

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

March 27, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, March 27, 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

March 20, 2006: The minutes of the Commissioners' Meeting of March 20, 2006 were approved as presented.

BIDS

1. **Official Publications:** There was a bid opening for the Grays Harbor County legal publications contract for the printing and publication of Commissioners' proceedings, legal notices, and all other advertising of Grays Harbor County as required by law to be published in the official newspaper of the County from July 1, 2006 through June 30, 2007. Notice of this call for bids appeared in The Montesano Vidette on February 16, 2006. The Clerk of the Board announced the following bid received:

The Montesano Vidette

Six-point type, full-width column:
\$7.50 per column inch for first insertion
\$6.50 per column inch for additional insertions

Eight-point type, full-width column:
\$5.25 per column inch for first insertion
\$5.00 per column inch for additional insertion

The rates quoted above represent an increase of just over 7 percent for six-point type and 10.5 percent increase for eight-point type. Because the above proposal is 30 percent less than the current open rate for eight-point type, a discount for e-mailed submissions was not proposed.

Chairman Beerbower referred the bid to County staff for review and recommendation.

HEARINGS

1. Rezone Application – Scott Van Wetter – Property on Monte-Elma Road:

There was a public hearing to consider an application to rezone approximately 1.76 acres of land that is currently zoned Rural Residential (RR), to General Commercial (C-2), for the construction of mini-storage buildings with a caretaker's residence. The project is proposed on Monte-Elma Road, approximately two miles East of Montesano, on the property having Assessor's parcel #170703240010, within the West half of Section 3, Township 17 N., Range 7 WWM, Grays Harbor County, Washington. At the conclusion of the hearing, the Board will meet in regular session to consider 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 #2006-0095. A complete copy of the ordinance was available upon request of the Clerk of the Board at the Commissioner's Office, 100 West Broadway, Suite 1, Montesano, Washington. Notice of this hearing was advertised in The Montesano Vidette on March 16, 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 a packet of materials. Mr. Bhagavan requested that the following materials be entered into the record, by reference without reading:

1. Report of Action of the Planning Commission containing the Findings of Fact, Conclusions, and Staff recommendations.
2. Zoning Map.
3. Application.
4. Site Plan.
5. Environmental Checklist.
6. Mitigated Determination of Non-Significance (MDNS), and letter received in response.
7. Notice of Public Hearing, and list of property owners receiving the notice, and letter received in response.
8. Affidavit of Publication of the Notice of Application in The Montesano Vidette.

Chairman Beerbower asked for public comment. Scott Van Wetter, applicant and resident of 1405 East Beacon Avenue, Montesano, Washington, provided background information regarding the property and spoke in support of his rezone application.

Robert Carter, resident of 297 Monte Elma Road, Montesano, Washington reported that he owns the 20 acres to the west of the proposed rezone. Mr. Carter expressed concerns with having a storage unit next to his property. He commented regarding the potential for flooding. Mr. Carter expressed opposition to the rezone request.

Allan Lickiss, resident of 315 Monte-Elma Road, Montesano spoke in opposition to the rezone request.

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

Action: A motion was made, seconded and passed to deny the petition for Rezone Case #2006-0095.

2. Rezone Application – Kris Knutzen – Property on South of Garrard Creek near Oakville: There was a public hearing to consider an application submitted by Kris Knutzen to rezone approximately 43 acres currently zoned Agriculture Use –2 to General Development – 5. The proposal is located on Assessor’s Tax Parcels 150511210020 and 150511230030, south of Garrard Creek near Oakville, Washington in Section 11 of Township 15 N., Range 05 WWM, Grays Harbor County, Washington. After the conclusion of the hearing, the Board will meet in regular session to consider 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 #2005-2014. A complete copy of the ordinance was available upon request of the Clerk of the Board at the Commissioner’s Office, 100 West Broadway, Suite 1, Montesano, Washington. Notice of this hearing was advertised in The Montesano Vidette on March 16, 2006.

Chairman Beerbower asked for a staff report.

