

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

January 23, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, January 23, 2006, at 2:00 p.m. Commissioners Bob Beerbower, Mike Wilson and Al Carter 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

January 9, 2006: The minutes of the Commissioners' Meeting of January 9, 2006 were approved as presented.

BIDS

1. **Cougar Smith Road Middle Satsop River Bridge Replacement:** There was a bid opening for the construction of the following project: Cougar Smith Road Middle Satsop River Bridge Replacement, M.P. 0.00 to M.P. 0.53, C-73700-05, BROS-STPH 2015 (055). The work to be performed under this contract provides for replacing the existing bridge with a new post-tensioned concrete girder structure on a new alignment, in Grays Harbor County. The new construction will include drilled shafts, concrete bridge abutments, temporary girder supports, concrete deck and bridge rail, grading, surfacing, guardrail, drainage structures, paving with asphalt pavement, traffic control, detention pond construction, bridge demolition and other work, all in accordance with the plans and specifications. Plans and specifications were available from the Grays Harbor County Public Services Department, Administration Building, 100 West Broadway, Suite 31, Montesano, Washington. Notice of this project was advertised in the *Montesano Vidette* on December 15 and December 22, 2005. The Clerk of the Board opened and read the following bids received with bid bond attached:

Construct Company, Sumner, Washington	\$2,775,656.73
Stan Palmer Construction, Port Orchard, Washington	\$2,676,768.44
Five Rivers Construction, Longview, Washington	\$2,423,756.48
Quigg Brothers, Aberdeen, Washington	\$2,571,714.40
Boss Construction, Bellingham, Washington	\$2,618,651.47

Rognlin's Inc., Aberdeen, Washington

\$2,822,269.10

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

HEARINGS

1. **Subdivision Application Submitted by Elma Highlands, LLC:** There was a public hearing to consider an application submitted by Elma Highlands LLC, as follows: The applicant has requested to subdivide the existing 37 acres of land into 37 lots. The project is proposed on Pine Street, on the property having Assessor's Parcels #1806264430020, #180626340010, #180626420020 and #618063521002, just North of Elma, within the South half of Section 26 and the North half of Section 35, Township 18 N., Range 6 WWM, Grays Harbor County, Washington. Notice of this hearing was advertised in the *Montesano Vidette* on January 12 and 19, 2006. Chairman Beerbower asked for a staff report. Suresh Bhagavan, County Planner, reported that prior to this hearing the applicant and the Board of County Commissioners were provided the following materials. Mr. Bhagavan requested that the following materials 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. Application.
3. Environmental Checklist.
4. Mitigated Determination of Non-Significance (MDNS).
5. Letter received in response to the MDNS.
6. Notice of Public Hearing, and list of property owners receiving the notice, and the Affidavit of Publication of the Notice of Application in *The Montesano Vidette*.
7. Letters received in response to the public notice.
8. Minutes of the January 3, 2006 meeting of the Planning Commission.
9. Preliminary-plat maps.

Mr. Bhagavan reported the department received a correspondence earlier today and Brian Shea would address that correspondence.

Brian Shea, Planning and Building Division Director for Grays Harbor County, entered into the record the following correspondence and comments:

1. Received on January 20, 2006 via fax from Daniel O. Glenn, attorney for the City of Elma.

Mr. Shea addressed items contained in correspondence received from Mr. Glenn as follows:

1. Water and Sewer – The City gave notice of availability of water and sewer services under certain terms and conditions in August, 2005. It was noted that if final approval is given of the preliminary plat it will be made clear that the sewer lines, water lines, and hydrant placement will be pursuant to City specifications and subject to City approval.

2. Right of Way Funding – It was noted that additional right of way, as needed to improve Pine Street, shall be dedicated to the County. There was a \$2,500 per lot amount required to be contributed to the County for improvement to Pine Street.

