote Act (HAVA) mandates Direct Recording Equipment (DRE) at all polling sites by the end of this year. Mr. Spatz explained that by switching to VBM the County does not have to pay the ongoing maintenance and eventual replacement of that equipment. These costs run about 15% per year for \$30,000 of costs avoided if the County goes to VBM. VBM increases voter participation especially in off-year elections like 2005. Mr. Spatz commented that they have seen evidence that more people participate in VBM than at the polls when the ballot has little on it or lacks partisan races. He reported that the majority of Grays Harbor County voters already vote by mail. Since 1990, there is an increase in absentees from about 2,500 to over 20,000 this last election. 8.5 times more people voluntarily vote by mail. Mr. Spatz commented that mail elections could be as secure as poll elections since by law, every signature on a mailed-in-ballot must be checked before accepting ballots. Questionable signatures must be resolved before accepting them. Using VBM virtually eliminates Provisional Ballots; an area Grays Harbor County had difficulty with in the General election just past. Mr. Spatz stated that it must be noted that if it is decided later

that this is not working, the County can change back to the current system of voting. Many groups have supported going to vote by mail and many counties are considering or have already changed to VBM. The Grays Harbor County League of Women Voters sent a letter to the Commissioners endorsing VBM. VBM was endorsed by Washington's Secretary of State Sam Reed, Republican and Bill Bradley, Democrat, Oregon SOS at a press conference on March 15, 2005. The County Auditors and Election Administrators have recommended for years an expansion of VBM. The editorial board of the Daily World supported VBM on April 12. The majority of Grays Harbor County voters have endorsed it by voluntarily signing up for mail ballots already. The State Legislature has endorsed the concept by passing the enabling legislation earlier this year. Mr. Spatz reported that Clallam, Ferry, Okanogan, Pend Oreille, Skamania, Pacific, Mason, Jefferson, Whatcom and Skagit Counties are using VBM. Yakima, Lewis and possibly Pierce Counties are in the process of switching to VBM. Mr. Spatz reported that people have sent in their views opposing this change. He submitted three e-mails for the Commissioners to consider in opposition and one in favor. Mr. Spatz summarized and stated that the many arguments for switching to VBM elections outweigh the arguments against it. He recommended the Board of County Commissioners approve the proposed resolution and vote in favor of VBM elections. Chairman Beerbower asked for public comment. For the record the Clerk of the Board announced that Bob Edelman from Evergreen Freedom Foundation submitted a report titled "Extracts from the Final Report by the Carter/Ford Commission, August 2001". The following individuals provided testimony:

Cathy Colley, resident of 50 Lynch Road, McCleary, Washington, discussed issues related to converting to VBM. Ms. Colley stated that now is the time to restore voter integrity and this is not the time to change to VBM elections.

Doug Shannon, resident of 160 Wildcat Drive, McCleary, Washington, asked how many forgeries were found during the last election. He commented the election workers are the last defense in preventing voter fraud and they are familiar with the residents of their community. Mr. Shannon expressed opposition to VBM.

Mr. Spatz responded to questions from the public and the Board of Commissioners.

Robert Wickes, resident of 1142 West Satsop Road, Montesano, Washington, provided testimony and expressed opposition to the VBM proposal.

Devin Backholm, resident of 1900 Rainier, Aberdeen, Washington, provided comment regarding trust and confidence in the system. Mr. Backholm expressed opposition to the

VBM proposal.

Barbara Peterson, resident of 1012 Brook Drive, Montesano, Washington, discussed reasons against a total VBM system. Ms. Peterson commented that the public has the right to vote at polls and expressed opposition to the VBM proposal.

Deborah Midkiff, resident of 118 West Sixth Street, Aberdeen, Washington, commented on the confidentiality of poll voting. Ms. Midkiff expressed opposition to VBM.

Cindy Lambert, resident of 110 Hirschbeck Heights Road, Aberdeen, Washington, suggested that a decision be delayed to allow time for more thought and what the public wants. Ms. Lambert expressed opposition to the VBM system.