Jane Hewitt, County Planning Department reported that this is Case #2005-2014 and is an application for rezone. Ms. Hewitt reported that prior to this hearing the applicant and the Board of County Commissioners were provided a packet of materials. Ms. Hewitt requested that the following materials be entered into the record, by reference without reading:

1. Report of Action of the Planning Commission containing the Findings of Fact, Conclusions, Staff recommendations and Planning Commission decision.
2. Application.
3. SEPA Determination of Non-Significance and SEPA Checklist.
4. Notice of Public Hearing and mailing list.
5. Comment Received.
6. Minutes of the March 7, 2006 Planning Commission.
7. Affidavits of public hearing from The Vidette.
8. Ordinance.

Ms. Hewitt reported that the request is to rezone approximately 43 acres currently zoned Long-Term Agricultural Use (A-2) to General Development – 5. The purpose of the rezone is to make available the option to subdivide the property. Minimum lot size in AG-2 is 40-acres; minimum lot size in GD-5 is 5-acres.

Ms. Hewitt reported that staff recommended approval based on the following conclusions that were determined after analysis of the application. She read into the record the following conclusions.

- I. The proposal will allow land-uses consistent with the surrounding area.
 - ? Farm residences on large acreage and non-farm residences on legal, non-conforming parcels, hobby farms and commercial agriculture exist in the valley lowlands to the east of the subject property. Development of the subject upland forestry property with large residential lots is compatible with the available services and character of the area.
 - ? All adjacent property to the south, east and west is zoned General Development – 5 as is nearly all of the forested upland property in Grays Harbor County. Agricultural Use-2 zoning in this area clearly follows roads and section lines with no regard to soil types, topography, historical use of the property or capability of the property to support agriculture.
- II. Analysis of the Agricultural Element of the Comprehensive Plan indicates that this parcel **does not** (and **did not** in 1981 when the Agricultural Element was adopted) have the attributes required to be zoned Agricultural:

- ? The subject parcel was **not** “cropped or pastured during the farm inventory conducted during the summer of 1979”
 - ? Research of aerial photographs and other information on file **does not** indicate that the “land that was historically cropped or pastured and found reasonably capable of being returned to farming after considering the ownership patterns of the parcel and the parcels within the vicinity”;
 - ? The Soil Survey of Grays Harbor County Land indicates that the parcel contains no prime or unique agricultural land as defined by the Soil Conservation Service (SCS) and is upland from existing farm areas;
 - ? The subject parcel meets the key tests required for a re-zone or land-use change as outlined in the Agricultural Element because “the land involved is:
 - 1. not part of, and
 - 2. is not needed to maintain, or
 - 3. is not itself a viable economic farm as determined by soil types, ownership, adjacent farming practices, or other appropriate criteria.
 - ? Finally, the parcel is not connected to any historically cropped agricultural land and is therefore not “land needed by farm operations for farm buildings, other facilities, and associated uses.”
- III. The Comprehensive Plan map designates all adjacent parcels to the south, along with all of the uplands south of the quarter Section Line as “General Development” which is consistent with areas zoned “General Development – 5” as requested in this application.
- IV. 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.
- ? The subject parcel varies in topography from approximately 20% slopes to 80% and is in forestry production; rezone of the property represents no impact to Grays Harbor County’s agricultural land base.

- ? The applicant intends to record “Right to Farm” notices as a part of any future subdivision of the property. Future development of the property for large acreage homesites does not pose a threat to agricultural uses to the east.
 - ? Adjacent Long-Term Agricultural Use zoning inherently protects commercial agricultural activity on adjacent parcels.
 - ? Covenants, conservation easements, and forestry/stream enhancement projects that will be tied to the property ensure the continued responsible stewardship of the property.
- V. The Conservation Reserve Enhancement Program riparian buffer easement will protect the water quality of Forrest and Garrard Creeks and the Chehalis River.
- VI. The SEPA Review for the rezone resulted in a determination that the project does not represent a probable significant adverse impact to elements of either the built or natural environment.

Ms. Hewitt read into the record the Conditions of Approval as follows:

- I.
- II. Issuance and the associated affirmation and adoption by ordinance by the Board of County Commissioners, the applicant shall record a covenant which shall run with the land in perpetuity that prohibits any logging, clearing or development activity within 100’ of Forrest or Garrard Creeks as a means to permanently protect these fish bearing streams. Said covenant shall be acceptable to the Natural Resource Manager of the Chehalis Tribe.

