

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

September 11, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, September 11, 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. Steward Menefee, Prosecuting Attorney was present.

CALL TO ORDER AND FLAG SALUTE

Chairman Beerbower called the meeting to order with the pledge of allegiance.

There was a moment of silence in memory of September 11 and for the loss of Beth Grant, a Grays Harbor County fairground employee.

MINUTES

August 28, 2006: The minutes of the Commissioners' Meeting of August 28, 2006 were approved as presented.

BIDS

1. **One (1) Or More Broom Va. Trucks:** There was a bid opening for the delivery of one (1) or more Broom Vac Trucks. The bid specifications were available at the Grays Harbor County Department of Public Services, 100 West Broadway, Suite 31, Montesano, Washington. Notice of the advertisement was published in the *Montesano Vidette* on August 17 and 24, 2006. The Clerk of the Board opened and read the following bids received with bid bond attached:

Titan Sales Group, Portland, Oregon	\$152,556.72
Ben-Ko-Matic, Kent, Washington	\$149,063.33

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

2. **Three (3) One-Ton Cab & Chassis With Utility Beds:** There was a bid opening for the delivery of three (3) or more one-ton cab and chassis with utility beds. The bid specifications were available at the Grays Harbor County Department of Public Services, 100 West Broadway, Suite 31, Montesano, Washington. Notice of the advertisement was published in the *Montesano Vidette* on August 17 and 24, 2006. The Clerk of the Board opened and read the following bids received with bid bond attached:

Five Star, Aberdeen, Washington Vehicle C	\$31,249.32
Five Star, Aberdeen, Washington Vehicle B	\$31,249.32

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

HEARINGS

1. **Supplemental Budget District Court:** There was a public hearing to consider Supplemental Budget as follows: District Court #001-000-024 in the amount of \$62,000. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Stephen Brown, Judge, Department 1, District Court, reported that a supplemental budget request in the amount of \$62,000 in the District Court Office is due to an increase in caseload and delinquent accounts. Funding will be used to cover indigent defense costs due to unanticipated caseload levels.

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. 2006-85 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund District Court #001-000-024.

2. **Rezone Application by SeaPort Development:** There was a public hearing to consider an application submitted by SeaPort Development LLC to rezone approximately 440-acres of land that is currently zoned General Development Five (G-5), to Resort Residential (R-3), for a Planned Unit Development that will include single-family homes, condominiums, a golf-course and other amenities. The project is proposed on an existing gravel-road off State Route 109 (between Mile Post 19 and 20), on the property having Assessor's parcels #181202100000 and #191235330000, one-mile Northeast of the town of Ocean City, within Section 2, Township 18 N., Range 12 W. and the Southwest-quarter of the Southwest-quarter of Section 35, Township 19 N., Range 12 W.W.M., Grays Harbor County, Washington. Notice of this hearing was published in the *Montesano Vidette* on August 31, 2006. Chairman Beerbower reported that the applicant was unable to attend the public hearing and it will be continued to October 9, 2006. It

was announced that if anyone attending wished to present public testimony that testimony would be heard at this hearing. There was no public testimony.

3. Preliminary Approval of Long Plat Subdivision – Preman & Keshar Bajra:

There was a public hearing to consider an application for Preliminary approval of a Long Plat, Case 2006-1137 submitted by Preman and Keshar Bajra. The request is for approval of a 14-lot plat subdivision with road variance pursuant to Grays Harbor County Code Chapters 16.20 and 16.40, to subdivide 9.5 acres of land into 14 lots ranging between 8,259 and 38,441 square-feet in size. An additional 123,706 square-feet is reserved in undisturbed wetlands and associated buffers and 30,992 square-feet in open space for common septic drainfields and reserve areas. The project is proposed at the physical address of 2029 State Route 105 on the property having Assessor's Parcel Numbers 71050001600 and 710500001402 in the NW ¼ Section 7, Township 15N., Range 11 W., W.M., in Grayland, Grays Harbor County, Washington. Notice of this hearing was advertised in the *Montesano Vidette* on August 31, 2006. Chairman Beerbower asked for a staff report. Jane Hewitt, Grays Harbor County Planning Department, provided a staff report. Ms. Hewitt reported that prior to the hearing the applicant and Board of County Commissioners received a packet of materials. She listed the contents within the packet and requested they be entered into the record as follows:

- Exhibit 1: Planning Commission Record of Action containing findings of fact, conclusions, staff recommendations and Planning Commission decision.
- Exhibit 2: JARPA Application and supporting documentation.
- Exhibit 3: State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance and Environmental Checklist.
- Exhibit 4: Notice of public hearing and mailing list.
- Exhibit 5: Personalized notice of application and public hearing to owners of subject property.
- Exhibit 6: Written comment received to-date.
- Exhibit 7: Drainage & Erosion Control Report, 3/24/2006.
- Exhibit 8: Utility Franchise.
- Exhibit 9: Department of Transportation Access Permit.

Exhibit 10: Subdivision Water Availability Verification.

Exhibit 11: Wetland Delineation Report, 12/22/2005.