A. How much additional right of way is to be dedicated and on what portions of the area? Mr. Shea commented that the right of way dedication would be set forth as part of the development process if the plat receives preliminary approval from the Board of County Commissioners. The developer and County road engineer will meet and decide what sections of additional right of way are appropriate to be dedicated in order to facilitate improvements to the road system.

B. Upon what basis was the \$2500 figure established? Was the requirement imposed under SEPA, whether as part of a MDNS or otherwise? If not, recognizing that the City is not a GMA County, does the County have a basis for this requirement other than a mitigation requirement under SEPA. Mr. Shea commented the \$2500 fee was not imposed under SEPA. It was imposed under the provisions of Grays Harbor County Code 16. The fee was established based on a set of preliminary improvements to correct issues associated with the Pine Street road system.

C. What portion, if any, of this funding will be allocated to the City as a reflection of the “downhill” impact of the vehicles coming out of the development onto the City streets? Mr. Shea reported that the funds are intended to be utilized for the County road system and not the City road system.

D. Is this funding allocated to improving the affected portions of Pine Street? Mr. Shea clarified that all the funds provided by the developer will be for improvements to Pine Street.

3. The MDNS – Were modifications to the MDNS (December, 2005) made? Mr. Shea reported the County has not performed a modified MDNS.

Mr. Shea provided comment on the following correspondence and requested that they be entered into the record:

1. County correspondence (dated December 30, 2005) in response to correspondence dated December 17, 2005 received from Eric and Linda Meister, 316 East Pine Street, Elma.
2. County correspondence (dated December 30, 2005) in response to correspondence dated December 12, 2005 received from Gordon and Lorna Grube, 102 East Pine Street, Elma.
3. County correspondence (dated December 30, 2005) in response to correspondence dated December 17, 2005 received from Ron and Valjean Cole, 319 East Pine Street, Elma.

Mr. Shea stated that applicant will be required to design and construct a drainage system for the entire property that is consistent with the criteria contained in the 2005 Washington State Department of Ecology's Stormwater Management Manual for Western Washington.

Grays Harbor County Commissioner Beerbower has stated his position on numerous occasions that those County residents who have functioning septic systems should not and will not be required by the County to connect to a municipal sewer system.

Mr. Shea reported that the project is designed as a cluster subdivision. The intent of the cluster subdivision is to create building lots on those portions of the property that are best suited for development and leave those areas that are less developable, such as those that have steep slopes or steep grades, as permanent open space.

The environmental protection codes for Washington State and Grays Harbor County require the applicant to complete the environmental checklist to the best of their ability. It is the County's responsibility to examine the checklist for accuracy as part of the environmental review for the project.

Mr. Shea stated that the management of the County transportation system that serves the subject property is the responsibility of the County's Public Works Division. The

Division has reviewed the proposal and will require a re-design of the access from the property onto Pine Street to comply with the County Road Standards. The developer will be required to provide funding for improvements to those segments of Pine Street that are potentially impacted by the subdivision. The developer will be required to dedicate additional right-of-way from their property to facilitate improvements to Pine Street.

Mr. Shea reported that many of the conditions for a development are generally placed upon the project during the following two stages in the review and approval process:

The first stage for a subdivision is at the time of its State Environmental Policy Act (SEPA) threshold determination, at which time mitigation measures are assigned to the proposal. These mitigation measures frequently require work to be completed during the time between the receipt of preliminary approval and final approval.

The second stage is at the time of the public hearing before the Planning Commission. The public hearing process for a subdivision includes the presentation of a County staff report that includes conditions that will be required for final subdivision approval. These conditions also incorporate the SEPA mitigation measures to provide a comprehensive list of public health, safety, and welfare requirements for the establishment of the subdivision.

The Board of County Commissioners may choose to add other conditions during their public hearing process for the proposal. It is the County Commissioners who provide the final vote to either deny or grant preliminary approval for a subdivision.

Chairman Beerbower asked for public comment.

Jack Backman, with Elma Highlands development provided testimony supporting the application. Mr. Backman reported that they want to have a responsible development and work with property owners.