Ms. Hewitt noted that the document was prepared by the Chehalis Tribe and is available to be signed if the rezone is approved.

- III. The 180 foot wide Conservation Reserve Enhancement Program (CREP) lease covering 2.0 acres and protecting 685 linear feet of the south bank of Garrard Creek, which expires in 2018, shall remain in effect pursuant to the agreement between the applicant and the United States Department of Agriculture Farm Service Agency and Natural Resources Conservation Service. No activity on the property, including, possible creation of lots for residential purposes, shall violate the terms of this riparian buffer restoration program.

- IV. The 180 foot wide Conservation Reserve Program (CRP) lease covering 5.9 acre riparian restoration project along Forrest Creek and protecting 5.9 acres in effect until the year 2018 shall remain in effect pursuant to the agreement between the applicant and the United States Department of Agriculture Farm Service Agency and Natural Resources Conservation Service. No activity on the property, including possible creation of lots for residential purposes, shall violate the terms of this riparian buffer restoration program.
- V. The Forest Riparian Easement Program (FREP) agreement between the applicant and the State of Washington which protects merchantable riparian buffer trees along Forrest Creek shall remain in effect until 2055 according to the terms of the easement prohibiting timber harvest and site disturbance throughout the term of the agreement.
- VI. The applicant shall allow the completion of the planned culvert replacement on the 60-foot wide easement that provides access to the subject property from Forrest Road. Under the auspices of the Family Forest Fish Passage Program (3F2P) sponsored by the Chehalis Basin Fisheries Task Force, an existing undersized concrete culvert will be replaced with a large culvert that poses no barrier to fish passage.
- VII. The applicant shall record against the subject property Right To Farm Disclosures that further inform prospective buyers about the protections to farming activities from nuisance complaints afforded by the adjacent Long Term Agricultural Use (AG-2) zoning in place on the lowland farms in the Garrard Creek valley.
- VIII. Any activity on the property authorized subsequent to the approval of the rezone request shall adhere to Conditions of Mitigation set forth in the State Environmental Policy Act Mitigated Determination of Non-Significance (MDNS) dated February 4, 2006.
- IX. Segregation of the property requires formal review under the subdivision process delineated in Grays Harbor County Code Chapter 16.36 for Large-Lot Subdivisions. All of the above Conditions of Approval shall be completed and incorporated by reference to pertinent recording numbers on the face of the plat.

Ms. Hewitt reported that based on the above findings and conditions of approval that staff recommended approval to the Planning Commission of the Findings of Fact and

Conclusions for Case #2005-2014 as conditioned. Staff recommended approval by the Planning Commission of this rezone application Case #2005-2014.

The Planning Commission concurred with both recommendations and forwarded their approval to the Board of County Commissioners.

Chairman Beerbower asked for public comment.

Kris Knutzen, property owner and proponent of the rezone reported that he concurs with County Staff and the Planning Commission. He stated that the 21 and 22-acre parcels are not currently and have not historically been used for agricultural. They have been and continue to be forested. The sites are up on the hillside and not suitable for cultivation of farm crops or pasture. The property tax is based on the forestry use of the property. The use and character of the site is the same as the adjacent properties on the south side of the center of section line, which are, zoned G-5. Mr. Knutzen explained that he had the western portion of the site salvage logged/scarified and replanted two years ago. The majority of the site was clear-cut and replanted approximately 20 years ago. The planted Douglas fir and other naturally regenerated trees are now over 4" in diameter and 30' tall. His management of the property is for forestry and he has applied to have a Forest Stewardship Plan written for the property. Mr. Knutzen reported that the site is on a hillside above the agricultural ground to the north. He explained that he owns other forested parcels and has training and experience as a forester. He indicated that he wants to continue the forestry operation on this property but have a G-5 zoning so that there is an option to sell homesites from the property if that decision is made at a future time. Mr. Knutzen stated that this property is not and never has been a part of the Grays Harbor County agricultural land base. The zoning line was drawn along the center of section lines when the zoning maps were made. His proposal refines that line to more accurately reflect the potential and actual land use of this site.