Ms. Hewitt reported that Grays Harbor County Code as it pertains to long plats requires that both the Planning Commission and the Board of County Commissioners review each subdivision application to assure compliance with 5 criteria. Ms. Hewitt summarized the following criteria:

- A. To assure conformance of the proposed subdivision to the general purposes of this ordinance, the county comprehensive plan, the county comprehensive zoning ordinance, the shorelines management program, and the adopted, written goals, policies, standards, specifications, requirements, and other appropriate ordinances, laws, and regulations of the county or other agencies with jurisdiction.
- B. To inquire into the public use and interest proposed to be served by the establishment of the subdivision and/or dedication, and determine if appropriate provisions are made for, but not limited to, the following:
 - (1) Prevention of Overcrowding. Consideration should be given to the physical characteristics of the land in relation to the number of persons, buildings or sites proposed to be located thereon, and also the availability of public facilities such as water, sewers, fire protection, streets, schools, parks, etc., if not adequately provided for within the subdivision. Unless limiting physical characteristics, public facility deficiencies, or other limiting factors are present compliance with the minimum lot size and density requirements of the zoning ordinance, other applicable land use regulations, and the county health department regulations should satisfy this criterion.
 - (2) Adequate Traffic Circulation of the Streets and Highways. Proposed streets should be aligned or built in such a way as to best facilitate the movement of traffic and reduce the possibility of accidents. Consideration may be given to alignment of intersections, width and surfacing of streets, proper curbs, sidewalks, or paths, the radii of curves and sight vision at intersections and hills, and the adequacy of private easements. Unless limiting factors or unique conditions are present, compliance with the adopted county road standards should satisfy the construction based elements of this criterion.
 - (3) Proper Arrangement and Provision of Ways for Pedestrians and Bicycles. Easements and pathways should conform with the existing layout of ways and streets and also to adopted plans for such.

Adequate provisions for pathways connecting open spaces, parts of a subdivision and surrounding areas and to ensure safety should be considered.

- (4) Adequate Drainage Systems. The plat should have adequate drainage systems to accommodate the stormwater runoff from the subdivision and existing and potential upstream drainage through the property. Lots should be laid out so as to provide positive drainage away from all buildings and individual lot drainage should be coordinated with the subdivision drainage system. Adequate provisions should be made to carry an unretained stormwater runoff downstream without adversely impacting downstream properties or degrading the quality of receiving waters.
- (5) Adequate recreation and open space or buffers. If it is determined that there is not adequate open space and recreational areas within the vicinity to adequately serve the subdivision, then additional areas as determined by the planning commission or board of commissioner should be provided for these purposes;

- C. To consider the physical characteristics of the proposed subdivision site and the environmental impacts of the subdivision, the Planning Commission may recommend disapproval or modification because of flood, inundation or swamp conditions, or because the subdivision may have unacceptable adverse environmental impacts as may be revealed in the environmental analysis completed pursuant to **RCW 43.21C**. The Planning Commission or Board of Commissioners may recommend the construction of protective improvements as a condition of approval, with such improvements to be noted on the final plat.
- D. To determine whether those off-site facilities and services necessary to support the proposed subdivision are available and adequate. For example, the roads serving the development should be adequate to accommodate increases in traffic resulting from the development and downstream drainage channels should be adequate to accommodate the subdivision's storm water runoff.
- E. To ensure implementation of state and county policies calling for the expeditious review and approval of proposed long subdivisions which conform to subdivision and zoning standards, and county plans and policies. And to implement the county policy to adequately provide for the residential, commercial, and industrial needs of the citizens of the county in suitable areas.

Inadequate provisions for any of the above mentioned criteria and/or significant adverse impacts shall be grounds for a recommendation for denial or the conditioning

of a recommendation of approval upon the subdivision making adequate provisions thereto.

Ms. Hewitt summarized the conditions of approval as included on page 23 of the Record of Action as follows:

1. Approval of infrastructure construction shall conform to the following process:
 - (A) **Basis for Control of the Work.** Any construction or improvement work undertaken as a requirement of preliminary subdivision approval within Grays Harbor County right-of-way or private easements shall be performed to the satisfaction of the County Road Engineer and in accordance with County Road Engineer's approved subdivision plans. Work shall not begin until such plans are approved. The County Road Engineer shall approve any revision to such plans before they are implemented.

The County Road Engineer will have authority to enforce the Grays Harbor County Road Standards, as well as other referenced or pertinent specifications. The Engineer will appoint project engineers, assistants, and inspectors as necessary to inspect construction activities, and they will exercise such authority as delegated by the County Road Engineer.

- (B) **Subdivision Development Inspection.** On all road and drainage facility construction, proposed or in progress, relating to subdivision development control and inspection, shall be performed by the County Road Engineer or their designee. Unless otherwise instructed by the Engineer, construction events that require monitoring or inspection are identified as follows, with prior notification required:
 - (1) *Pre-Construction Conference.* Seven working days prior notice. Conference must precede the beginning of construction and include contractor, designing engineer, utilities, and other parties affected. Plan approvals and permits must be issued prior to the conference.
 - (2) *Clearing and Temporary Erosion/Sedimentation Control Inspection.* Three working days notice prior to initial site work involving drainage and installation of temporary water retention or detention and sedimentation control. Such work to be in accordance with the County Road Standards, the Washington State Department of Ecology's 2005 Stormwater Management Manual for Western Washington, and the approved plans.

- (3) *Utility and Surface Water Management Drainage Installation Inspection.* Three working days notice prior to trenching and placing of surface water management sewers and underground utilities, such as sanitary, water, gas, power, telephone, and cable television lines.
 - (4) *Utility and Surface Water Management Drainage Backfill and Compaction Inspection.* Three working days notice before backfill and compaction of surface water management sewers and underground utilities.
 - (5) *Sub-Grade Completion Inspection.* Three working days notice at the stage that underground utilities and roadway grading, including the placement of gravel base if required. Inspection to include compaction tests and certifications.
 - (6) *Crushed Surfacing Placement Inspection.* Three working days notice to check placement and compaction of crushed surfacing base course and top course.
 - (7) *Paving Inspection.* Three working days notice in advance of paving with asphalt or Portland cement concrete.
 - (8) *Structural Inspection.* Three working days notice prior to each of critical stages, such as placing the pilings or footings, the placement and assembly of major components, and the completion of structure and approaches. Tests and certification requirements will be as directed by the County Road Engineer.
 - (9) *Final Inspection.* Fifteen working days prior to the overall check of roadway or drainage project site, to include paving and associated appurtenances and improvements, the cleaning of the surface water management drainage system, and all necessary clean-up.
- (C) **Fees for control inspection.** Control inspection fees and permits may be as established and adopted by the Grays Harbor Board of County Commissioners.
- (D) **Penalties for the failure to request County development inspections.** Timely notification by the developer as noted above is essential for Grays Harbor County the County to verify, through inspection, that the work meets the County Road Standards. Failure to notify in the aforementioned time frame may oblige the County to arrange appropriate certified sampling and testing, after-the-fact, by a qualified private engineer. The cost of such testing and certification shall be borne by the developer. At the time that such action is directed by the County Road Engineer, the County Road Engineer may

prohibit or limit further work on the development until all directed tests have been completed and corrections made to the satisfaction of the County. If necessary, the County may take further action as set forth in Grays Harbor County Code Chapter 16.44.