Aaron Olson, of Berglund, Schmidt and Associates, is the Engineer for this project. Mr. Olson reported that they have accepted all of the conditions of approval. He addressed the drainage issue and explained the design for a retention pond. Mr. Olson responded to questions and concerns.

Russ Esses, County Engineer, provided a staff report.

Brian Shea addressed the drainage issue. Mr. Shea explained that applicant will be required to control its drainage and design and construct a drainage system for the property that is consistent with the criteria contained in the 2005 Washington State Department of Ecology's Stormwater Management Manual.

James Starks, Department of Public Works, City of Elma. Mr. Starks commented on problems associated with logging and stormwater runoff.

Testimony was received from the following individuals:

Eric Meister, resident of 316 East Pine Street, Elma, Washington, expressed concern regarding increased traffic on an already problematic and narrow road. Mr. Meister commented that there are County standards in place and variances should not be granted solely for economic hardships to the developer. This variance is in conflict with what the road department recommended. Roads need to be constructed in accordance with subdivision standards. Mr. Meister recommended that the Board of Commissioners not approve this request and send it back to the Planning Department for further research.

Lorna Grube, resident of 102 East Pine Street, Elma, Washington, expressed concern with the impact of Pine Street. Ms. Grube discussed issues with a retention pond.

Linda Meister, resident of 316 East Pine Street, Elma, Washington, reported that the City of Elma has an ordinance which requires hook up to city sewer if it comes within 200 or 300 feet of your property. Ms. Meister reported that this has not been enforced in the past. However, in the future council members may decide to enforce the ordinance. She reported that it would be an undue hardship to be forced to connect to city sewer. Ms. Meister commented on the petition to the Planning Department and concerns of the residents who signed the petition. Ms. Meister summarized and asked that the concerns and safety of the residents who live there be considered.

Dallas Muir, resident of 212 North "F" Street, Elma, Washington, commented on problems associated with holding ponds and expressed concern with water runoff. Mr. Muir provided background information regarding McDonald Creek.

Aaron Olson provided information regarding how rainwater intensity is determined. Mr. Olson reported that timber would hold more water and detain it for a longer period than grass and brush.

Chairman Beerbower stated that the County Commissioners are concerned with water runoff and issues regarding the road.

John Backman, applicant, reported that for the past year they have tried to meet with Mr. Hendrickson on numerous times. They have been unable to meet and unable to work together on water and sewer issues. Mr. Backman stated that unfortunately that option has been exhausted.

Brian Shea responded to questions regarding the road grade and the variance. He reported that County code has a variance process because there are circumstances that are unusual and a strict application of the law can be unfair. People have an opportunity to apply for variances and if they meet the Decision Criteria the code allows the variance to be granted. Mr. Shea reported that he has not received complaints regarding mosquitoes resulting from holding ponds. He discussed covenants and restrictions recorded on properties. Over time sediment issues could occur.

Russ Esses clarified that the proposed variance does not affect access. The variance is for the internal road grades. There is no variance for the landings and standard approaches will be built.

Mr. Shea stated that any changes would require another public process.

Jim Stark, City of Elma, clarified that both accesses are commercial.

Suresh Bhagavan responded to the issue regarding maintenance and stated that Condition #11 addresses maintenance. Mr. Bhagavan read Condition #11 as follows:

Prior to recording the final plat, a maintenance-bond for the successful operation for one-year of the improvements required by the Grays Harbor County Subdivision Code Title 16, shall be submitted to Grays Harbor County. The maintenance-bond shall be in an amount acceptable to the Public Works Division and a form acceptable to the County Prosecuting Attorney. The bond shall be used to make any repairs or changes necessary to correct any defects, poor workmanship, or operational problems discovered one year from the date the dedication of the improvements was accepted, if the corrections are not made by the applicant. The applicant shall be liable for the costs of correcting any defects, which exceed the value of the bond during the first year after the improvements are dedicated.