Teri Franklin, 397 Power Creek Road, Elma, Washington spoke against the proposed rezone of Assessor's Tax Parcels #150511210020 and #150511230030.

Brady Engvall, resident of 3714 Oyster Pl. East, Aberdeen, Washington made general comments regarding Riding Road and Garrard Creek. Mr. Engvall reported that he is testifying as a shellfish grower and a member of the Southwest Washington Farm Bureau to support the farming community in their opposition to this rezone request. Mr. Engvall summarized that agriculture lands should remain unencumbered for now and into the future to preserve what citizens have declared important for Grays Harbor County.

Jill Lagergren, resident of 91 Porter Creek Road West, reported that they are buffalo ranchers in Porter and supporters of the farm community. Ms. Lagergren reported that farming is thriving in Grays Harbor County. She encouraged the Board to protect all farmland in Grays Harbor County and deny the rezone request.

Steve Hallstrom, resident of 36 Damitio Road, Oakville, Washington stated that tax revenue received from open space, farmland and forestry land is a positive flow to the County. He commented that tax revenue received from residential development is a negative flow and it cost more to support residential than resource lands. Mr. Hallstrom expressed opposition to the rezone request.

Terri Willis, resident of 83 Willis Road, Montesano, Washington reported that she is an active dairy farmer in Grays Harbor County. Ms. Willis reported that she represents the Conservation District of Grays Harbor County as a supervisor. She has been asked to attend as Chairman for the Policy Committee for the Farm Bureau of Pacific and Grays Harbor Counties. Ms. Willis reported that the Policy Committee for the Farm Bureau of Pacific and Grays Harbor are opposed to the two rezone requests. Ms. Willis summarized that both of Kris Knutzen's rezone requests should be denied.

Lisa Dilley, 37 Dwinell Road, Montesano, Washington reported that she is a Dairy Farmer in Brady. Ms. Dilley spoke in opposition to the rezone request.

Dan Pearson, resident of 1108 South Bank Road near Porter reported that he is a homeowner, landowner, business owner and farmer in Grays Harbor County. Mr. Pearson is currently serving his third year as County Farm Bureau president for Southwest Washington County Farm Bureau. Mr. Pearson explained that the policy of the Southwest Washington County Farm Bureau is to advocate the preservation and appropriate use of the agriculture lands of Grays Harbor County. Mr. Pearson summarized expressing opposition to the rezone request.

Greg Gerhard, resident of Seattle and owner of the farm to the north of the proposed rezone spoke in opposition to the rezone request.

Mr. Knutzen responded to questions from Commissioner Carter.

George Smiley, owner of a farm in Elma on Lambert Road, testified in opposition to the rezone request.

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

Action: Commissioner Wilson made a motion to approve the rezone request and Chairman Beerbower seconded the motion. Commissioner Carter voted no. Motion carried and Ordinance No. 346 – 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 #2005-2014 was approved.

3. Rezone Application – Kris Knutzen – Property West of Riding Road near

Porter: There was a public hearing to consider an application submitted by Kris Knutzen to rezone approximately 59 acres currently zoned Agriculture Use –2 to General Development – 5. The proposal is located on Assessor’s Tax Parcel 170529320010, west of Riding Road near Porter, Washington in SW Quarter of Section 29 of Township 17N., Range 05 WWM, Grays Harbor County, Washington. After the conclusion of the hearing, the Board will meet in regular session to consider 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 #2005-2015. A complete copy of the ordinance was available upon request of the Clerk of the Board at the Commissioner’s Office, 100 West Broadway, Suite 1, Montesano, Washington. Notice of this hearing was advertised in The Montesano Vidette on March 16, 2006.

Chairman Beerbower asked for a staff report.

Jane Hewitt, County Planning Department reported that this is Case #2005-2015 and is an application for rezone. Ms. Hewitt reported that prior to this hearing the applicant and the Board of County Commissioners were provided a packet of materials. Ms. Hewitt requested that the following materials be entered into the record, by reference without reading:

1. Report of Action containing Findings of Fact, Conclusions, Staff recommendations and Planning Commission decision.
2. Application.
3. SEPA Determination of Non-Significance and SEPA Checklist.
4. Notice of Public Hearing and mailing list.
5. Comment Received.
6. Minutes of the March 7, 2006 Planning Commission.
7. Affidavits of public hearing from The Vidette.
8. Ordinance.

