

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

April 17, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, April 17, 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

April 10, 2006: The minutes of the Commissioners' Meeting of April 10, 2006 were approved as presented.

BIDS

1. South Bank Road/Briggs Nursery Curve Revision: There was an advertisement for Bid/Notice to Contractors for the construction of the following project: South Bank Road/Briggs Nursery Curve Revision, M.P. 11.20 to M.P. 12.00, C-96412-26. The work to be performed under this contract consists of reconstructing 0.58-mile of road. 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 advertisement for bids was published in The Montesano Vidette on March 23 and 30, 2006. The Clerk of the Board opened and read the following bids received with bid bond attached:

1. Nova Contracting, Chehalis, WA	\$1,220,046.00
2. DLB Earthwork Co., Olympia, WA	\$ 997,742.10
3. Trimaxx Const. Inc., Sedro Woolley, WA	\$ 957,777.10
4. Sterling Breen Crushing, Inc., Chehalis, WA	\$1,055,000.00
5. Quigg Bros., Aberdeen, WA	\$1,139,443.00
6. Rognlin's Inc., Aberdeen, WA	\$1,220,887.50
7. Scarella Bros. Inc., Seattle, WA	\$ 844,415.15

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

PROCLAMATION

1. **Washington State University Master Gardener Volunteer Week:** Georgia Green, President of Grays Harbor County Master Gardeners provided an update on the current program and outlined activities. Ms. Green expressed appreciation for the support of the Grays Harbor County Master Gardener program. A motion was made, seconded and passed to approve a Proclamation proclaiming April 16 through 23, 2006 as Washington State University Master Gardener Volunteer Week in Grays Harbor County and urging all citizens to join in this observance.

HEARINGS

1. **Open Space Reclassification Request – G.R. and Gloria Howard:** There was a public hearing to consider a request by G.R. and Gloria Howard for reclassification as Open Space for real property tax purposes, 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, Parcel #150510210020. Notice of this hearing was advertised in The Montesano Vidette on April 6, 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 request is for Open Space Land for Current Use Assessment and is an open space taxation program in Grays Harbor County. The property is approximately 79.20 acres in size and the current land use zoning designation is Agricultural Use District (A-2) and the Comprehensive Plan Map Designation for the property is Agricultural. Mr. Shea reported that the assessor shall act upon the application for current use classification of farm and agricultural lands under RCW 84.34.020(2), with due regard to all relevant evidence. Mr. Shea outlined the criteria utilized when examining an open space request. The soil survey indicates that the subject property contains Chehalis Silt Loam Soil, Cloquato Silt Loam Soil, Salzer Silty Clay Soil and Skamo Silt Loam Soil. Four of the soil types are considered prime farmland soils. Mr. Shea reported that the Agricultural Element of the Grays Harbor County Comprehensive Plan was reviewed when examining this request. In conclusion 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 currently in forestry use and designated as Prime Agricultural Land by

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. Mr. Shea outlined the three issues considered as part of the tax reclassification process for open space as required by the Revised Code of Washington (RCW) Chapter 84.34.037(2). Staff recommended that the Board of County Commissioners deny the Open Space Land Classification request dated February 28, 2006 by G.R. and Gloria Howard for property located at 592 Garrard Creek Road and having Grays Harbor Tax Parcel Number 150510210020.

Chairman Beerbower asked for public comment.

Darla Wheaton, resident of 549 Wynoochee Valley Road, Montesano, asked questions regarding property owners rights concerning their property. Mr. Shea responded to questions.

Jack Thompson, resident of 111 North River Road, Cosmopolis, commented regarding ownership and property usage.

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

Action: A motion was made, seconded and passed to deny the Open Space Land Classification request dated February 28, 2006 by G.R. and Gloria Howard for property located at 592 Garrard Creek Road and having Grays Harbor Tax Parcel Number 150510210020.

