

## MINUTES

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

October 24, 2005

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

#### 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

**October 17, 2005:** The minutes of the Commissioners' Meeting of October 17, 2005 were approved as presented.

#### BIDS

None

#### HEARINGS

1. **Rezone – Applicant Jerry & Sybil Logan:** There was a public hearing to consider an application to rezone approximately 29 acres from General Development Five (G-5) to General Development One (GD-1). The proposed project is at 25 Old Sand Creek Road, approximately one mile South of McCleary, on the property having assessor's parcel #180523220010, within the Northwest quarter of the Northwest quarter of Section 23, Township 18 N., Range 5 W.W.M., Grays Harbor County, Washington. Information regarding the application was available from the Grays Harbor County Planning Division, 100 West Broadway Avenue, Suite 31, Montesano, Washington. Notice of this hearing was advertised in *The Vidette* on October 13, 2005. Chairman Beerbower asked for a staff report. Suresh Bhagavan, County Planner, reported that the applicant and the Board of County Commissioners were provided the following materials prior to the public hearing. Mr. Bhagavan requested that the materials below be entered into the record, by reference without reading:

1. Record of Action of the Planning Commission containing the Findings of Fact, Conclusions, and Staff Recommendations.

2. Zoning Map.
3. Application and Letter.
4. Environmental Checklist.
5. Determination of Non-Significance (DNS).
6. Notice of Public Hearing and list of property owners receiving the notice.
7. Affidavit of Publication of the Notice of Application in *The Vidette*.
8. Letter received in response to the public notice.

Chairman Beerbower asked for public comment. Sybil Logan, applicant, reported that when they purchased the 29.6 acre parcel it was zoned for timber. At that time there was one modular home on the property. Ms. Logan explained that they have built a new on home on the southern end of the property and wish to sell the modular to a sister who plans to help with the care of elderly parents. Due to the medical condition of the parents they would like to divide a third parcel for construction, so that the parents can live on the property. Current zoning requires them to divide 5 acres for each of the three smaller parcels and they would be forced to take the entire parcel out of timber zoning because they would no longer have the required twenty or more acres dedicated to timber only. Ms. Logan reported that they do not wish to lose their timber zoning nor do they want to divide all the land up into small parcels. Ms. Logan requested that they retain the present zoning of the larger portion by allowing the rezone for the smaller parcels.

Terry Franklin, 397 Powers Creek Road, Elma, Washington, asked questions regarding provisions for mother-in-law housing to accommodate the family. Mr. Bhagavan stated that the purpose of this rezone is for a four-lot subdivision with three lots of two-acres each, so that the remaining fourth lot is at least 20 acres in size in order to remain in the timber-tax program. Each lot will have a water well and septic on-site. There was no additional public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Ordinance No. 342 – An Ordinance Amending The Grays Harbor County Official Zoning Maps Adopted Pursuant To Grays Harbor County Title 17 Approving A Petition For Rezone Case #2005-1748.**

2. **Rezone – Applicant Brock Arnold:** There was a public hearing to consider an application to rezone approximately 10 acres from General Development Five (G-5) to General Residential in order to facilitate future subdivision into residential lots. The proposal is located on Assessor's Tax parcel #180625320030 and 180625320020 on Hot Dog Lane, Elma, Washington in Section 25 of Township 18 N., Range 06 W.W.M. Grays

Harbor County, Washington. Information regarding the application was available from the Grays Harbor County Planning Division, 100 West Broadway Avenue, Suite 31, Montesano, Washington. Notice of this hearing was advertised in *The Vidette* on October 13, 2005. Chairman Beerbower asked for a staff report. Jane Hewitt, County Planner, reported that the applicant and the Board of County Commissioners were provided the following materials prior to the public hearing. Ms. Hewitt requested that the materials below be entered into the record, by reference without reading:

1. Record of Action containing findings of fact, conclusions, staff recommendations and Planning Commission decision.
2. Attachment 1: Application.
3. Attachment 2: Determination of Non-Significance and SEPA Environmental Checklist.
4. Attachment 3: Agency notification form, mailing list, Affidavit of Publication from *The Vidette*.
5. Attachment 4: Personalized notice of public hearing and transmittal of documents to applicant.