2. The applicant shall prepare submittals required by the Construction General Stormwater permit from the Washington State Department of Ecology (DOE). When this permit is issued by the DOE, the applicants and their contractor(s) must meet with Grays Harbor County Planning and Grays Harbor County Public Works Divisions to assure that all necessary permits and plan submittals are in place and that all parties know the details of these plans.
3. Erosion control measures shall be in place, inspected, and approved prior to any clearing, grading, or construction activities on the site. When erosion control measures and wetland flagging/fencing has been installed according the approved Construction Stormwater plan, the applicant shall call for inspection. Construction may proceed only upon approval of this inspection.
4. The applicant shall contact a Permit Coordinator at 360-249-5579 to schedule an inspection of the installation of the road base. Asphalt or 2" crushed gravel top course may only be installed after the road base is approved. The applicant shall contact a Permit Coordinator at 360-249-5579 to schedule a final road inspection when asphalt or top course is ready for inspection.
5. The project shall comply with all conditions of mitigation in the Mitigated Determination of Non-Significance dated June 9, 2006.
6. The project as proposed requires a Construction Stormwater permit from the Washington Department of Ecology.
7. Stormwater runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact the existing drainage or other properties. Stormwater facilities shall be designed and constructed consistent with the 2001 Washington State Department of Ecology's Stormwater Management Manual for Western Washington. The Storm Drainage Plan for the development shall be submitted for review and approved by the Grays Harbor County Public Works Department before construction activities commence on the property.
8. The applicant shall comply with Access Permit No. 45965 from Washington State Department of Transportation.

9. All roads shall be constructed to the subdivision road standards, Ordinance 190, or to the specifications required by a road variance approved the Planning Commission and affirmed by the Grays Harbor Board of County Commissioners.

10. The final plat shall show a 60-foot wide road easement for the private subdivision road unless the Grays Harbor County Board of County Commissioners specifically grants a variance from this requirement.

11. The applicant shall conduct construction activities in a manner consistent with the best management practices for dust control on disturbed land areas contained in Volume IV of the 2001 Washington State Department of Ecology's Stormwater Management Manual for Western Washington.

12. Construction vehicles and equipment shall be equipped with factory-installed emission control devices.

13. Contractors working on-site shall be required to maintain and follow the Spill Prevention Control and Countermeasures Plan at all times. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over construction work on the site.

14. The applicant shall install stop signs, private lane name signs, and end of roadway markers for the private lane. Final placement shall be reviewed and approved by the Grays Harbor County Engineer prior to final plat recording.

15. A name for the private lane shall be chosen and submitted for approval to Grays Harbor County. Based on the approved lane name, addresses shall be secured from the County. Before filing the plat, the addresses as assigned shall be shown on the final plat.

16. The applicant shall install monuments at property corners as per Grays Harbor County Code 16.20.310.

17. Domestic water service shall be provided to and inside the development by Grays Harbor Water District #1. The applicant shall construct the water system according to the Grays Harbor Water District #1 requirements and their adopted standards. Utility service shall be installed or bonded, with review and approval by the Grays Harbor County Department of Public Services prior to final plat recording.

18. The proposed subdivision shall be provided with water mains and hydrants, and

provided fire flows consistent with county and State Department of Health requirements for water system design. Plans for such water mains and hydrants shall be submitted to and approved by the Grays Harbor County Fire Marshal, and shall be a condition of final plat approval. Water mains and fire hydrants shall serve the subdivision in accordance with Grays Harbor County Code Chapter 13.04.

19. There shall be inscribed on the face of the final plat the following language: "Grays Harbor County Long Subdivision 2006-1137".

20. Property taxes due for the year of filing and advance taxes due for the following year shall be paid prior to recording the final plat.

21. The final plat and supporting information shall be prepared in accordance with Appendix-D of the **GHCC Title 16**, and shall be submitted to the Planning Division, together with any other information necessary to adequately review the final plat.

22. Unless specifically waived by the Grays Harbor Public Utility District, all utilities shall be installed underground.

23. The Grays Harbor County Environmental Health Division performed an inspection of soil log holes on the proposed lots. Designed systems will be required. The septic systems shall be shown on the face of the final plat; as-built drawings are required for any infrastructure actually constructed prior to recording.

24. A title-insurance policy confirming the title of the land and the proposed subdivision is vested in the name of the owners whose signatures appear on the plat and all dedications are free and-clear of any and all liens and encumbrances must be submitted with the draft of the final plat. The title-report shall have been completed not more than thirty days prior to the date the final plat is submitted.

Staff recommended approval, by the Planning Commission of the Findings of Fact and Conclusions for Preliminary Approval of Long Plat Case 2006-1137, as written.

Staff recommended approval, by the Planning Commission Preliminary Approval of Long Plat Case 2006-1137, as conditioned.

Ms. Hewitt reported that there is initial Planning Commission approval of the application. The application before the Board of County Commissioners is subdivision with a road variance. The road variance is part of the design of the subdivision and requires one vote.

Ms. Hewitt outlined Subpart B – Findings of Fact for Road Variance Case 2006-1137 as follows:

I. Application/Permit History

The applicants and their engineering firm have designed the project with a loop road that meets the Fire Apparatus Access Road Standards. The purpose of this design is to promote the pedestrian-oriented nature of the development. Additionally, reduced road footprint will increase the ratio of pervious to impervious and semi pervious area for the purposes of aiding the infiltration of stormwater.