Mr. Bhagavan reported that staff and the Planning Commission recommended approval of Case #2005-2157.

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

? **Action: A motion was made, seconded and passed to postpone a decision for one week.**

The meeting recessed at 3:26 p.m. and reconvened at 3:34 p.m.

2. **Text Amendment GHCC Chapters 13.04, 15.04, 15.12:** There was a public hearing to consider a text-amendment of Grays Harbor County Code Chapter 13.04, governing Water Main, Fire Hydrant and Fire Flow Requirements, Chapter 15.04 governing Construction Codes, and Chapter 15.12 governing Fire Apparatus Access Roads. Notice of this hearing was advertised in the *Montesano Vidette* on January 12 and 19, 2006. Chairman Beerbower asked for a staff report. Brian Shea outlined the changes being proposed. On December 19, 2005, the Building Codes Advisory Council concluded a public hearing on Case #2005-1508 to amend the text of the Grays Harbor County Code Chapter 13.04 governing Water Main, Fire Hydrant and Fire Flow Requirements, Chapter 15.04 governing Construction Codes, and Chapter 15.12 governing Fire Apparatus Access Roads. The Council recommended approval of the amendment.

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. 344 -- Amending Grays Harbor County Chapter 13.04 To Substitute The Director Of Planning And Building Division For "Fire Marshal," And Amending Chapter 15.04 Of The Grays Harbor County Code To Authorize Collection Of An Investigation Fee Whenever Any Work Requiring A Permit Pursuant To The International Building Code Has Been Commenced Without First Obtaining Said Permit, And Amending Grays Harbor County Chapter 15.12 To Substitute The Director Of Planning And Building Division For "Fire Marshal," And To Provide For Appeal Of Decisions To The Building Codes Advisory Council.**

4. **Open Space Application by Jared Neet:** There was a public hearing to consider a request by Jared Neet for reclassification as Open Space for real property tax purposes, for Tract 35, Plat of Riverside Tracts, less the Easterly 115-feet of the Southerly 240-feet,

and Tract 45, Plat of Riverside Tracts, less Tax Lot A, Tax Lot B, Tax Lot C, and Tax Lot E, together with that portion of Tract 46 lying Westerly of Riverside Road and Southwesterly of the center line of the County Road. Parcel #808000003501 and #808000004505. Notice of this hearing was advertised in the *Montesano Vidette* on January 5, 2006. Chairman Beerbower asked for a staff report. Brian Shea, Director of Planning and Building Division for Grays Harbor County provided a staff report. Mr. Shea reported that the Board was provided with the Application For Classification or Reclassification As Open Space Land Or Timber Land For Current Use Assessment Under Chapter 84.34 RCW received from Jared Neet, resident of 21 Riverside Road, Aberdeen, Washington. Mr. Shea reported that Mr. Neet submitted an Open Space Application for Current Use Assessment. The property is approximately 14.37 acres in size and the current zoning of the property is agriculture use (A-1) and the Comprehensive Plan Designation for the property is agricultural. Mr. Shea outlined applicable codes, plans, and documents reviewed when considering the application. Mr. Shea reported that the application has been processed in conformance with the provisions of RCW 84.34. Mr. Shea outlined the following:

Findings of Fact

1. The application is for property located north of the City of Aberdeen and generally between Riverside Road and the Wishkah River.
2. The subject property is located within the Agricultural Use (A-1) Zoning District. The primary purpose of this district is to conserve and protect agricultural land and to reserve areas for use by moderate scale farming activities. The establishment of this district recognizes the diversity of the agricultural industry in Grays Harbor County and provides protection for those soils and areas most suitable for many aspects of agricultural activities.
3. The Washington State Department of Natural Resources (DNR) Forest Practice Activity Map for the area indicates that a fish-bearing stream is located in the northeastern portion of the property.
4. The subject property is designated Agricultural by the Grays Harbor County Comprehensive Plan Map.
5. The Federal Emergency Management Agency (FEMA) flood insurance rate map indicates that the property is located within Flood Zone A.