Bob Edelman, resident of 29871 232nd Avenue Southeast, Black Diamond, Washington, spoke on behalf of Evergreen Freedom Foundation. Mr. Edelman submitted a report titled “Extracts from the Final Report by the Carter/Ford Commission, August 2001” and encouraged the Board of Commissioners to read the report. He made comments regarding the report.

Jill Lagergren, resident of 91 Porter Creek Road West, Elma, Washington, discussed the vote-by-mail proposal. She reported that she has been involved in the election process as an observer for the 2004 election. Ms. Lagergren expressed concern regarding the registration process for VBM. She requested that the Board of Commissioners carefully consider the VBM proposal. Ms. Lagergren recommended that in order to insure greater accuracy the County reduce mail voting to a minimum instead of expanding it.

Mr. Spatz responded to comments and questions.

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

A motion was made, seconded and passed to continue a decision for one week to allow additional time for review. Additional public comment will be accepted prior to the May 23 public meeting.

? **Resolution:**

Chairman Beerbower announced that the Board would recess at 3:20 p.m. for a brief recess. The Board reconvened at 3:28 p.m.

PROCLAMATION

1. **Amateur Radio Week:** A motion was made, seconded and passed to approve a Proclamation declaring the week of June 20 – 26, 2005 as Amateur Radio Week in recognition of this important emergency preparedness exercise and asking citizens to pay appropriate tribute to Grays Harbor Amateur Radio Operators.

COMMISSIONERS

1. **Appointment to Oakville City Council:** A motion was made, seconded and passed to appoint Wally Englund, resident of 104 East Eagle, Oakville, Washington, to fill a vacant position on the City of Oakville Council. The vacancy occurred on November 22, 2004.

DEPARTMENTS

DISTRICT COURT PROBATION SERVICES

1. **Request Approval, Amend Contract with Department of Corrections:** A motion was made, seconded and passed to approve a contract amendment from the Department of Corrections. The contract between Probation Services and the Department of Corrections is scheduled to expire on 06-30-05. This amendment would extend the contract for an additional year.

FAIR & TOURISM

1. **Request Approval, Authorization for Director to Sign Entertainment Contract with Creative Artists Agency for Country Music Star Keith Anderson:** A motion was made, seconded and passed to grant authorization for Debbie Adolphsen, Fair and Events Manager, to sign an entertainment contract with Creative Artists Agency for Country Music Star Keith Anderson. The Grays Harbor County Fair and KIX Radio are proud to announce new country music star Keith Anderson. Keith will perform in concert Friday, August 12, 2005, on the Pepsi Stage. The concert is free with fair admission of \$7.00.

MANAGEMENT SERVICES

1. **Request Approval, Set Public Hearing – Emergency Budget Request - Fair:**

June 6, 2005 at 2:00 p.m. as the time for a public hearing to consider an Emergency Budget request for the Fair Fund in the amount of \$50,000 to cover various repair work at the fairgrounds.

PUBLIC SERVICES

1. **Request Approval, Set Bid Opening of June 13, 2005 for Purchase of (1) or More 3,500-Gallon Water Tanks:** June 13, 2005 at 2:00 p.m. is the date and time set for a bid opening for the purchase of one (1) or more 3,500-Gallon Water Tank. This item was included in the 2005 Budget.
2. **Request Approval, Set Bid Opening of June 6, 2005 for the 2005-2006 County Beach Approach Sand Removal Project:** June 6, 2005 at 2:00 p.m. is the date and time set for a bid opening for the 2005-2006 County Beach Approach Sand Removal Project. A listing and a map of the roads were provided.
3. **Request Approval, Set Bid Opening of June 6, 2005 for Pearsall Building HVAC Improvements:** June 6, 2005 at 2:00 p.m. is the date and time set for a bid opening for Pearsall Building HVAC Improvements. A project has been developed to address improvements to the HVAC system at the Pearsall Building. The Central HVAC unit on the roof will be rebuilt and several components serving the first floor will be replaced. This is the first phase of planned HVAC improvements for the building, which now is 25 years old. The Pearsall Building opened in May of 1980. The project is funded in the Capital Improvement Fund and includes local dollars and grant funding that the Health Department obtained from the WIC Program.
4. **Request Approval, Set Hearing Date of June 13, 2005 Re: Petition by Terry Rabusitz to Vacate Right-Of-Way:** June 13, 2005 at 2:00 p.m. is the time and date set for a public hearing to consider a Right-of-Way Vacation. Terry Rabusitz has petitioned to vacate the right of way of Aloha St. #30560 from M.P. 0.088 to 0.310 that goes thru his property, parcel #201227210040.
5. **Request Approval, Set Hearing Date of June 20, 2005 for the 2006-2011 Six Year Transportation Improvement Program:** June 20, 2005 at 2:00 p.m. is the date and time set for a public hearing to review and adopt the 2006-2011 Six Year Transportation Improvement Program.

