

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

September 26, 2005

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, September 26, 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. James 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

September 19, 2005: The minutes of the Commissioners' Meeting of September 19, 2005 were approved as presented.

BIDS

None

HEARINGS

1. Rezone Case #2005-1106 – Mark Doyle: There was a public hearing to consider an application to rezone a platted parcel currently zoned General Development (GD-1) to General Commercial (C-2) in order to construct a proposed mini-storage facility. The proposal is located on Assessor's Tax Parcel #170702110020, 180735440070, and 170702110010 on the Monte-Elma Road, Brady, Washington in Section 2, Township 17N. Range 07 W.W.M., Grays Harbor County, Washington. Notice of this hearing was advertised in *The Vidette* on September 15, 2005. A complete copy of the ordinance was made available upon request of the Clerk of the Board at the Commissioner's Office, 100 West Broadway, Suite 1, Montesano, Washington. Chairman Beerbower asked for a staff report. Jane Hewitt, County Planner, reported that this hearing is for a rezone, Case #2005-1106. Ms. Hewitt reported that prior to this hearing the applicant and the Board of Commissioners received a packet of information regarding the application. She request the following materials be entered into the record without reading:

1. Record of Action containing findings of fact, conclusions, staff recommendation and Planning Commission decision.
2. SEPA Determination of Non-Significance and SEPA Checklist.
3. Application and site plan.
4. Notice of Public Hearing and mailing list.
5. Comment Received.
6. Affidavits of public hearing from *The Vidette*.
7. Ordinance.

Ms. Hewitt reported that this is an application to rezone approximately 6.59 acres currently zoned General Development (GD-1) to General Commercial (C-2) in order to construct a proposed mini-storage facility. General Development–1 allows commercial development such as a mini storage. The project would be limited to a maximum of 5000 square feet of commercial development. Phase 1 of this application is for a larger total of mini storage buildings than allowed under GD-1. For this reason the applicant requested a rezone of the property. Ms. Hewitt reported that staff recommended approval based on the following conditions:

- I. An engineered stormwater management plan consistent with the Washington Department of Ecology’s 2005 Stormwater Management Manual for Western Washington shall be submitted for review and receive approval prior to the issuance of any building permits on the property. Drainage facilities for the site shall be constructed and approved by Grays Harbor County prior to the issuance of any Certificate of Occupancy.
- II. Soils analysis by an engineer or registered geologist shall be required for any subsequent construction on the property.
- III. Approval of the rezone request does not warrant the buildability of the subject parcels or guarantee that building permits will be issued on the subject parcels.

Ms. Hewitt read the following conclusions and requested they be entered into the record:

- I. The proposal will allow land uses consistent with the surrounding area.
 - ? The parcel is within 200-feet of other properties zoned General Commercial.
 - ? The property is adjacent to and served by Monte-Brady Road, a major arterial.

- II. The comprehensive Plan map designated a portion of the Monte-Brady Road/Middle Satsop Road intersection area as a Rural Development Area and the remainder of the Brady area as Rural Residential in 1983. The Comprehensive Plan anticipates that this is an area appropriate for a rural center of commercial development.
 - ? A low traffic, low noise commercial enterprise such as a mini-storage warehouse project is compatible with surrounding commercial, residential and commercial agricultural uses.

- III. The applicant has demonstrated that the proposal will not be materially detrimental to the public welfare, or injurious to property or improvements in the vicinity and zone in which the subject property is located.

Ms. Hewitt reported that based on those conditions of approval and the conclusions that staff recommended approval by the Planning Commission of the Findings of Fact and Conclusions for Case #2005-1106, as written. Staff recommended approval by the Planning Commission of this re-zone application Case #2005-1106.

Ms. Hewitt reported that the Planning Commission approved the Findings of Fact and Conclusions for Case #2005-1106 and approved the re-zone application Case #2005-1106, as conditioned.