6. The United States Department of Agriculture (USDA) National Wetland Inventory Map for the area indicates that the property contains mapped wetland areas.
7. The County topographical map for the area indicates that the property is generally flat and exhibiting 0-percent to 8-percent slopes consistent with the three soil types found on the property.
8. The United States Department of Agriculture's Soil Survey, on page 37, indicates the presence Grehalem Silt Loam (43), Hoquiam Silt Loam (45), and Rennie Silty Clay Loam (125) soil on the property. These three soils are identified as prime farmland soil in the Survey.
9. Prime farmland is of major importance in providing the nation's short-term and long-range needs for food and fiber. The acreage of high-quality farmland is limited, and the United States Department of Agriculture recognizes that government at local, state, and federal levels, as well as individuals, must encourage and facilitate the wise use of our nation's prime farmland.
10. The proposal is inconsistent with the Comprehensive Plan's Agricultural Element **Objective 4**, which supports efforts to keep agricultural land from being converted to non-agricultural uses.

The proposal is also inconsistent with the Plan's **Policy 11**, which states that areas designated as Prime Agricultural Land by the United States Soil Conservation Service (SCS) may have future agricultural value. Conversion of these lands to intensive residential, commercial, or industrial uses should be discouraged.

11. The Revised Code of Washington Chapter 84.34.037(2) states the granting authority should consider three issues as part of the tax reclassification process for open space:

(1) The resulting revenue loss or tax shift.

The approval of this request for placement in the open space taxation program will result in a reduction in County property tax revenue. As of November 25, 2005, the total certified property value for both parcels of land was \$32,333. The

approval of this request will result in a tax shift to other property owners in the County to compensate for an anticipated reduction from the reclassification.

(2) Whether granting the application will (I) conserve or enhance natural, cultural or scenic resources, (ii) protect streams, stream corridors, wetlands, natural shorelines and aquifers, (iii) protect soil resources and unique or critical wildlife and native plant habitat, (iv) promote conservation principles by example or by offering educational opportunities, (v) enhance the value of abutting neighborhoods or parks, (vi) enhance forests, wildlife preserves nature reservations, sanctuaries, or other open spaces, (vii) preserve historic or archeological sites, (viii) preserve visual quality along a highway, road, and street corridors or scenic vistas, and (ix) affect any other factors in weighing benefits to the general welfare of preserving the current use of the property.

The application does present the opportunities noted above in subsections (I), (ii), (iii), and (viii). The property does appear, despite the aforementioned presence of wetland areas and a fish-bearing stream, to be suitable for agricultural uses. It contains soils that are listed in the Soil Survey as prime farmland soil and, as such, has the potential for use consistent with the land use zoning for the property.

(3) Whether granting the application will (I) preserve land as farmland or land not classified as farmland, (ii) preserve land with the potential for returning to commercial agriculture, and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the property.

The property contains Grehalem Silt Loam (43), Hoquiam Silt Loam (45), and Rennie Silty Clay Loam (125) soil. These three soils are identified as prime farmland soil. The property, despite the presence of wetland areas and a fish-bearing stream, does appear to be suitable for agricultural uses.

12. The principal issue before the Board of County Commissioners is whether the application, as presented, constitutes a public benefit to the degree that it will offset the revenue loss or tax shift resulting from reclassification.
13. Based on the information contained in the reclassification application and on the above-noted conclusions, it appears that the application, as presented, fails to satisfy the considerations noted in Revised Code of Washington Chapter

84.34.037(2) as necessary for the approval of the reclassification request to open space.

Mr. Shea reported that the recommendation is to deny the Open Space Classification request for the 10.37-acre site, as presented in the application by Jared Neet received November 28, 2005, for Grays Harbor County.