1. **To vary from the required width.** Per Minimum Road Standards Ordinance #190, private subdivision roads serving more than nine lots must be twenty-eight-feet (28') wide.
 - The applicants propose to improve the existing roadway that extends to the west to the Fire Apparatus Access Road standard of 16-feet wide.
2. **To vary from the required easement width.** Per Minimum Road Standards Ordinance #190, private subdivision roads serving more than nine lots must be built within a 60' easement.
 - The applicants propose to bury utilities in the roadway, thereby reserving a 16-foot easement width.
3. **To vary from the required horizontal curve minimum radius of 150-feet.**
 - The applicants are proposing roads with a horizontal curve radius of 100'. This standard meets the Private Road Standard for roads serving up to 9-lots and also meets the Fire Apparatus Road Standard.

II. Notice of Public Hearing and Comments

Surrounding property owners of record within 300-feet of the subject property were sent notification on June 9, 2006.

The proposal was also circulated to agencies and departments with jurisdiction, and included: GHC Public Works and the GHC Fire Marshal.

Comments received from agencies in response to the notice of application and plat are as follows:

GHC Fire Marshal responded with the following comments:

Road variance request, as presented, complies with the Fire Equipment Access Equipment requirements of Grays Harbor County Code Chapter 15.12. Applicant shall apply for and obtain a Fire Equipment Access Permit prior to commencing activity on the site.

Duane & Rosalie Smith responded in a letter dated June 21, 2006. The Smiths state concerns about water displacement and increased flooding, road adequacy and road building in the oceanfront area of Grayland. This letter is incorporated into the findings in its entirety.

III. Variances

Grays Harbor County Code Section 16.40.030 provides that variances may be granted when the following findings are made:

1. There exists extraordinary conditions or unusual circumstances peculiar to the property and not the result of the action of the applicant;
2. A literal enforcement of the regulations would result in unnecessary and undue hardship;
3. Justice could be done and the public interest secured by granting of a suitable variance;
4. The variance conforms to the provisions of Revised Code of Washington 58.17 as amended.
(*Grays Harbor County Subdivision Ordinance #111, Section 11.30, 1983*).

IV. Applicable Section for Subdivisions, GHCC Title 16

Article II of GHCC Chapter 16.20, Long Subdivisions

GHCC 16.20.180 Roads

All long subdivisions shall comply with the applicable requirements of the adopted County Road Standards.

When existing county right-of-way within or adjacent to a proposed short subdivision is insufficient to meet adopted standards, the dedication of additional right-of-way may be required as a condition of approval.

GHCC 16.20.200 Signs:

Road signs shall be installed in accordance with Grays Harbor County standards. Traffic signs and safety devices shall be provided and installed by the developer in accordance with Washington State Department of Transportation traffic control standards as approved by the public works director... All private roads shall be identified by a sign with the notation “private road” of the same size as road name signs. The private road signs shall be placed at all intersections and maintained in the same manner as the private road.

Ms. Hewitt outlined the following conditions:

1. There exist extraordinary conditions or unusual circumstances peculiar to the property and not the result of the action of the applicant.
 - The property contains extensive regulatory wetlands. This proposal is designed to use only those upland areas not identified as regulatory wetland.
 - The general are experiences a high winter water table. The roadway design is intended to add the least amount of impervious and semi-impervious cover to the property in order to help preserve flood storage capacity.
2. A literal enforcement of the regulations would result in unnecessary and undue hardship.
 - The overall design of the project toward low-speed roadways centered around a prominent pedestrian pathway would be defeated by 28' roadways and a 35' radius cul-de-sac terminus.
3. The public interest will be secured by granting of a suitable variance.
 - The roadway, as proposed, is at minimum consistent with the Fire Apparatus Access Road Standards, Grays Harbor County Code Chapter 15.12.
 - The roadway is not proposed for dedication to Grays Harbor County and will remain a private road.
 - Due to Shoreline regulations, zoning regulations and wetland protection, the proposed roadway will only ever serve the thirteen single-family residences eventually constructed on the new lots to the west of the vacation cabin business.

4. The variance conforms to the provisions of RCW 58.17 as amended, as adequate provisions for roadways and emergency vehicles has been provided by the applicant in a manner consistent with the provisions of Grays Harbor County Code Title 17 governing subdivisions.
 - No variance from Fire Apparatus Access Road Standards, Grays Harbor County Code Chapter 15.12 is requested.
 - The proposed roadway design is a loop, on very flat topography. There is no impediment to the flow of vehicular traffic or emergency vehicles.

Ms. Hewitt reported that based on the findings and conditions of approval staff recommends approval of the Findings of Fact and Conclusions for the Road Variance, Case 2006-1137, as written.

Staff recommends approval of the Road Variance and Long Plat, Case 21006-1137, as written.

Ms. Hewitt reported that the applicant was unable to attend this hearing and he submitted a letter dated September 8, 2006. Ms. Hewitt read the letter and requested that it be entered into the record.

Chairman Beerbower asked for public comment. Keshar Bajra, applicant spoke in support of the 14-lot long plat subdivision with road variance.

Hari Sharma of Berglund, Schmidt and Associates made a presentation regarding the engineering design for the project. Mr. Sharma distributed a handout of an aerial photograph and layout including an engineering drawing on top of the aerial.

Mallin Gunterson, resident of 509 South Montesano Street, Westport, Washington, reported that she is a realtor with Windermere and has been involved with the development of this project. Ms. Gunterson spoke in support of the 14-lot long subdivision with road standards variance.

Michael Cordova, adjoining property owner, and owner of Grayland Motel and Cottages, expressed concern with water issues and drainage during the winter. Mr. Cordova made comment regarding potential flooding of his business and property during the rainy season. He expressed concern with flooding and the impact on his business.