Ms. Hewitt reported that the request is to rezone approximately 59 acres currently zoned Agricultural Use – 2 to General Development – 5. Approval of this request requires

adoption of an ordinance to amend the official zoning maps for the subject property. The proposal is located on Assessor's Tax Parcel 170529320010, west of Riding Road near Porter, Washington in SW Quarter of Section 29 of Township 17N., Range 05 WWM, Grays Harbor County, Washington. Ms. Hewitt reported that the property is heavily treed and sloping. The terrain rises steeply from the valley floor along the eastern property line. There are two relatively flat areas to the west on either side of a steep ravine, which bisects the property from east to west. Ms. Hewitt read into the record the following conclusions.

- I. The proposal will allow land-uses consistent with the surrounding area.
 - ? Farm residences on large acreage and non-farm residences on legal, non-conforming parcels, hobby farms and commercial agriculture exist in the valley lowlands to the east of the subject property. Development of the subject upland forestry property with large residential lots is compatible with the available services and character of the area.
 - ? All adjacent property to the west is zoned General Development – 5 as is nearly all of the forested upland property in Grays Harbor County.
- II. Analysis of the Agricultural Element of the Comprehensive Plan indicates that this parcel **does not** (and **did not** in 1983 when the Agricultural Element was adopted) have the attributes required to be zoned Agricultural:
 - ? The subject parcel was **not** “cropped or pastured during the farm inventory conducted during the summer of 1979”
 - ? Research of aerial photographs and other information on file **does not** indicate that the “land that was historically cropped or pastured and found reasonably capable of being returned to farming after considering the ownership patterns of the parcel and the parcels within the vicinity”.
 - ? The Soil Survey of Grays Harbor County Land indicates that the parcel contains one soil unit classified as Prime Farm Soil; staff's site visit confirms that these soils are confined to a relatively flat outwash at the lower elevation of a steep ravine where the ravine empties onto the valley floor. This area, while occupied by Prime Farm Soils and relatively flat and appears to be perennially wet. The maturity of the tree cover indicates

that this area has likely not been used for agriculture such as hay or row crops.

? The subject parcel meets the key tests required for a re-zone or land-use change as outlined in the Agricultural Element because “the land involved is:

1. not part of, and
2. is not needed to maintain, or
3. is not itself a viable economic farm as determined by soil types, ownership, adjacent farming practices, or other appropriate criteria.

III. The Comprehensive Plan map designates the subject parcel, along with all of the uplands west of the Section Line between Sections 29 and 30 as “General Development“ which is consistent with areas zoned “General Development – 5” as requested in this application. The Comprehensive Plan and Zoning Maps clearly followed section lines rather than land-use patterns or soils in determining the Agricultural Use 2 zoning designation for the property in 1981.

IV. 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.

? The subject parcel varies in topography from approximately 20% slopes to 80% and is in forestry production; rezone of the property represents no impact to Grays Harbor County’s agricultural land base.

? The parcel has been logged at least twice, in approximately 1985 and in the 1950’s. According to neighbors, this property was the site of some of the first cable logging in Grays Harbor County.

? The applicant intends to record “Right to Farm” notices as a part of any future subdivision of the property. Future development of the property for large acreage homesites does not pose a threat to agricultural uses to the east.

? Long-Term Agricultural Use (AG-2) zoning inherently protects commercial agricultural activity on adjacent parcels.

- V. The SEPA Review for the rezone resulted in a determination that the project does not represent a probable significant adverse impact to elements of either the built or natural environment.