Chairman Beerbower asked questions regarding soil samples. Ms. Hewitt explained that test holes will be conducted under the footing and foundation of each proposed site and that the applicant was informed that the rezone is no guaranty of future permits. Commissioner Carter asked questions regarding the approved drainage plan and fill. Ms. Hewitt responded that fill will be required in order to be able to construct the buildings and to prevent stormwater from entering the buildings. The property is not shown on flood maps, but it is lower than all of the surrounding properties and receives stormwater from the surrounding properties. It is not a requirement of the applicant to continue to be a runoff source for surrounding properties. The County engineer reviewed the site plan and determined that enough gross land area remains to be able to construct a stormwater

plan that could be approved. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Ordinance No. 340 – An Ordinance Amending The Grays Harbor County Official Zoning Maps Adopted Pursuant To Grays Harbor County Code Title 17 Approving A Petition For Rezone Case #2005-1106.**

2. **Emergency Budget – Sheriff’s Department #001-000-032:** There was a public hearing to consider an Emergency Budget as follows: Sheriff’s Office #001-000-032 in the amount of \$27,962. Notice of this hearing was advertised in *The Vidette* on September 15, 2005. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the emergency budget request in the amount of \$27,962 is to utilize the Federal State Criminal Alien Assistance funds received in 2004. Funding will be used for the Mobile Data Terminals for the Criminal Division. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Resolution No. 2005-87 – Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Sheriff’s Department #001-032.**

3. **Supplemental Budget – Sheriff’s Department #001-032:** There was a public hearing to consider Supplemental Appropriation as follows: Sheriff’s Department #001-032 in the amount of \$126,287. Notice of this hearing was advertised in *The Vidette* on September 15 and 22, 2005. Chairman Beerbower asked for a staff report. Sheriff Whelan reported that the supplemental appropriation totals more than \$126,000 from a variety of funding sources. The US Department of Justice – Methamphetamine Team allocated \$46,519. The Washington Traffic Safety Committee – Traffic Task Force provided \$25,642. The Washington Traffic Safety Committee – Mini Grants allocated \$4,934 and Washington Traffic Safety Committee – Traffic Emphasis Patrol provided \$19,469. \$3,906 was received from the Washington Association of Sheriff and Police Chiefs and \$1,989 was received from the West EMS. The US Department of Justice – COPS provided \$20,855 and \$2,973 was received from a Reduce Under Age Drinking grant. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Resolution No. 2005-88 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Sheriff’s Department #001-000-032.**

4. Supplemental Budget – Sheriff’s Department—

a. Confiscated Forfeited Property Fund #108-100-000: There was a public hearing to consider Supplemental Appropriation – Miscellaneous Funds as follows: Confiscated/Forfeited Property #108-100-000 in the amount of \$804. Notice of this hearing was advertised in *The Vidette* on September 15 and 22, 2005. Chairman Beerbower asked for a staff report. Sheriff Whelan reported that \$804 in funds has been received from confiscated/forfeited property and will be used for the Mobile Data Terminal project. Sheriff Whelan provided information regarding the benefit of the Mobile Data Terminal project. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Resolution No. 2005-89 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Miscellaneous Fund Confiscated/Forfeited Property #108-100-000.**

b. Federal Equitable Sharing #108-200-000: There was a public hearing to consider public hearing to consider Supplemental Appropriation – Miscellaneous Funds as follows: Federal Equitable Sharing #108-200-000 in the amount of \$28,334. Notice of this hearing was advertised in *The Vidette* on September 15 and 22, 2005. Chairman Beerbower asked for a staff report. Sheriff Whelan reported that \$28,334 in funds from the federal equitable sharing program has been received and will also be used for the Mobile Data Terminal project. Chairman Beerbower asked for public comment. There was no public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Resolution No. 2005-90 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Miscellaneous Fund Federal Equitable Sharing #108-200-000.**