Ms. Hewitt responded to concerns and questions. Mr. Sharma addressed design problems related to water distribution.

Anthony Todd reported that he represents Beachy Day Diversified Services, LLC, which manages the motel property on the front end of the property. Mr. Todd commented that they have managed the property since the Bajra's purchased the property. Mr. Todd made comment regarding the flooding issue.

Charles Nelson, resident of 2327 Highway 105, Pacific County, reported that he worked for the Bajra's doing repair to the motel property. He stated that Mr. Bajra insisted that all work be performed according to code. Mr. Nelson reported that Mr. and Mrs. Bajra complied with state code on all projects that he was involved with. He spoke in support of the request.

Mike Cordova commented on the road and problems with flooding. He stated that depending on the weather conditions the pond does not always fill.

Keshar Bajra, owner of Ocean Songs Vacation Cottages, and neighbor of Mr. Cordova spoke regarding the water issue on different areas of the property.

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

Action: A motion was made, seconded and passed to approve Long-subdivision, Case #2006-1137.

4. Right of Way Vacation on South Bank Road: There was a public hearing to consider that Grays Harbor County has initiated a right of way pursuant to RCW 36.87.010 regarding the following: That portion of Government Lots 11 and 12, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 20, Township 17 North, Range 5 West, Willamette meridian, in Grays Harbor County, State of Washington, known as South Bank County Road and lying easterly of the new cul-de-sac as shown on county road project 96412-26 sheet 16 of 16 and northerly of right-of-way station 13+90.89 as shown on said county road project sheet 15 of 16. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Russ Esses, County Engineer, provided a staff report. Mr. Esses reported that due to the completion of the South Bank Road/Briggs Nursery Curve Revision from milepost 11.20 to 12.00, this right of way is no longer needed or necessary. Resolution of Intent to Vacate (#2006-70) was signed on July 24, 2006 setting a hearing date of September 11, 2006. The Notice of Public Hearing was posted and advertised as prescribed by R.C.W. 36.97.050. Mr. Esses explained that the Vacation would prevent the public's obligation for maintenance and liability. The department recommended that this right of way be vacated according to law. 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 #2006-91 – In The Matter of the Vacation of all right of way over and across that portion of Government Lots 11 and 12, the SW ¼ of the SW ¼, and the SE ¼ of Section 20, Township 17 North, Range 5 West, Willamette meridian, in Grays Harbor County, State of Washington, known as South Bank County Road and lying easterly of the new cul-de-sac as shown on County Road Project 96412-26 sheet 16 of 16 and northerly of right-of-way station 13+90.89 as shown on said County Road Project Sheet 15 of 16. Exhibit Maps “A” and “B”.

5. **Preliminary Approval of Long Plat Subdivision – Pacific Coast Land Development:** There was a public hearing to consider an application submitted by Pacific Coast Land Development for Preliminary approval of a Long Plat, Case #2006-0020. The request is for approval of 7-lot plat subdivision permit pursuant to Grays Harbor County Code Chapter 6.20, to subdivide a 4.3-acre parcel of land into seven lots, ranging between 20,000 square-feet and 26,357 square-feet. The property is zoned General Residential (R-2) with a minimum lot size of 10,000 square feet or the greater area required by environmental health regulations. The project is proposed on the property having Assessor’s parcel 71800000201 in Section 17, Township 17N., Range 8W. W.M., at the physical address of 6206 Central Park Drive, Aberdeen, Grays Harbor County, Washington. Notice of this hearing was advertised in the *Montesano Vidette* on August 31, 2006. Chairman Beerbower asked for a staff report. Jane Hewitt, County Planner, reported that prior to this hearing the applicant and the Board of County Commissioners received a packet containing the following materials. Ms. Hewitt requested the following be entered into the record:

- Exhibit 1: Planning Commission Record of Action containing findings of fact, conclusions, staff recommendations and Planning Commission action.
- Exhibit 2: Application and preliminary plat.
- Exhibit 3: State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance and Environmental Checklist.
- Exhibit 4: Notice of public hearing and mailing list.
- Exhibit 5: Personalized notice of application and public hearing to owners of subject property.
- Exhibit 6: Written comment received to-date.

Ms. Hewitt reported that this project is a 7-lot long plat subdivision permit pursuant to Grays Harbor County Code Chapter 16.20, to subdivide a 4.3-acre parcel of land into seven lots, ranging between 20,000 square-feet and 26,357 square-feet. The property is zoned General Residential (R-2) with a minimum lot size of 10,000 square feet or the greater area required by environmental health regulations. Ms. Hewitt reported the following Conditions of Approval included in the staff report:

1. The preliminary subdivision shall be subject to the following approval process for construction of infrastructure:

(A) Basis for Control of the Work. Any construction or improvement work undertaken as a requirement of preliminary subdivision approval within Grays Harbor County right-of-way or private easements shall be performed to the satisfaction of the County Road Engineer and in accordance with County Road Engineer's-approved subdivision plans. Work shall not begin until such plans are approved. The County Road Engineer shall approve any revision to such plans before they are implemented.

The County Road Engineer will have authority to enforce the Grays Harbor County Road Standards, as well as other referenced or pertinent specifications. The Engineer will appoint project engineers, assistants, and inspectors as necessary to inspect construction activities, and they will exercise such authority as delegated by the County Road Engineer.

(B) Subdivision Development Inspection. On all road and drainage facility construction, proposed or in progress, relating to subdivision development control and inspection shall be performed by the County Road Engineer or their designee. Unless otherwise instructed by the Engineer, construction events that require monitoring or inspection are identified as follows, with prior notification required:

(1) *Pre-Construction Conference*. Seven working days prior notice. Conference must precede the beginning of construction and include contractor, designing engineer, utilities, and other parties affected. Plan approvals and permits must be issued prior to the conference.