Ms. Hewitt reported that this rezone request is for two parcels out of a 1983 large lot subdivision that consists of 10-acres currently zoned General Development –5 (G-5) to General Residential (R-2) in order to facilitate a future subdivision into residential lots. Ms. Hewitt reported that the Planning Commission recommended approval of this rezone application Case #2005-1669.

John Mullenix, resident of Randall, Washington, spoke on behalf of his parents Clifford and Grace Mullenix. Clifford and Grace Mullenix own adjoining property at 17 Elma-McCleary Road, Elma, Washington. Mr. Mullenix expressed support of the re-zone request.

Ms. Hewitt reported that a short plat application has not been filed for this property. The design of the project is largely dependent upon the provision of public water from the City of Elma. The design of subsequent subdivision will be impacted by means of septic and areas of the property that will accommodate a septic system and the type of system. Ms. Hewitt explained that road standard issues will be addressed at the short plat application process. There was no additional public comment and the hearing was closed.

? **Action: A motion was made, seconded and passed to approve Ordinance No. 343 – 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 #2005-1669.**

**3. Preliminary Long Plat – Applicant Oaksridge LLC:** There was a public hearing to consider an application submitted by Oaksridge LLC for approval of Preliminary Long Plat Case #2005-1341. The request is for approval of 24-lot preliminary long plat subdivision permit pursuant to Grays Harbor County Code Chapter 16, to subdivide 97-acres of land into 24 lots. The project is proposed at 1052 Monte Elma Road, on the property having Assessor's Parcel #180632410010, #180633320030, 180633320020 and 180632420010, approximately two miles West of Elma, within the East half of Section 32, and the Northwest quarter of the Southwest quarter of Section 33, Township 18 N., Range 6 W.W.M., Grays Harbor County, State of Washington. Information regarding the application was available from the Grays Harbor County Planning Division, 100 West Broadway Avenue, Suite 31, Montesano, Washington. Notice of this hearing was advertised in *The Vidette* on October 13, 2005. Chairman Beerbower asked for a staff report. Suresh Bhagavan, County Planner, reported that the applicant and the Board of County Commissioners were provided the following materials prior to the public hearing. Mr. Bhagavan requested that the materials be entered into the record, by reference without reading:

1. Staff report containing the Findings of Fact, Conclusions, and Staff recommendations.
2. Application.
3. Environmental Checklist.
4. Mitigated Determination of Non-Significance (MDNS).
5. Letters received in response to the MDNS.
6. Notice of Public Hearing, and list of property owners receiving the notice.
7. Affidavit of Publication of the Notice of Application in *The Vidette*.
8. Letter received in response to the public notice.
9. Preliminary-plat maps.

Mr. Bhagavan reported that the Planning Commission recommended approval of the Long Subdivision with Special Use Permit, Case #2005-1341.

Chairman Beerbower asked for public comment. Alan Gozart with Harbor Architects in Aberdeen, Washington, reported that he represents Oaksridge LLC. Mr. Gozart provided an outline of the proposed 98.642-acre parcel. The intent is to provide 23 residential lots and maintain the 1-acre per residential lot minimum. Mr. Gozart explained the proposal

including lots 1-7 of 18,000 square feet each and lots 8-23 of 9,000 square feet each. There are preliminary designs for stormwater management and for on-site sewage disposal. The property is served by the City of Elma waterlines.

Mr. Bhagavan read condition #12 as follows:

A note shall be put on the final plat stating: Tract-A is land unsuitable for development, to maintain the overall density of one-lot per acre. Tract-A shall not be further subdivided, and shall not be reduced in size. Tract-A is also reserved as an easement for meeting the minimum lot-size requirement for on-site sewage disposal.

Mr. Bhagavan explained that if the golf course is sold the development will be included in the sale of the golf course and will be retained as an easement.

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

? **Action: A motion was made, seconded and passed to approve Long Subdivision with Special Use Permit (Case #2005-1341).**

4. **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 \$20,491.51. Notice of this hearing was advertised in *The Vidette* on October 13 and October 20, 2005. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the supplemental budget hearing is in the Special Projects Fund and is due to an amendment to the FFY-04 Law Enforcement Terrorism Prevention Program. Grays Harbor County has entered into an Interlocal Agreement with Thurston County to perform duties in accordance with the Homeland Security Region 3 work program. 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. 2005-107 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.**

#### **PRESENTATION**

None

## **DEPARTMENTS**

### **MANAGEMENT SERVICES**

1. **Request Approval, Resolution Budget Transfer – Insurance Fund:** A motion was made, seconded and passed to approve **Resolution No. 2005-108 – Transferring Items In The Grays Harbor County Miscellaneous Fund Insurance Department #504-000-000**. This resolution allows the transfer of \$15,000 within the Insurance Fund from the Labor Attorney to the Special Prosecutor. With three contracts up for negotiations it is anticipated that additional funds will be needed to complete the contract negotiations this year. Rose Elway, Budget Director reviewed the request and funds are available for this transfer.