PRESENTATION

None

PROCLAMATION

Grays Harbor County Harvest Celebration: The Clerk of the Board read the proposed proclamation. Don Tapio, WSU Extension Agent, thanked the Board for continued support in the agriculture community. Mr. Tapio provided an update on Grays Harbor County agriculture. He reported that the Harvest Celebration showcases the diversity, the

quality and the productivity and overall economic impact of the Grays Harbor County Agriculture industry. Mr. Tapio invited the Board to attend the 35th Annual Farm City Dinner. Mr. Tapio summarized and thanked the Board for proclaiming Grays Harbor County Harvest Celebration and for supporting the agriculture community during the year. A motion was made, seconded and passed to approve the proclamation proclaiming September 29 through October 1, 2005 as Grays Harbor County Harvest Celebration and urging all citizens of Grays Harbor County to join in this important observation by visiting and supporting local farms, and by seeking the bounty of Grays Harbor County for their tables.

COMMISSIONERS

1. Amending GHCC Chapter 8.08, Ordinance 109 and Ordinance 287

Pertaining to Fireworks: The Clerk of the Board reported that on September 19, 2005 a hearing was held to consider an ordinance amending Chapter 8.08 of the Grays Harbor County Code, Ordinance 109 and Ordinance 287 pertaining to fireworks. The decision was postponed for consideration at this meeting. Commissioner Carter announced that his questions have been answered. A motion was made, seconded and passed to approve **Ordinance No. 341 – An Ordinance Relating To Fireworks, Amending Chapter 8.08 Of The County Code Modifying Permit Fees And Providing For Enforcement And Appeals.**

DEPARTMENTS

AUDITOR

1. Request Approval, Expend Help America Vote Act of 2000 Grant Money:

The Help America Vote Act of 2000 (HAVA) mandated a number of changes in elections. The Act also provided funding through the Secretary of State's office for the changes. Using the HAVA monies, the Auditor has upgraded ballot tabulators. At this time approval has been received from the Secretary of State's office for additional grants to continue the process of improving elections. As in the case of the tabulators, it is necessary to make the expenditures first and then seek reimbursement. The items needed and previously approved are as follows:

Disability Voting Devices (DRE's)	\$70,000
Ballot Security Storage Units	5,000
Decision Support Units	6,000
PC's for signature checking and upgrades	7,000

PowerPoint projector, screen & software 3,000

Funding for the items will come from the Election Reserve Fund. There are sufficient cash reserves in the fund to accommodate the expenditures. No budget adjustments are necessary. A motion was made, seconded and passed to approve the purchase of the above outlined items and then seek reimbursement from the pre-approved HAVA funds with the Secretary of State's office.

MANAGEMENT SERVICES

1. Request Approval, Set Hearing Date – Emergency Budget, District Court #001-024: October 10, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider an Emergency Budget in the District Court in the amount of \$10,000 for Juror Fees to cover the increase in jury trials as well as the increase in juror mileage for the remainder of the year.

2. Request Approval, Set Hearing Date – Supplemental Budget, District Court #001-024: October 10, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider a Supplemental Budget in the District Court in the amount of \$1,000 due to an increase in adult probation fees. Funding will be used to cover the increased costs of urinalysis testing.

3. Request Approval, Set Hearing Date – Supplemental Budget, Special Projects Fund #101-000-000: October 10, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider a Supplemental Budget in the amount of \$78,789 in the Special Projects Fund for amendments to the E-911 Military Department Wireline and Wireless Operations grant. \$60,208 funding for Addendum C will be for the Wireline contract and \$18,581 in funding for Addendum C will be for the Wireless contract.

PUBLIC HEALTH AND SOCIAL SERVICES

1. Request Approval, Letter of Agreement/Creative Community Solutions: A motion was made, seconded and passed to approve a letter of agreement between Creative Community Solutions and Grays Harbor County. The agreement outlines services to assist the County with facilitation and development of a plan to reduce homelessness. The scope of work will address the requirements of the HB 2163 and RCW 43.185(B).

2. Request Approval, DSHS WorkFirst Program Agreement: A motion was

made, seconded and passed to approve a DSHS Program Agreement. The purpose of this Agreement is to provide in-home nursing evaluations of children with special needs in order to assist DSHS to determine the ability of WorkFirst clients to participate in employment activities. DSHS workers will refer families for evaluations and will pay \$250 for each completed evaluation. This is the continuation of an Agreement that began in 1999.