(2) *Clearing and Temporary Erosion/Sedimentation Control Inspection*. Three working days notice prior to initial site work involving drainage and installation of temporary water retention or detention and sedimentation control. Such work to be in accordance with the County Road Standards, the Washington State Department of Ecology's 2005 Stormwater Management Manual for Western Washington, and the approved plans.

- (3) *Utility and Surface Water Management Drainage Installation Inspection.* Three working days notice prior to trenching and placing of surface water management sewers and underground utilities, such as sanitary, water, gas, power, telephone, and cable television lines.
 - (4) *Utility and Surface Water Management Drainage Backfill and Compaction Inspection.* Three working days notice before backfill and compaction of surface water management sewers and underground utilities.
 - (5) *Sub-Grade Completion Inspection.* Three working days notice at the stage that underground utilities and roadway grading, including the placement of gravel base if required. Inspection to include compaction tests and certifications.
 - (6) *Crushed Surfacing Placement Inspection.* Three working days notice to check placement and compaction of crushed surfacing base course and top course.
 - (7) *Paving Inspection.* Three working days notice in advance of paving with asphalt or Portland cement concrete.
 - (8) *Structural Inspection.* Three working days notice prior to each of critical stages, such as placing the pilings or footings, the placement and assembly of major components, and the completion of structure and approaches. Tests and certification requirements will be as directed by the County Road Engineer.
 - (9) *Final Inspection.* Fifteen working days prior to the overall check of roadway or drainage project site, to include paving and associated appurtenances and improvements, the cleaning of the surface water management drainage system, and all necessary clean-up.
- (C) Fees for control inspection. Control inspection fees and permits may be as established and adopted by the Grays Harbor Board of County Commissioners.
- (D) Penalties for the failure to request County development inspections. Timely notification by the developer as noted above is essential for Grays Harbor County the County to verify, through inspection, that the work meets the County Road Standards. Failure to notify in the aforementioned time frame may oblige the County to arrange appropriate certified sampling and testing, after-the-fact, by a qualified private engineer. The cost of such testing and certification shall be borne by the developer. At the time that such action is directed by the County Road Engineer, the County Road Engineer may prohibit or limit further work on the development until all directed tests have been completed and corrections made to the satisfaction of the County. If

necessary, the County may take further action as set forth in Grays Harbor County Code Chapter 16.44.

2. The applicant shall comply with all conditions of mitigation in the State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance dated June 12, 2006.
3. An engineered stormwater plan must be submitted and approved prior to any construction activities on site. The stormwater plan shall show the location of the existing underground drainage system that currently serves the subject property and adjacent lots make adequate provisions for its replacement if activity on the site will remove or destroy the existing system.
4. Stormwater runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact the existing drainage or other properties. Stormwater facilities shall be designed and constructed consistent with the 2005 Washington State Department of Ecology's Stormwater Management Manual for Western Washington.
5. The applicant shall obtain an access permits from Grays Harbor County for the proposed private lane road approach to Central Park Drive. All requirements of this permit shall be built or bonded for prior to recording the subdivision.
6. The private road shall be constructed to the subdivision road standards, Ordinance 190.
7. The applicant shall prepare and implement a Temporary and Permanent Erosion Control Plan for any proposed development of the property. Erosion control measures shall be in place prior to any construction activities.
8. The applicant shall conduct construction activities in a manner consistent with the best management practices for dust control at disturbed land areas contained in Volume IV of the 2005 Washington State Department of Ecology's Stormwater Management Manual for Western Washington.
9. Construction vehicles and equipment shall be equipped with factory-installed emission control devices.
10. Contractors working on-site shall be required to maintain and follow the Spill Prevention Control and Countermeasures Plan at all times. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and

other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over construction work on the site.

11. All future residential construction shall adhere to the Grays Harbor County Abbreviated Parcel Drainage Plan.
12. The applicant shall install monuments at property corners as per Grays Harbor County Code 16.20.310.
13. Domestic water service shall be provided to and inside the development by Grays Harbor Water District #2. Grays Harbor Water District #2 shall issue and sign a statement of Water Availability attesting that seven additional connections are available. The Washington State Department of Health shall issue a Water Adequacy statement attesting that Grays Harbor Water District #2 has adequate capacity.
14. There shall be inscribed on the face of the final plat the following language: "Grays Harbor County Long Subdivision 2006-0020".
15. Property taxes due for the year of filing and advance taxes due for the following year shall be paid prior to recording the final plat.
16. The final plat and supporting information shall be prepared in accordance with Appendix-D of the **GHCC Title 16**, and shall be submitted to the Planning Division, together with any other information necessary to adequately review the final plat.
17. A title-insurance policy confirming the title of the land and the proposed subdivision is vested in the name of the owners whose signatures appear on the plat and all dedications are free and-clear of any and all liens and encumbrances shall be submitted. The title-report shall have been completed not more than thirty days prior to the date the final plat is submitted.
18. Unless specifically waived by the Grays Harbor Public Utility District, all utilities shall be installed underground. (audio tape indicated as #16)

Ms. Hewitt reported that the Grays Harbor County Planning Commission and Board of County Commissioners should review each subdivision application to assure compliance with five criteria:

- A. The first of five decision criteria is provided by **GHCC 16.20.100(A)**, which states that both the Grays Harbor Planning Commission and the Board of County

Commissioners shall review a subdivision application to assure its conformance with the general purposes of GHCC Title 16 governing subdivisions, the Grays Harbor County Comprehensive Plan, GHCC Title 17 governing zoning, the Grays Harbor County Shorelines Master Program, and the adopted written goals, policies, standards, specifications, requirements, and other appropriate ordinances, laws, and regulations of Grays Harbor County or other agencies with jurisdiction.

The test for determining the conformity with the Grays Harbor County Comprehensive Plan, GHCC Title 16 governing subdivisions, and GHCC Title 17 governing zoning is determining a proposal's ability to meet the decision criteria for the approval of subdivisions. The subject proposal is not within shoreline jurisdiction and thus is not required to meet the decision criteria outlined for shoreline environments by the Washington Administrative Code and the Grays Harbor County Shoreline Management Master Program.