6. Request Approval, Set Hearing Date of June 6, 2005 – Long Plat Case 2005-0459: June 6, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider approval of Preliminary Long Plat Case 2005-0459. Steve and Natalie LaBerge, DBA Havalina LLC, have requested approval of a 15-lot preliminary long plat subdivision with road variance request pursuant to Grays Harbor County Code Chapters 16.20 and 16.40, to subdivide 11.35-acres of land into 15 lots ranging between 19,850 square-feet to 7,200 square-feet in size, with the balance in permanent open space.

7. Request Approval, Set Hearing Date of June 6, 2005 – Road Variance 2005-0668: June 6, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider Road Variance 2005-0668. Steve and Natalie LaBerge, DBA Havalina LLC, have submitted a request for approval of Road Variance in connection with approval of Preliminary Long Plat Case 2004-0459.

PROSECUTOR

1. Request Approval, Surplus Copier: The Prosecuting Attorney's office requested that the Sharp SD-2260 copier, inventory number 1148, be declared surplus. A digital copier with networking printing capabilities has been ordered and until it is delivered, the SD-2260 is to remain in place. Upon being notified of the delivery date of the new unit, the Department will advise Dennis Selberg so he can make arrangements for removal. The SD-2260 is still operational, however it has required extensive repairs. The automatic document feeder (ADF) does not work properly. More than .75 million copies have been run through the unit. The copier continues to provide a good quality copy if you put each page of the document to be copied face down on the glass, or feed a few pages through the ADF at a time. There is double-sided copying and stapling features, and a 20-page sorter. The unit requires a substantial space and a dedicated power source. A motion was made, seconded and passed to grant approval to declare the copier surplus as outlined.

SHERIFF

1. Request Approval, Surplus Vehicle: A motion was made, seconded and passed to grant permission to surplus the following vehicle. It has reached the end of its service life and would be sold at auction. 1989 Ford Van, VIN 1FTCA14U0KZB20862, license 47344C.

ANNOUNCEMENT(S)

None

CORRESPONDENCE

1. A request was received from Carol Davis, Chairman, Fire O'er the Water in Ocean City, regarding the 4th of July celebration at Ocean City, Washington. As in the past, the Commissioners were notified that the Washington Coast Chamber of Commerce will be notifying the Sheriff's Department regarding traffic control and the State Patrol for directing the intersection on State Route 109 and 2nd Street before and after the event. Fire District 7 will be notified for stand-by and aid car assistance and the County Public Works Department will be contacted for beach clean up on July 5th, 2005. A motion was made, seconded and passed to approve the request subject to review and recommendation by the appropriate departments.

2. A request was received from Ruth Tarbox, Secretary/Treasurer for the Quinault Cancer Fund requesting permission to conduct the 16th Annual Rain Forest Bike Ride on June 25, 2005. The route will be around Lake Quinault with two rest stations. A motion was made, seconded and passed to approve the request subject to review and recommendation by Insurance and Risk Management, Public Services Department and the Sheriff's Department.

3. An e-mail was received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The e-mail was dated May 15, 2005 and the subject is "The Safest Location For The New School District #5 High School?"

PUBLIC COMMENT

Commissioner Beerbower asked for public comment. There was no public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, May 16, 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 Steve Harbell, WSU Extension, Debbie Adolphsen, Fair and Events Manager, and Paul Easter and Brian Shea, Department of Public Services.

RESOLUTIONS

None

ORDINANCES

None

The meeting adjourned at 3:41 p.m. to Monday, May 23, 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