Ms. Hewitt reported that based on these conclusions staff recommended approval of Case #2005-2015 with conditions of approval. Ms. Hewitt read into the record the following Conditions of Approval:

- I. The applicant shall record against the subject property Right To Farm Disclosures that further inform prospective buyers about the protections to farming activities from nuisance complaints afforded by the adjacent Long Term Agricultural Use (AG-2) zoning in place on the lowland farms in the adjacent Chehalis valley.
- II. Any activity on the property authorized subsequent to the approval of the rezone request shall adhere to Conditions of Mitigation set forth in the State Environmental Policy Act Mitigated Determination of Non-Significance (MDNS) dated February 4, 2006.
- III. Segregation of the property requires formal review under the subdivision process delineated in Grays Harbor County Code Chapter 16.36 for Large-Lot Subdivisions. All of the above Conditions of Approval shall be completed and incorporated by reference to pertinent recording numbers on the face of the plat.
- IV. The applicant shall submit a professionally prepared traffic impact analysis in connection with a formal subdivision. Access to the proposed subdivision shall include any off-site mitigation required to substandard Riding Road and make such improvements as may be required to mitigate for significant adverse impacts to commercial agricultural traffic identified in the study on Riding Road, South Bank Road and Porter Creek Road West.

Ms. Hewitt reported that based on the above findings and conditions of approval that staff recommended approval to the Planning Commission of the Findings of Fact and Conclusions for Case #2005-2015 as conditioned. Staff recommended approval by the Planning Commission of this rezone application Case #2005-2015.

The Planning Commission concurred with both recommendations and forwarded their approval to the Board of County Commissioners.

Chairman Beerbower asked for public comment.

Kris Knutzen, property owner and proponent of the rezone reported that he concurs with County Staff and the Planning Commission. He stated that the 59-acre parcel is not currently and has not historically been used for agricultural. It has been and continues to be forested. The entire site is up on the hillside so is not suitable for cultivation of farm crops or pasture. The property tax is based on the forestry use of the property. The use and character of the site is the same as the adjacent properties on the west side of the section line, which are, zoned G-5. Mr. Knutzen explained that the last clear-cut logging of the property was approximately 20 years ago. The planted Douglas fir and other naturally regenerated trees are now over 4” in diameter and 30’ tall. His management of the property is of forestry. He has started and will continue to pre-commercially thin the trees to maximize growth of economically valuable timber species. He has applied to have a Forest Stewardship Plan written for the property. Mr. Knutzen reported that the site is on a hillside above the agricultural ground to the east. He explained that he does not own farm properties or have any experience farming. He does own other forested parcels and has training and experience as a forester. He indicated that he wants to continue the forestry operation on this property, but have a G-5 zoning so that there is an option to sell home sites from this property if that choice is made at a future time.

Mr. Knutzen stated that this property is not and never has been a part of the Grays Harbor County agricultural land base. The zoning line was drawn along the section lines when the zoning maps were made. His proposal refines that line to more accurately reflect the potential and actual land use of this site.

Teri Franklin, resident of 397 Power Creek Road, Elma, Washington spoke against the proposal located on Assessor’s Tax Parcel #170529320010.

George Smiley, owner of a 140-acre farm in Elma on Lambert Road, testified in opposition to the rezone request.

The Clerk of the Board noted a written report submitted by Mr. Engvall.

Jill Lagergren, resident of 91 Porter Creek Road West, spoke in opposition to the rezone request.

Steve Hallstrom, resident of 36 Damitio Road, Oakville, Washington asked questions regarding a forestry/timber zone. He expressed opposition to the rezone request.

Terri Willis, resident of 83 Willis Road, Montesano, Washington voiced opposition to the rezone request.

Lisa Dilley, 37 Dwinell Road, Montesano, Washington expressed opposition to the rezone request.

Brian Shea, Planning and Building Division Director for Grays Harbor County, responded to comments and including questions on the Chehalis Basin Watershed plan.

Dan Pearson, resident of 1108 South Bank Road near Porter expressed opposition to the rezone request.

Patricia Starks, resident of 500 South Bank Road spoke in opposition to the rezone request.

Clarence Pearson, resident of 994 South Bank Road voiced opposition to the rezone request.

Anthony Estrella, resident of 659 Wynoochee Valley Road expressed opposition to the rezone request.

Jay Gordon, 5166 State Route 12 commented in opposition to the rezone request.

Commissioner Carter made comments regarding the proposal. Commissioner Wilson commented regarding conditions of the property and the rezone request. There was no additional public comment and the hearing was closed.

Action: Commissioner Wilson made a motion to approve the rezone request and Chairman Beerbower seconded the motion. Commissioner Carter voted no. Motion carried and Ordinance No. 347 – 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 #2005-2015 was approved.