2. Ordinance – Junk Vehicles: There was a public hearing to consider an ordinance amending Grays Harbor County Code Chapter 8.04, Grays Harbor County Code Sections 8.12.030 and 17.60.020, and Ordinances 41, 112, 241 and 250 prohibiting junk vehicles on private property and establishing procedures for their abatement and removal. This ordinance provides that a violation is a public nuisance and a Class I civil infraction as defined in Chapter 7.80 RCW. Each day that a violation exists shall be treated as a separate infraction. A full text of the proposed ordinance was available at the County Commissioners Office, Suite 1, County Administration Building, 100 West Broadway, Montesano, Washington, for review and available to be mailed upon request. Notice of this hearing was advertised in The Montesano Vidette on April 6, 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 commented on the method for enacting County laws and reported on County Ordinances and the codification process. Mr. Shea explained that the purpose of the proposed ordinance is to consolidate and clarify the rules and regulations governing inoperable vehicles. Mr. Shea outlined changes in the proposed ordinance.

Jim Baker, Senior Deputy Prosecuting Attorney, commented on enforcement and violation and reported that the penalty for committing a civil infraction under this chapter is set forth in RCW 7.80.120.

Paul Easter, Director of Public Services, provided background regarding the proposed ordinance. Mr. Easter reported that this is not a new ordinance and the proposed ordinance has been condensed into one section of the code.

Chairman Beerbower asked for public comment.

Pat Bossard, resident of 48 Matzen Road, Montesano, commented regarding written warning notices left on vehicles on her property.

Terry Carlson, resident of 15 Homestead Lane, commented on a junk vehicle situation near his property. Mr. Carlson spoke in support of the proposed ordinance.

Darla Wheaton, resident of 549 Wynoochee Valley Road, Montesano, commented on the proposed ordinance.

Al Ramsdell, 235 Monte Brady Road, commented on wrecking yards and problems on the Monte Brady Road.

Lee Dotson, 104 South Forest Street, Satsop, commented that this is not a new issue and that rules need to be enforced. Mr. Dotson recommended that the laws be enforced.

Commissioner Wilson commented that this proposed ordinance establishes procedures for the abatement and removal of junk vehicles. He reported that it is a priority with the Board of County Commissioners.

Sally Wagner, resident of Central Park, commented on problems involving small lots and asked that property owners respect the rights of others. Ms. Wagner expressed support for enforcement.

Eileen Dotson, #6 Rosemary Lane, Elma, reported on an existing problem with junk cars and garbage in a residential area. Ms. Dotson asked for enforcement of existing laws.

Mike Steiner, resident of 249 Burrows Road, spoke in support of an abatement committee to help with enforcement.

Chris Murray, resident of Central Park, reported that he has been involved in an abatement procedure because of unlicensed vehicles and junk and debris on his property.

Darrell Scrimgour, resident of 75 Homestead Lane, spoke in support of the proposed ordinance and in enforcement of rules.

John Olson, resident of 904 South Shore Road, Quinault, commented on old buildings and barns.

Joan Putnam, resident of 27 Griffard, Copalis Beach, commented on junkyards on her road and problems associated with the debris. Ms. Putnam asked for enforcement of rules and regulations.

Lecia Criswell, resident of the Wynoochee Valley, commented on the old ordinance and the proposed ordinance. She presented photos and commented on county facilities in Elma with existing junk and debris.

Arnie Flink, resident of 245 Camp Creek Road, Montesano, asked why junk is ending up on private property and where it goes when it is removed. He recommended a free dumping program for junk.

Robert Criswell, resident of Wynoochee Valley, commented on storage of cars and equipment on his property.

Bob Nelson, resident of Ocosta, asked questions regarding cars that he is storing for soldiers in Iraq.

Guy Dahlstrom, resident of 4712 Wishkah Road, resident, presented an idea for determining there is a problem with junk vehicles.

Kelly McCoy, resident of 63 McCoy Road, Copalis Crossing, commented that one man's junk is another man's treasure. He suggested that the proposed ordinance be rewritten to fit the problem.

Pat Bossard made comments and read two letters.