3. Request Approval, Mental Health Block Grant Interlocal Agreement: A motion was made, seconded and passed to approve an Interlocal Agreement with the Department of Social and Health Services Mental Health Division. This Agreement awards Mental Health Block Grant funds of \$78,000 to provide stabilization and detoxification services to persons with co-occurring mental health and substance abuse disorders. The funding will be sub-contracted to Evergreen Counseling Center for use at their Crisis Clinic.

4. Request Approval, Contract/State Department Of Health For Nutrition Education: A motion was made, seconded and passed to approve a contract between the County and the State Department of Health to provide nutrition education for low-income families. There will be up to \$16,789 in federal matching funds available for activities that will focus on enhancing nutrition education for pregnant women and parents of 0-5 year olds. This will be the third year of the Department's participation in this program.

5. Request Approval, Contract/State Department of Community, Trade And Economic Development: A motion was made, seconded and passed to approve a contract between the County and the State Department of Community, Trade and Economic Development (CTED). CTED is providing \$57,763 for this coming year. This money will support nine high school Prevention Teams and fund the Strengthening Families Program through Harbor After School, and partially fund the Department's Youth Development Program. In addition, \$4,000 of the funding is dedicated to methamphetamine education and prevention activities conducted in partnership with the Sheriff's Office.

6. Request Approval, Memorandum Of Understanding Human Services Advisory Board: A motion was made, seconded and passed to approve a Memorandum of Understanding between the Board of Commissioners and the Human Services Advisory Board. This MOU defines the role of the Advisory Board in planning and reviewing activities funded through this contract. The MOU is required by DCTED in order for the County to receive the funding.

PUBLIC SERVICES

- 1. Request Approval, Purchase Computer For Pearsall Building And Juvenile Facility:** A motion was made, seconded and passed to approve the purchase of two (2) new computers. These are needed to run the heating systems at the Pearsall Building and the Juvenile Facility. This request has been reviewed and approved by Central Services.
- 2. Request Approval, Supplemental Agreement – Ocean Beach/Middle Satsop Road:** A motion was made, seconded and passed to approve a Supplemental Agreement for the consultant contract with Skillings-Connolly, Inc. This supplement extends the contract completion date to December 31, 2006.
- 3. Request Approval, Chehalis Basin Watershed Plan Phase 4 Implementation Grant/Department of Ecology:** A motion was made, seconded and passed to approve a grant agreement between the Department of Ecology and Grays Harbor County. The scope of work covered by this grant agreement will allow the Chehalis Basin Partnership to proceed with the development of a detailed implementation plan, related to the May 2004 Chehalis Basin Watershed Management Plan. The County on behalf of the Chehalis Basin Partnership will administer the grant from the Department of Ecology and it will cover the expenses incurred by the County. The Chehalis Basin Partnership supports the agreement and scope of work.
- 4. Request Approval, Right-of-Way Deed – Cougar Smith Road Middle Satsop River Bridge Replacement:** A motion was made, seconded and passed to approve the final right-of-way deed for the Cougar Smith Road Middle Satsop River Bridge Replacement – C-73700-05. The County's offer is to purchase 0.01 acres for \$100.
- 5. Request Approval, 2005 Salmon Recovery Funding Board Project List:** A motion was made, seconded and passed to approve Appendix B—Lead Entity List Memorandum. The projects contained on the list were reviewed and ranked pursuant to RCW 77.85.050. The Chehalis Basin Partnership then considered and accepted the list on September 23, 2005, as ranked by the local review committee. Grays Harbor County as Lead Entity for Salmon Recovery for the Chehalis Basin Partnership is responsible for submitting the list to the Salmon Recovery Funding Board.
- 6. Request Approval, Agreement With The Washington State Department of Transportation And Military Department Emergency Management Division:** A motion was made, seconded and passed to authorize the Board Chairman to sign an agreement with the Washington State Department of Transportation and Military

Department Emergency Management Division for the use of the On-Scene Command and Control Radio (OSCCR) frequency. The State Interoperability Executive Committee has designated the OSCCR channel as the “Primary Command Channel” for the State of Washington. It may be used by two or more entities during periods of emergencies or disasters or times when mutual aid assistance is required from two or more agencies involving multiple disciplines. Authorization to use the channel is required from the State.