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 deny the Open Space Classification request as presented in the application by Jared Neet received November 28, 2005, for Grays Harbor County Property Tax Parcel Numbers 808000003501 and 808000004505.**

4. **Supplemental Appropriation Sheriff's Department:** There was a public hearing to consider Supplemental Appropriation in the Sheriff's Department, #001-000-032 in the amount of \$12,947. Notice of this hearing was advertised in the *Montesano Vidette* on January 12 and 19, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the Supplemental Budget hearing in the Sheriff's Department is due to funds received from the State Criminal Alien Assistance program (SCAAP) in the amount of \$12,947. Funds will be used for office and operating supplies in support of this 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. 2006-04 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Sheriff's Department #001-000-032.**

5. **Supplemental Appropriation Special Projects Fund:** There was a public hearing to consider Supplemental Appropriation in the Special Projects Fund #101-000-000 in the amount of \$78,471. Notice of this hearing was advertised in the *Montesano Vidette* on January 12 and 19, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the Supplemental Budget hearing in the Special Projects Fund is due to the 2005 LETPP Interagency Agreement with the Washington State Patrol. Funds will be used to purchase mobile radios and display terminals for various law enforcement agencies in Grays Harbor County. 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. 2006-05 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.

PRESENTATION

None

COMMISSIONERS

1. **Juvenile Court Guardian Ad Litem 2006 Contract:** A motion was made, seconded and passed to approve a negotiated Juvenile Court Guardian Ad Litem 2006 Contract between Tamara J. Darst and Grays Harbor County. Ms. Darst will provide representation as Guardian Ad Litem for every minor and adult entitled to representation in a case before the Grays Harbor County Superior Court, Juvenile Department. Grays Harbor County will pay Ms. Darst \$5500 per month until termination.

DEPARTMENTS

MANAGEMENT SERVICES

1. **Request Approval, WSU Cooperative Extension GEAR UP Grant Amendment #1:** A motion was made, seconded and passed to approve the Higher Education Coordinating Board Interagency Agreement Amendment 1 between Grays Harbor County WSU Extension and the Higher Education Coordinating Board (HECB) for the GEAR UP program. This amendment will reimburse the Grays Harbor County Extension office \$63,000 for September 1, 2005 through May 31, 2006.

2. **Request Approval, 2006 CDBG Public Services Block Grant:** A motion was made, seconded and passed to authorize the Chairman to sign the Grant Agreement for the 2006 Public Services grant with the Department of Community Trade and Economic Development and the Signature Authorization forms. The CDBG Public Services grant will fund \$175,069 to Coastal Community Action Program to provide public services to low and moderate income persons within Grays Harbor and Pacific Counties.

PUBLIC SERVICES

1. **Request Approval, CRP Resolution for Upper Wishkah Road Paving &**

Sediment Control Project: A motion was made, seconded and passed to approve a revised CRP Resolution for the Upper Wishkah Road Paving and Sediment Control Project. This document commits an additional \$20,000 of Local Funds to allow County forces to improve the drainage by installing additional culverts prior to paving.

2. Request Approval, Resolution Acknowledging Vacation – Applicant James Dart, Ocosta: A motion was made, seconded and passed to approve **Resolution No. 2006-06 – Resolution Acknowledging Vacation By Operation of Law – James Dart.** The Department received a petition from James Dart to acknowledge vacation of rights of way surrounding property he owns in Ocosta. The Department finds no record of these rights of way having ever been opened within the applicable time period. The Department has no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law.

3. Request Approval, Deed Correction – Parcel of Land Located Along the Middle Satsop Road: A motion was made, seconded and passed to approve one Quit Claim Deed for a parcel of land located along the Middle Satsop Road in Section 14, Township 18 North, Range 7 West, W.M. This parcel was part of a parcel exchange between the County and property owners in the vicinity of the Middle Satsop Road. The original Warranty Deed contained convoluted language, which did not transfer ownership to the property owners after the deed was recorded in 1988. This Quit Claim Deed will ensure the County's ownership is relinquished to the intended individuals. With approval of the Quit Claim Deed the County's right-of-way agent will proceed with the recording of the deed.