Chairman Beerbower made comment regarding farm lands in Grays Harbor County and stated that he has in the past and continues to support farmers.

Chairman Beerbower called for a 5-minutes recess at 4:20 p.m. The Board reconvened at 4:25 p.m.

PRESENTATION

None

COMMISSIONERS

None

DEPARTMENTS

FAIR AND TOURISM

1. **Request Approval, Authorize Director to Sign Entertainment Contract with Pacific Science Center:** The Grays Harbor County Fair Entertainment Committee requested authorization to sign a contract with Pacific Science Center for the Rock & Roll hands-on exhibit. The Fair is able to offer this high quality science exhibit for children during the fair through a grant from Sierra Pacific Foundation. Sierra Pacific is paying for the total cost of the Rock & Roll hands-on exhibit. In addition to the hands-on activities Pacific Science Center staff will perform two (2) Super Cool Science Shows each day. A motion was made, seconded and passed to approve the request as described.

MANAGEMENT SERVICES

1. **Request Approval, ORV Park Interagency Committee for Outdoor Recreation (IAC) Agreements:** A motion was made, seconded and passed to authorize the Chairman to sign copies of the Straddleline ORV Park M & O Agreement between Grays Harbor County and Washington State Interagency Committee (IAC) for Outdoor Recreation. The IAC Nonhighway and Off-Road Vehicles (NOVA) Project Grant in the amount of \$225,000 will provide funding to maintain, operate, and make capital improvements to the Straddleline ORV Park for the period March 13, 2006 through March 31, 2007. A copy of a press release indicating the funds are from the Nonhighway and Off-Road Vehicles (NOVA) program, which is funded from a portion of the motor vehicle gasoline tax paid by the users of the ORV's and nonhighway roads, was provided.

2. **Request Approval, Resolution – Salary Amendment:** A motion was made, seconded and passed to approve **Resolution No. 2006-29 – Fixing Compensation of Employees from & after March 1, 2006.** This salary resolution amendment reflects a promotion of a Secretary 2 to a Secretary 3 in the Juvenile Department. Additionally, the Juvenile Department is requesting a promotion of Probation Counselor/Substance Abuse Specialist position from a 1 to a 2, which will allow for assignment of youth with a higher level of

the Counselor 2 caseload. The Probation Counselor is funded by a Washington State grant for chemical dependency.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Agreement with Catholic Community Services:** A motion was made, seconded and passed to approve an Agreement between the County and Catholic Community Services of Western Washington (CCS). Through this Agreement, \$215,000 is provided to CCS for the start-up activities and operation of an eight bed overnight shelter for adolescent young men. This funding is derived from the Housing Surcharge Fund established in 2002 by the State Legislature. The Housing Surcharge Fund Board has recommended this project.
2. **Request Approval, Contract with Thurston County:** A motion was made, seconded and passed to approve a contract between Thurston County and Grays Harbor County. The contract provides \$8,000 for public health Emergency Response Planning activities.
3. **Request Approval, Agreement with Clegg & Associates:** A motion was made, seconded and passed to approve an Agreement with Clegg and Associates. The Department is using \$5,000 of funding provided by the State Department of Health to inventory and update current policies and procedures, as well as to develop additional policies and procedures as necessary. Clegg and Associates will provide staff resources to assist the Department in this effort.

PUBLIC SERVICES

1. **Request Approval, Correction Deed for South Bank Road:** A motion was made, seconded and passed to approve one "Correction Deed" for CRP 96412-26 – South Bank Road. With approval of this document, the county surveyor will file the deed for record with the County Auditor.
2. **Request Approval, Set Hearing Date of April 17, 2006 for Open Space Application – G.R. & Gloria Howard:** April 17, 2006 at 2:00 p.m. is the time and date set for a public hearing to consider an Open Space Application for G.R. and Gloria Howard for Grays Harbor County Tax Lot 1, together with Grays Harbor County Tax Lot 1B, together with the Southwest of the Northwest of Section 10, Township 15, Range 5 less Tax Lot 3.