Bill Vanfoeken, resident of Bush Creek Road, Elma, commented on ownership of the landfill and the cost for dumping.

Eileen Dotson commented on her past contacts with Grays Harbor County.
Brian Shea responded to comments.

Sue Stone, resident of 1993 Wynoochee Valley Road, reported that they own a farm and have a lot of equipment. Ms. Stone expressed concern with the proposed ordinance and suggested that it be revised for farm equipment.

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

Action: A motion was made, seconded and passed to remand the hearing back to staff to review public comment and address legal issues and present a revised proposal.

Chairman Beerbower announced there would be a short recess. The meeting recessed at 3:07 p.m. The meeting reconvened at 3:16 p.m.

3. Ordinance – Disorderly House: There was a public hearing to consider an ordinance adding a new chapter to Title 9 of the Grays Harbor County Code to prohibit keeping a disorderly house to prescribe penalties for violations. A full text of the proposed ordinance was available at the County Commissioners Office, Suite 1, County Administration Building, 100 West Broadway, Montesano, Washington, for review and available to be mailed upon request. Notice of this hearing was advertised in The Montesano Vidette on April 6, 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 Title 9 of the Grays Harbor County Code deals with public peace, morals and welfare. Mr. Shea outlined the proposed ordinance adding a new chapter to Grays Harbor County Code Title 9 prohibiting and providing penalties for keeping a disorderly house. Mr. Shea read into the record the following:

1. Letter from Robert and Jennifer Hugo, 18 Lagoon Lane, Copalis Beach, Washington
2. Letter from Jackee Darrow, 42 Schram Drive, Hoquiam, Washington

Mike Whelan, Sheriff of Grays Harbor County commented on the need for the proposed ordinance and expressed support for approval.

Chairman Beerbower asked for public comment.

David Agner, 22 Shamrock Way, Hogan's Corner, expressed support for the proposed ordinance.

Mike Steiner, resident of Burrows Road, commented and expressed support for the proposed ordinance.

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

Action: A motion was made, seconded and passed to approve Ordinance No. 348 – An Ordinance Adding A New Chapter To Grays Harbor County Code Title 9 Prohibiting And Providing Penalties For Keeping A Disorderly House.

4. Resolution – Supplemental Budget in Special Projects Fund: There was a public hearing to consider Supplemental Budget as follows: Special Projects Fund #101-000-000 in the amount of \$2000. Notice of this hearing was advertised in The Montesano Vidette on April 6, 2006.

Chairman Beerbower asked for a staff report.

Rose Elway, Budget Director, reported that the supplemental budget hearing is in the Special Projects Fund for a \$2000 amendment to the 2004 Citizen Corps Grant in which Grays Harbor County is a subrecipient to Thurston County Emergency Management. Funds will be used to continue with the public education, training and volunteer services.

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. 2006-35 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.

5. Resolution – Supplemental Budget In Special Projects Fund: There was a public hearing to consider Supplemental Budget as follows: Special Projects Fund #101-000-000 in the amount of \$16,455. Notice of this hearing was advertised in The Montesano Vidette on April 6, 2006.

Chairman Beerbower asked for a staff report.

Rose Elway, Budget Director, reported that the supplemental budget hearing is in the Special Projects Fund for a \$16,455 grant received through Thurston County, Washington State Patrol and Department of Homeland Security for the 2005 Law Enforcement Terrorism Prevention Program. Funds will be used to purchase equipment, perform training and exercises and address planning and administration needs of local emergency responders.

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. 2006-36 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.

6. Resolution -- Supplemental Budget In Public Health and Social Services: There was a public hearing to consider Supplemental Budget as follows: Public Health and Social Services Department #101-029 in the amount of \$30,000. Notice of this hearing was advertised in The Montesano Vidette on April 6, 2006.

Chairman Beerbower asked for a staff report.

Rose Elway, Budget Director, reported that the supplemental budget hearing is in the General Fund Public Health and Social Services Department for \$30,000 due to state funding received through DSHS. Funding will be used in professional services for additional work performed on the building's HVAC system.