4. Request Approval, Acceptance of 2005 Pavement Striping Contract: Work has been completed by Stripe Rite, Inc. for the 2005 Pavement Striping Contract. A motion was made, seconded and passed to accept this contract as satisfactorily completed, which will permit the release of retainage in the amount of \$15,447.87 in accordance with the requirements of Chapter 60.28, Revised Code of Washington. A cost and quantity comparison sheet was provided. The contract included work done for Pacific County under a Reimbursable Agreement in the amount of \$62,085.72.

5. Request Approval, 2006 Public Works and Public Services Organizational Chart: A motion was made, seconded and passed to authorize the Board Chairman to sign the 2006 Public Works Organizational Chart and the 2006 Public Services Organization Chart. The Department recommended that the Board adopt the organizational charts.

6. Request Approval, 2006 Lease Agreement with Economic Development

Council: A motion was made, seconded and passed to approve the 2006 Lease Agreement with the Economic Development Council located at 506 Duffy Street, Aberdeen, Washington. The amount of the lease remains the same at \$550 per month plus leasehold taxes. This is a renewal of the existing lease agreement.

7. Request Approval, Advertise Bid Opening for Boundary Road Realignment:

A motion was made, seconded and passed to grant authorization to advertise for bids for the Boundary Road Realignment, C-73650-07 project and authorization to close Boundary Road for four weeks. Traffic will be detoured onto Matlock Brady Road in Mason County. A copy of the Advertisement for Bid, CRP Resolution, and Vicinity Map was provided.

8. Request Approval, Amend 2006 Rate Resolution: A motion was made, seconded and passed to approve **Resolution No. 2006-07 – A Resolution Imposing Rates and Charges For Certain Water, Sewer, And Solid Waste Services In Grays Harbor County, Washington, Amending Resolution No. 2005-126.** This resolution amends Section 4 of Resolution 2005-126. This amendment clarifies the commercial and non-residential rates for service from the Pacific Beach/Moclips water system. Resolution 2005-126 omitted the \$1 rate increase from \$32 per month to \$33 per month for commercial and non-residential users. Due to this omission, the Department is amending and adopting all of section four.

9. Request Approval, Funding Recommendation from Housing Surcharge Fund Advisory Board for Revenue From Document Recording Fees: The Grays Harbor County Housing Surcharge Funding Board met to review the proposals seeking funding from the Document Recording Surcharge Revenue for Affordable Housing. The County received four proposals from four organizations. The proposals included a youth shelter, continuation of a home modification program, the purchase and rehabilitation of an apartment for seniors, and expansion of the continuum of housing project for homeless families. The proposals requested \$543,108, which exceeded the amount of funding available. The review committee group felt that each project was worthy of some money and recommended partial funding for all the projects. A spreadsheet describing their funding recommendation was provided. A motion was made, seconded and passed to approve the Funding Recommendation for the Document Recording Fee Revenue as presented.

10. Request Approval, 2006 Road Levy Certification: A motion was made,

seconded and passed to authorize the Board Chairman to execute the document certifying the estimated road revenue produced by the 2006 Road Levy.

11. Request Approval, Contract for Tower Blvd/Technology Way

Improvements: A motion was made, seconded and passed to approve contract documents for the Tower Boulevard/Technology Way, Schedules A & B, C-96360-01, C-96320-01, TCSP-TCSP(004) TA-1728 project, which was awarded to the low bidder, DLB Earthwork Company of Olympia, Washington. The Department recommended execution of this contract.

The Clerk of the Board announced the following item received after the agenda was prepared.

12. Request Approval, 2004 SHSGP (State Homeland Security Grant Program)

Agreement Amendment – E05-120: A motion was made, seconded and passed to authorize the Board Chairman to sign the amendment to the Agreement with the Washington State Military Department and the Department of Homeland Security. The amendment details the approved equipment to be purchased with grant funds. The grant amount is increased to \$309,843.