SHERIFF

1. Request Approval, Contract Agreement – Teamsters Corrections Division:

A motion was made, seconded and passed to approve a Contract Agreement – Teamsters Corrections Division. The Corrections Division and Support Staff Division of the Grays Harbor Sheriff's Office will be severing their relationship with each other and each unit would establish their own Teamster's Union. The deciding issue was the retiree's medical section of the collective bargaining agreement. A majority of the Corrections Division wanted to opt out of retiree's medical and no longer pay for it. The majority of the Support Staff wanted to keep retiree's medical. The contracts for the two divisions are identical to what was negotiated and signed this past year. The only difference is in the Corrections contract, the retiree's medical section has been completely deleted.

2. Request Approval, Contract Agreement – Teamsters Support Personnel:

A motion was made, seconded and passed to approve a Contract Agreement – Teamsters Support Personnel. . The Corrections Division and Support Staff Division of the Grays Harbor Sheriff's Office will be severing their relationship with each other and each unit would establish their own Teamster's Union. The deciding issue was the retiree's medical section of the collective bargaining agreement. A majority of the Corrections Division wanted to opt out of retiree's medical and no longer pay for it. The majority of the Support Staff wanted to keep retiree's medical. The contracts for the two divisions are identical to what was negotiated and signed this past year. The only difference is in the Corrections contract, the retiree's medical section has been completely deleted.

ANNOUNCEMENT(S)

None

CORRESPONDENCE

1. A Claim for Damages (#C-509-06) was received from Jackie Watkinson, 120 West Palmer Road, Elma, Washington. The claim was referred to the Claims Review for processing and recommendation.

2. A request was received from Jack Brodhead requesting permission to organize a bicycle race on the Vance Creek to Satsop Development Park 12.8-mile loop. The course uses the County roads of Wakefield, Lambert, Keys and Wenzell Slough Road. The race will take place on Saturday, April 8, 2006. All cyclists will be protected by lead and follow vehicles. Insurance is to be covered by the United States Cycling Federation. A

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motion was made, seconded and passed to approve the request pending receipt of insurance coverage and review of the Departments of Insurance, Risk Management, Public Services and Sheriff.

3. A request was received from Jack Brodhead requesting permission to organize a bicycle race on the Vance Creek to Satsop Development Park 12.8-mile loop. The course uses the County roads of Wakefield, Lambert, Keys and Wenzell Slough Road. The race will take place on Saturday, May 6, 2006. All cyclists will be protected by lead and follow vehicles. Insurance is to be covered by the United States Cycling Federation. A motion was made, seconded and passed to approve the request pending receipt of insurance coverage and review by the Departments of Insurance, Risk Management, Public Services and Sheriff.

PUBLIC COMMENT

Chairman Beerbower asked for public comment. Gary Waltenburg, resident of 1816 South Bank Road, Oakville, made comment regarding Terry Graham and Cedarville Development. Mr. Waltenburg asked the status of the development. He commented that the closest sewer is 13 miles away in Elma. Mr. Waltenburg reported that there is no infrastructure and no parking. Paul Easter reported that it is not a proposed plat and is an old plat. They will be required to meet Environmental Standards and Road Standards. Chairman Beerbower requested a status report from the Planning and Building Division regarding the development.

Eric Patton, representing Fire District 5, thanked Commissioner Al Carter for attending their meeting and assisting with EMS issues.

There were no additional public comments.

STAFF MEETINGS

The Board held staff meetings on Monday, March 27, 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 Debbie Adolphsen, Director of Fairgrounds and Tourism; Maryann Welch, Public Health and Social Services Director; Paul Easter, Jane Hewitt, Suresh Bhagavan, Doug George and Kevin Varness with the Department of Public Services.

RESOLUTIONS

No. 2005-29 Fixing Compensation of Employees from & after March 1, 2006

ORDINANCES

No. 346 Amending The Grays Harbor County Official Zoning Maps Adopted Pursuant to Grays Harbor County Code Title 17 Approving a Petition for Rezone Case #2005-2014

No. 347 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 #2005-2015

INTERLOCAL AGREEMENTS

Straddleline ORV Park M & O Agreement between Grays Harbor County and Washington State Interagency Committee for Outdoor Recreation

Contract between Thurston County and Grays Harbor County for Public Health Emergency Response Planning

The meeting adjourned at 4:40 p.m. to Monday, April 3, 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