This proposal includes the creation of seven (7) residential building lots, of which only single-family residential uses will be allowed. The Grays Harbor County Comprehensive Plan's land use designation for the subject area is Urbanizing area. This development will be constructed to standards consistent with the purpose of **GHCC Title 16** governing subdivisions and **GHCC 17.28** governing uses, area, height and bulk. This finding is required for long subdivisions by **GHCC 16.20**.

The review of this proposal by Grays Harbor County has resulted in the determination that the project, as designed and conditioned, conforms to the decision criteria listed for subdivisions.

- B. The second of the five decision criteria for subdivisions provided by **GHCC 16.20.100(B)** requires that both the Grays Harbor County Planning Commission and the Board of County Commissioners inquire into the public use and interest proposed to be served by the establishment of the subdivision, and determine if appropriate provisions are made for, but not limited to, the following:
- **GHCC 16.20.100(B)(1)** requires a determination from both the Grays Harbor County Planning Commission and the Board of County Commissioners concerning the prevention of overcrowding. This subsection of the County code states that *consideration should be given to the physical characteristics of the land in relation to the number of persons, buildings or sites proposed to be located thereon, and also the availability of public facilities such as water, sewers, fire protection, streets, schools, parks, etc., if not adequately provided for within the subdivision. Unless limiting physical characteristics, public facility deficiencies, or other limiting factors are*

present compliance with the minimum lot size and density requirements of the zoning ordinance, other applicable land use regulations, and the county health department regulations should satisfy this criterion.

Grays Harbor County's review of this proposal finds that it contains adequate provisions to satisfy the concern of overcrowding noted in the above-referenced subsection. The design of 20,000-square-foot and larger lots provides for a balanced relationship between the permitted residential uses. The environmental review for the project resulted in a determination that the project represented only an expected moderate impact to public services.

- **GHCC 16.20.100(B)(2)** requires a determination from both the Grays Harbor County Planning Commission and the Board of County Commissioners concerning adequate traffic circulation of the streets and highways. This subsection of the County code states that *proposed streets should be aligned or built in such a way as to best facilitate the movement of traffic and reduce the possibility of accidents. Consideration may be given to alignment of intersections, width and surfacing of streets, proper curbs, sidewalks, or paths, the radii of curves and sight vision at intersections and hills, and the adequacy of private easements. Unless limiting factors or unique conditions are present, compliance with the adopted county road standards should satisfy the construction based elements of this criterion.*

The alignment of intersections, road width, road surfacing, the radii of curves, and sight distance at intersections are governed by the Grays Harbor County Minimum Road Standards for Subdivisions.

- **GHCC 16.20.100(B)(3)** requires a determination from both the Grays Harbor County Planning Commission and the Board of County Commissioners concerning the proper arrangement and provision of ways for pedestrians and bicyclists. This subsection of the County code states that *easements and pathways should conform with the existing layout of ways and streets and also to adopted plans for such. Adequate provisions for pathways connecting open spaces, parts of a subdivision and surrounding areas and to ensure safety should be considered.*

There are currently no provisions or improvements for pedestrians and pathways other than the breakdown lane on Central Park Drive. This project does not include facilities designed for pedestrians and bicyclists.

- **GHCC 16.20.100(B)(4)** requires a determination from both the Grays Harbor County Planning Commission and the Board of County Commissioners concerning the provisions of adequate drainage systems.

Drainage facilities for the project will be designed for consistency with the requirements set forth **GHCC Title 16**. A stormwater plan designed by a licensed professional engineer will provide direction for the construction of facilities engineered to provide erosion and sediment control, water quality devices, and drainage conveyance. Drainage facility design and construction consistent with the Washington State Department of Ecology's Stormwater Management Manual for Western Washington Manual provides conformance with the above-referenced subsection of the County code, which states that *the plat will have adequate drainage systems to accommodate the stormwater runoff from the subdivision, as well as existing and potential upstream drainage through the property. Lots should be laid out so as to provide positive drainage away from all buildings and individual lot drainage should be coordinated with the subdivision drainage system. Adequate provisions should be made to carry any unretained stormwater runoff downstream without adversely impacting downstream properties or degrading the quality of receiving waters.*

Additionally, all future residential development must adhere to the Grays Harbor County Abbreviated Parcel Drainage Plan. The project's drainage system design, combined with the individual lot provisions, assures that adequate provisions will be utilized to convey and treat stormwater runoff without adversely impacting downstream properties or degrading the quality of receiving waters.

- **GHCC 16.20.100(B)(5)** requires a determination from both the Grays Harbor County Planning Commission and the Board of County Commissioners concerning the provision of adequate recreation and open space or buffers. This subsection of the County code states that *if it is determined that there is not adequate open space and recreational areas within the vicinity to adequately serve the subdivision, then additional areas as determined by the planning commission or board of commissioner should be provided for these purposes.*

Adequate open space and recreational areas exist in the general region. This subdivision creates lots that meet the minimum lot size required by the zoning district. Future construction of single-family residences will meet required setbacks and maximum lot coverage provisions of Grays Harbor County Code 17.32.

- C. The third of five decision criteria provided by **GHCC 16.20.100(C)** states that both the Grays Harbor County Planning Commission and the Board of County Commissioners should consider the physical characteristics of the proposed subdivision site and the environmental impacts of the subdivision. The Planning Commission may recommend disapproval or modification because of flood, inundation or swamp conditions, or because the subdivision may have unac

ceptable adverse environmental impacts as may be revealed in the environmental analysis completed pursuant to the **RCW 43.21C**. The Planning Commission or Board of County Commissioners may recommend the construction of protective improvements as a condition of approval, with such improvements to be noted on the final plat.