TREASURER

1. Request Approval, Private Sale of Tax Title Property: Mr. Gregory K. Lasen has deposited with the County Treasurer the sum of \$5,639.47 to negotiate a private sale on the property having Assessor's Parcel #029407800503, 819 West Heron, Aberdeen, Washington. On October 14, 2005 as per resolution 2005-70, the County Treasurer attempted to auction said parcel for minimum bid of \$5,639.47. There were no successful bidders. Prior to the October 14 auction, the County Treasurer did receive a bid of \$16,000 at the December 2004 foreclosure auction. However, the bidder neglected to pay for the purchase. Thus resulting in a "no sale" and returning the property to Grays Harbor County. It is the recommendation of the County Treasurer to accept Mr. Larsen's offer. A motion was made, seconded and passed to authorize Mr. Strabbing, County Treasurer, to accept Mr. Larsen's offer and continue the sale process.

2. Request Approval, Cancel Personal Property Tax Rolls: A motion was made, seconded and passed to approve pursuant to RCW 84.56.240 a list of Personal Property Taxes submitted and petitioned to issue an order that the same be canceled from the Personal Property Tax Rolls.

ANNOUNCEMENT(S)

None

CORRESPONDENCE

The Clerk of the Board announced the following correspondence received:

1. A Lawsuit against Grays Harbor County (#L-505-06) was received from Mark Doyle and Mike Lang, Elma, Washington. The lawsuit was referred to the Prosecuting Attorney.
2. A Claim for Damages against Grays Harbor County (Claim #c-506-06) was received from Karen A. Hansen, Lakewood, Washington. The claim was referred to the Claims Review Committee and Risk Management.
3. A letter was received from Ray Damitio, Doo Wop Club Rally Organizer. Mr. Damitio requested the use of the Grays Harbor County portion of the Brooklyn-Oakville Road the Blue Slough Road, to conduct a NASA Rally Sport Club Rally on Sunday, February 26, 2006. The road closure will be advertised in a “legal notice” in the Aberdeen Daily World three days prior to the event. A liability insurance policy of \$5 million will cover the event and will indicate Grays Harbor County as an additional insured, the insurance endorsement for Grays Harbor County will be in accordance with previous directions from the office of Risk Management. A motion was made, seconded and passed to approve the request subject to review by the Sheriff’s Department and Risk Management.

PUBLIC COMMENT

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

STAFF MEETINGS

The Board held staff meetings on Monday, January 23, 2006, 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 Ron Strabbing, Treasurer, Bill Trivison, Director, Juvenile Services, Larry Smith, Director of Forestry Department and Paul Easter, Kevin

Varness, Brian Shea, Russ Esses, Lee Napier and Betty Strabbing with the Department of Public Services.

RESOLUTIONS

- No. 2006-04** **Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Sheriff’s Department #001-000-032**
- No. 2006-05** **Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000**
- No. 2006-06** **Acknowledging Vacation By Operation Of Law – James Dart**
- No. 2006-07** **A Resolution Imposing Rates And Charges For Certain Water, Sewer, And Solid Waste Services In Grays Harbor County, Washington, Amending Resolution No. 2005-126**

ORDINANCES

- #344** **Amending Grays Harbor County Chapter 13.04 To Substitute The Director Of Planning And Building Division For “Fire Marshal,” And Amending Chapter 15.04 Of The Grays Harbor County Code To Authorize Collection Of An Investigation Fee Whenever Any Work Requiring A Permit Pursuant To The International Building Code Has Been Commenced Without First Obtaining Said Permit, And Amending Grays Harbor County Chapter 15.12 To Substitute The Director Of Planning And Building Division For “Fire Marshal,” And To Provide For Appeal Of Decisions To The Building Codes Advisory Council.**

The meeting adjourned at 4:10 p.m. to Monday, January 30, 2006 at 2:00 p.m.

BOARD OF COMMISSIONERS
for Grays Harbor County
this _____ day of _____, 2006

BOB BEERBOWER, Chairman
Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board