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. 2006-37 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor General Fund Public Health And Social Services Department #101-000-029.

COMMISSIONERS

- 1. Resolution Amending Fees For Straddleline ORV Park:** A motion was made, seconded and passed to approve **Resolution No. 2006-38 – A Resolution Of The Grays Harbor County Board Of Commissioners Amending Resolution No. 2006-30, Establishing Fees For The Straddleline ORV Park.** This resolution changes the admission/entry into the Park from \$10 per person, per day to \$10 per rider or driver, per day. Children under age 4, free, unless riding. This resolution also incorporates a shelter rate of \$20 per day if reserved.
- 2. Resolution Amending Travel -- Commissioners:** A motion was made, seconded and passed to approve **Resolution No. 2006-39 – Amending Resolution No. 83-100 Commissioner's Reimbursement For Use Of Personal Vehicles.** This resolution establishes the reimbursement rates for the County Commissioners using privately owned vehicles for County purposes. These rates represent the cost of operation, maintenance, and replacement based on the Internal Revenue Service mileage rates. The Rate Review Committee recommended adoption of this resolution.
- 3. Resolution Amending Travel – Forester:** A motion was made, seconded and passed to approve **Resolution No. 2006-40 – Amending Resolution No. 93-63 Authorizing Use Of Personal Vehicle For County Business.** This resolution establishes the reimbursement rates for the County Forester using privately owned vehicles for County purposes. These rates represent the cost of operation, maintenance, and replacement based on the Internal Revenue Service mileage rates. The Rate Review Committee recommended adoption of this resolution.

4. **Coastal Community Action Program – Local Government Certification:** The Coastal Community Action Program (CCAP) is applying for a \$15,000 grant to provide hotel/motel vouchers, case management services and operational support to the Domestic Center of Grays Harbor. This is not a new service being provided by CCAP, only an increase in the level of an existing service. A motion was made, seconded and passed to approve the Local Government Certification, Form A-5 to be submitted with the grant application to the Department of Community, Trade and Economic Development.

DEPARTMENTS

FAIR AND TOURISM

1. **Request Approval, Interlocal Agreement with City of Elma:** A motion was made, seconded and passed to approve an Interlocal Agreement with the City of Elma regarding the promotion of tourism, trade, and business activity as part of its activities through the Grays Harbor Fairgrounds.

MANAGEMENT SERVICES

1. **Request Approval, 2006 Municipal Services Agreement with Coastal Community Action Program:** A motion was made, seconded and passed to approve the 2006 Municipal Services Agreement between Coastal Community Action Program and Grays Harbor County for the 2006 CDBG Public Services Grant.

2. **Request Approval, MXGP, Inc. – Straddleline ORV Park Use Agreement:** A motion was made, seconded and passed to approve an ORV Park Use Agreement for MXGP, Inc. for the weekend dates of April 22, 23; May 6, 7, 26, 27, 28 and 29. MXGP will operate scheduled events providing Grays Harbor County with insurance and 50% of the gate fees.

3. **Request Approval, Resolution Amending Salaries:** A motion was made, seconded and passed to approve **Resolution No. 2006-41 – Fixing Compensation Of Employees From And After January 1, 2006.** This salary resolution amendment reflects a reclassification of the Office Manager in Central Services and moving the Judicial Executive Secretary to a .6 FTE and adding another Judicial Executive Secretary to cover the other days.

4. **Request Approval, Set Hearing – Emergency Budget In The General Fund:**

May 1, 2006 at 2:00 p.m. is the date and time set for an emergency budget hearing in the General Fund for \$192,595 to cover a 2% salary increase in all departments as follows:

Assessor	\$16,072	Disability Board	\$ 93
Auditor	\$ 4,137	WSU Extension	\$ 431
Civil Service	\$ 373	District Court	\$ 3,057
Clerk	\$ 9,568	Juvenile	\$36,835
Commissioners	\$ 6,173	Public Health & SS	\$38,580
Env. Health	\$ 9,875	Prosecutors	\$10,675
Coroner	\$ 1,159	Sheriff	\$38,343
Facility Services	\$ 8,607	Superior Court	\$ 1,032
Treasurer	\$ 7,585		

In departments where vacancies existed an emergency was not needed or reduced by the vacation position.