7. Request Approval, Consultant Agreement Supplement – Time Extension For Tower Blvd/Technology Way Reconstruction: The original consulting agreement with KPFF Consulting Engineers of Seattle was authorized and signed on September 20, 2004 for design work on the Tower Blvd/Technology Way Reconstruction Project No. C-96320-01, Fed Aid No. TCSP-TCSP(004). Bids for the project were rejected on July 11, 2005 due to unfavorable bid climate, and the consultant agreement completion date is set at October 1, 2005, about three months before re-bid is scheduled. A supplement to the agreement was prepared for time extension to the end of next year. The amount payable to the consultant, set at \$135,714.43, remains unchanged. A motion was made, seconded and passed to grant authorization for the Board Chairman to execute the Local Agency Supplement Agreement with KPFF Consulting Engineers as described.

8. Request Approval, Implement “No Parking” – North Side Of Elma McCleary Road No. 97400: Parking on the north side of the Elma McCleary Road in the vicinity of the fairgrounds has become a problem during events. The shoulder is narrow and vehicles parking alongside the road contribute to sight problems and congestion during this time period. There is no demand for parking along the roadway at other times. The Department recommended that “No Parking” be implemented on the north side of the Elma McCleary Road between Cloquallum Road and the Elma east city limits (Menzo Haverly Road). A motion was made, seconded and passed to approve **Resolution No. 2005-91 – Revising Resolution 82/133 To Include Parking Restrictions And Locations Be Signed Accordingly**

9. Request Approval, Set Hearing Date – PUD Franchise Agreement: October 17, 2005 at 2:00 p.m. is the date and time set for a public hearing to consider the new PUD Franchise Agreement.

SHERIFF

1. Request Approval, Authorize Chairman To Sign Local District Distribution Application With Community Trade And Economic Development – Multi-

Jurisdictional Narcotics Task Force: A motion was made, seconded and passed to authorize the Board Chairman to sign the application for the Washington State Justice Assistance Grant (JAG) Local Distribution Program. Grays Harbor County is eligible to receive a grant in the amount of \$9,999 for the support of the multi-jurisdictional narcotics task force.

ANNOUNCEMENT(S)

None

CORRESPONDENCE

None

PUBLIC COMMENT

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

STAFF MEETINGS

The Board held staff meetings on Monday, September 26, 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 Maryann Welch, Director of the Public Health and Social Services Department, Paul Easter, Lee Napier, Anne Sullivan and Kevin Varness with the Department of Public Services.

RESOLUTIONS

- | | |
|--------------------|---|
| No. 2005-87 | Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Sheriff's Department #001-032 |
| No. 2005-88 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Sheriff's Department #001-000-032 |

**No. 2005-89 Authorizing A Supplemental Extension In The Budget Of The
Grays Harbor County Miscellaneous Fund
Confiscated/Forfeited Property #108-100-000**

**No. 2005-90 Authorizing A Supplemental Extension In The Budget Of The
Grays Harbor County Miscellaneous Fund Federal Equitable
Sharing #108-200-000**

**No. 2005-91 Revising Resolution 82/133 To Include Parking Restrictions
And Locations Be Signed Accordingly**

ORDINANCES

**No. 340 An Ordinance Amending The Grays Harbor County Official
Zoning Maps Adopted Pursuant To Grays Harbor County
Code Title 17 Approving A Petition For Rezone Case #2005-
1106**

**No. 341 An Ordinance Relating To Fireworks Amending Chapter 8.08
Of The County Code Modifying Permit Fees And Providing
For Enforcement And Appeals**

The meeting adjourned at 2:50 p.m. to Monday, October 3, 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