2. **Request Approval, Resolution Budget Transfer – Sheriff's Department to Civil Service:** A motion was made, seconded and passed to approve **Resolution No. 2005-109 – Transferring Items In The Grays Harbor County General Fund Sheriff's Department #001-000-032 to Civil Service #001-000-013**. This resolution allows the transfer of \$2,000 from the Sheriff's Department budget to Civil Service due to the number of advertising of civil service positions. This should cover the remainder of the year. Rose Elway, Budget Director reviewed the request and funds are available for this transfer.

3. **Request Approval, Interlocal Agreement/Business Associate Agreement with Washington Counties Insurance Pool:** The Clerk of the Board announced that this item has been removed from the agenda.

4. **Request Approval, Set Budget Hearing – Emergency Appropriation – Juvenile Department:** November 7, 2005 at 2:00 p.m. is the date and time set for an emergency budget request in the amount of \$20,000 as a result of a deficit in Extra Help in Detention. This amount should be sufficient to cover the remainder of 2005.

### **PROSECUTING ATTORNEY**

1. **Terminate 2005 Juvenile Court Dependency Attorney Contract:** A letter was received from Steven G. McNeill, Attorney at Law, serving notice to terminate his contract with Grays Harbor County to provide indigent legal defense in dependency cases. The contract provides for 30 days written notice of termination. Under the circumstances, Mr. McNeill assumes that the County is waiving this provision, and will

agree to the termination being effective on October 31, 2005. Beginning on November 1, 2005, the attorney services for juvenile court indigent defense in dependency cases will be provided by the State of Washington Office of Public Defense. The Public Defense office is funded by the State of Washington and not Grays Harbor County. A motion was made, seconded and passed to accept the notice Termination of 2005 Juvenile Court Dependency Attorney Contract received from Steven G. McNeill, Attorney at Law.

### **PUBLIC HEALTH AND SOCIAL SERVICES**

1. **Request Approval, Letter of Agreement – Grays Harbor College:** A motion was made, seconded and passed to approve a Letter of Agreement extending the County's current contract for Childbirth Education services with Grays Harbor College through December 31, 2006.
2. **Request Approval, Amendment Contract with State Department of Health:** A motion was made, seconded and passed to approve an amendment to the County's contract with the State Department of Health. This amendment adds \$5,300 for the Family Planning services, \$24,951 for the Male Involvement Pregnancy Prevention program and \$51,276 for Emergency Preparedness and Response.
3. **Request Approval, Amendment Contract with Evergreen Counseling Center:** A motion was made, seconded and passed to approve an amendment to the County's contract with Evergreen Counseling Center for mental health services. This amendment extends the current payment mechanism of grant funding on a monthly basis through December 2005. By January 1, they will mutually establish a funding method that more closely ties specific client services to payment.
4. **Request Approval, Administrative Contract with Behavioral Health Resources:** A motion was made, seconded and passed to approve an amendment to the County's contract with Behavioral Health Resources for mental health services. This amendment extends the current payment mechanism of grant funding on a monthly basis through December 2005. By January 1, they will mutually establish a funding method that more closely ties specific client services to payment.
5. **Request Approval, Behavioral Healthcare Options Agreement:** A motion was made, seconded and passed to approve an Agreement with Behavioral Healthcare Options (BHO). This organization will be assisting in preparing a response to a DSHS Mental Health Division Request for Qualifications. Additionally, BHO will be providing

utilization and case management services for the Mental Health program. The RFQ technical assistance will cost \$10,000 and the utilization management will be approximately \$4,500 per month. All funds will be derived from the Mental Health State allocations.