PUBLIC HEALTH AND SOCIAL SERVICES

- 1. Request Approval, Amend 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. This amendment adds funding for transitional case management services for mentally ill inmates leaving County and city jails.
- 2. Request Approval, Personal Services Contract with Theresa Mahar:** A motion was made, seconded and passed to approve a Personal Services Contract between the County and Theresa Mahar. Ms. Mahar is a mental health specialist who has previously worked for the State's Mental Health Division. She will be assisting staff in performing clinical chart reviews at provider agencies.

PUBLIC SERVICES

- 1. Request Approval, Middle Satsop Road Review Appraisal Certificate #2:** Appraisal review certificate #1 for the Middle Satsop Road CRP 97250-11 included compensation for timber stumpage. Since the property owners have decided to harvest the timber themselves, a certificate #2 is required. A motion was made, seconded and passed to approve Appraisal Review Certificate #2 as described.

2. Request Approval, Amendment #2 – Engineering Agreement With CH2M Hill For Pacific Beach Utilities: A motion was made, seconded and passed to approve Amendment #2 – Engineering Agreement – CH2M Hill Pacific Beach Utilities. This amendment will provide for additional engineering services related to the water and sewer systems at Pacific Beach. The area is experiencing significant growth and utilities are an important part of the infrastructure needed to support this growth. These planning and permitting efforts are provided for in the utility service agreement with Seabrook and the budget for the special project budget #101 and the water and sewer funds #404 and #405. The cost of the Amendment is not to exceed \$92,385,000. The Department of Public Services recommended approval of the Amendment.

ANNOUNCEMENT(S)

None

CORRESPONDENCE

None

PUBLIC COMMENT

Chairman Beerbower asked for public comment. Jay Gordon, dairy producer in Elma, and Executive Director for the State Dairy Association, spoke regarding the ag rezone approved at the April 10th meeting. Mr. Gordon provided information regarding the wetland reserve program and discussed prime farmland in Grays Harbor County and changes in the regulations. He discussed the decision to downzone the land from 40-acres to 20-acres. Mr. Gordon commented regarding the rezone on South Bank Road and asked questions regarding the Critical Area Ordinance in Grays Harbor County. Mr. Gordon recommended good communication as a community. Mr. Gordon made the following recommendation:

1. Organize an Ag, Shellfish and Forestry Advisory Committee with the goal of building an understanding of what they provide.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, April 17, 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 Maryann Welch, Director of Public Health and Social Services, Mallin Shelton, District Court, Debbie Adolphsen, Fair and Tourism Director and Paul Easter and Brian Shea, Department of Public Services.

RESOLUTIONS

- No. 2006-35 Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000**
- No. 2006-36 Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000**
- No. 2006-37 Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Public Health And Social Services Department #001-000-029**
- No. 2006-38 A Resolution Of The Grays Harbor County Board Of Commissioners Amending Resolution 2006-30, Establishing Fees For The Straddleline ORV Park**
- No. 2006-39 Amending Resolution No. 83-100 Commissioner's Reimbursement For Use Of Personal Vehicles**
- No. 2006-40 Amending Resolution No. 93-63 Authorizing Use Of Private Vehicle For County Business**
- No. 2006-41 Fixing Compensation Of Employees From And After January 1, 2006**

ORDINANCES

- No. 348 An Ordinance Adding A New Chapter To Grays Harbor
County Code Title 9 Prohibiting And Providing Penalties For
Keeping A Disorderly House**

INTERLOCAL AGREEMENTS

- Interlocal Agreement with the City of Elma regarding the promotion of
tourism, trade, and business activity as part of its activities through the
Grays Harbor Fairgrounds**

The meeting adjourned at 4:49 p.m. to Monday, April 24, 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