### **PUBLIC SERVICES**

1. **Request Approval, Administrative Offer Summaries – Boundary Road:** A motion was made, seconded and passed to approve five administrative offer summaries on Boundary Road, C.R.P. 73650-07. With approval of these administrative offer summaries the County’s right-of-way agent will proceed with the acquisitions necessary for the project.
2. **Request Approval, Professional Services Contract with The Granger Company for Appraisal Reviews on the Wynoochee Road Realignment, South Bank Curve Revision, and Middle Satsop Road Curve Realignment:** A motion was made, seconded and passed to approve a professional services contract with The Granger Company for appraisal reviews on the Wynoochee Road Realignment, South Bank Curve Revision and Middle Satsop Road Curve Realignment projects. The fee for appraisal reviews will be \$500 per parcel. It is anticipated that there will be thirteen appraisals for review. The Department of Public Services recommended the hiring of The Granger Company for these review appraisals.
3. **Request Approval, Professional Services Contract with GPA Valuation for Wynoochee Road Realignment:** A motion was made, seconded and passed to approve a “Professional Services Contract for Appraiser” and one letter from GPA Valuation for authorization to proceed with appraisals on the Wynoochee Road Realignment, CRP 95190-14. With approval of the contract and the authorization letter, GPA Valuation will proceed with the appraisals.
4. **Request Approval, Administrative Offer Summaries – South Bank Road Realignment:** A motion was made, seconded and passed to approve five Administrative Offer Summaries for the South Bank Road Realignment, CRP 96412-26. With approval of these Administrative Offers, the county’s right-of-way agent will proceed with the negotiations to acquire the 5 parcels.
5. **Request Approval, Emergency Support Function #10, Hazardous Materials:**

A motion was made, seconded and passed to approve the updated Hazardous Materials Plan which is Emergency Support Function #10 (ESF#10) of the Comprehensive Emergency Management Plan (CEMP). The Local Emergency Planning Committee (LEPC) has been working over the past year to update the plan through a Hazardous Materials Emergency Preparedness (HMEP) grant. The LEPC approved the plan on October 12, 2005, and requested that it be submitted to the Board of County Commissioners for approval. The plan will be scheduled for review on an annual basis.

**5. Request Approval, Right of Way Deed – Boundary Road:** A motion was made, seconded and passed to approve a right-of-way deed for Boundary Road 73650-07 road project.

#### **SHERIFF**

**1. Request Approval, Renew Contract with Richard Jacobson – Coordinator for Grays Harbor Traffic Safety and Injury Prevention Task Force:** A motion was made, seconded and passed to approve an Agreement for Project Coordinator for the Grays Harbor Traffic Safety and Injury Prevention Task Force. Richard Jacobson has been serving in this capacity since 2003 and this is a renewal of his contract. Mr. Jacobson has done an excellent job with the Task Force and Sheriff Whelan recommended that the agreement be approved. The agreement has been reviewed by the Prosecuting Attorney's Office and it meets with their approval.

#### **ANNOUNCEMENT(S)**

None

#### **CORRESPONDENCE**

A Claim for Damages (#C-499-05) against Grays Harbor County was received from Kenneth L. Syverson. The claim was referred to the Prosecutor's office and the Claims Review Committee.

#### **PUBLIC COMMENT**

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

#### **STAFF MEETINGS**

The Board held staff meetings on Monday, October 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 Kevin Varness, Department of Public Services and James Baker, Prosecutor's Office, Maryann Welch, Director of Public Health and Social Services and Paul Easter, Brian Shea, Anne Sullivan, Jane Hewitt and Suresh Bhagavan, Department of Public Services.

### **RESOLUTIONS**

- No. 2005-107            Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.**
- No. 2005-108            Transferring Items In The Grays Harbor County Miscellaneous Fund Insurance Department #504-000-000.**
- No. 2005-109            Transferring Items In The Grays Harbor County General Fund Sheriff's Department #001-000-032 to Civil Service #001-000-013.**

### **ORDINANCES**

- No. 342                    An Ordinance Amending The Grays Harbor County Official Zoning Maps Adopted Pursuant To Grays Harbor County Title 17 Approving A Petition For Rezone Case #2005-1748.**
- No. 343                    An Ordinance Amending The Grays Harbor County Official Zoning Maps Adopted Pursuant To Grays Harbor County Title 17 Approving A Petition For Rezone Case #2005-1669.**

The meeting adjourned at 2:42 p.m. to Monday, October 31, 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