The State Environmental Policy Act (SEPA) threshold review for this proposal resulted in a Mitigated Determination of Non-Significance (MDNS) that the proposal, as conditioned through the use of mitigation measures, does not represent a probable significant adverse impact to any of the elements that comprise the natural environment.

Note: The drainage and stormwater plan will ensure reduction in adverse impacts to the subject property and the general area.

- D. The fourth of five decision criteria is provided by **GHCC 16.20.100(D)** states that both the Grays Harbor County Planning Commission and the Board of County Commissioners are to determine whether off-site public facilities and services necessary to support the proposed subdivision are available and adequate. For example, the roads serving the development should be adequate to accommodate increases in traffic resulting from the development.

The project has been reviewed for impact issues associated with public facilities and services. The State Environmental Policy Act (SEPA) threshold review for this proposal resulted in a Mitigated Determination of Non-Significance (MDNS) that the proposal, as conditioned through the use of mitigation measures, does not represent a probable significant adverse impact to public services. The county roads currently serving the subdivision will be meet the Grays Harbor County Road Standards for the proper level of service; access permits for individual or shared driveway access to these county roads will ensure safe access to the proposed lots.

- E. The fifth and final decision criteria provided by **GHCC 16.20.100(E)** states that both the Grays Harbor County Planning Commission and the Board of County Commissioners are to ensure implementation of state and county policies calling for the expeditious review and approval of proposed long subdivisions that conform to subdivision and zoning standards, County plans, and County policies, and to implement the County policy to adequately provide-for the residential, commercial, and industrial needs of the citizens of the county in suitable areas.

This subsection of the County code also states that inadequate provisions for any of the above mentioned criteria or significant adverse impacts shall be grounds for

a recommendation for denial or the conditioning of a recommendation of approval upon the subdivision making adequate provisions thereto. The SEPA review conducted for this project resulted in the determination that the project does not represent a probable significant adverse impact to the elements of either the natural or built environment, which includes public services. Therefore, the recommendation of project approval by both the Planning Commission and the Board of County Commissioners is warranted.

Ms. Hewitt reported that staff recommended that the Findings of Fact and Conclusion for Preliminary Long Subdivision, Case #2006-0020, be accepted as written. Staff recommended that the Preliminary Long Subdivision, Case #2006-0020 be approved, as conditioned.

Chairman Beerbower asked for public comment. Hari Sharma with Berglund, Schmidt and Associates, reported that he has been involved with this project. Mr. Sharma provided handouts regarding concerns raised during the Planning Commission hearing. Mr. Sharma provided a report regarding the project design addressing stormwater distribution.

Tracey Slutton, resident of 6625 Central Park Drive, Aberdeen, Washington, reported that he has had discussions with the water department. There are problems with the holding tanks and another tank will be installed. He reported that his permits have been approved and everything has been taken care of.

Margaret Newbon, resident of 6212 Central Park Drive, Aberdeen, Washington, commented that she is not opposed to the long plat subdivision but wants to make sure that the drainage issues are dealt with appropriately.

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

Action: A motion was made, seconded and passed to approve the Long-subdivision, Case #2006-0020.

6. **Supplemental Budget Juvenile Department:** There was a public hearing to consider Supplemental Budget as follows: Juvenile Department #001-000-026 in the amount of \$32,100. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the Supplemental Budget is for \$32,100 in the General Fund Juvenile Department due to federal funding received through the Governor's Juvenile Justice Advisory Committee. Funding will be used in professional

services to provide Functional Family Therapy services to the Becca At-Risk Youth as well as independent evaluation 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. 2006-86 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Juvenile Department Fund #001-000-026.

7. **Supplemental Budget Environmental Health:** There was a public hearing to consider Supplemental Budget as follows: Environmental Health Fund #001-000-016 in the amount of \$21,921. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that Supplemental Budget is for \$21,921 in the General Fund Environmental Health Department due to an amendment received from the Department of Ecology Coordinated Prevention Grant. \$21,921 in funding has been approved to increase solid waste enforcement activities.

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. 2006-87 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Environmental Health Department Fund #001-000-016.

8. **Supplemental Budget General Fund Extension Office:** There was a public hearing to consider Supplemental Budget as follows: General Fund Extension Office #001-000-022 in the amount of \$3,500. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that Supplemental Budget is for \$3,500 in the General Fund Extension Office due to revenue received for the food handler's program but not budgeted for 2006. Funds will be used in travel and the WSU Intergovernmental Contract.

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. 2006-88 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund WSU Cooperative Extension #001-000-022.

9. Supplemental Budget Special Projects Fund: There was a public hearing to consider Supplemental Budget as follows: Special Projects Fund #101-000-000 in the amount of \$67,000. Notice of this hearing was advertised in the *Montesano Vidette* on August 31 and September 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that Supplemental Budget is for a \$67,000 amendment to the Washington State Department of Fish and Wildlife Lead Entity grant. Funding will be used on the ongoing costs of the lead entity program to maintain sufficient administration, facilitation and coordination capacity to support the ongoing goals and objectives of the lead entity organization.

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. 2006-89 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #101-000-000.

PRESENTATION

None

COMMISSIONERS

1. Drainage District 2 – Decision, Set Hearing Date: A hearing was held on August 28, 2006 to consider dissolving Drainage District 2. The decision was postponed for two weeks to September 11, 2006. The postponement date was beyond the statutory requirement date of September 1, 2006. The decision has occurred by default. The next process is to set a hearing date to consider the suspension of the operations of the District. September 25, 2006 at 2:00 p.m. is the date and time set for a public hearing to consider whether suspension of the operations of Grays Harbor County Drainage District 2 is in the public's interest. A motion was made, seconded and passed to approve **Resolution No. 2006-90 – Resolution Proposing Action To Suspend Operations Of Grays Harbor County Drainage District No. 2.**

2. Set hearing Date – Ordinance Requiring Use Of Apprentices On Public Works Projects: September 25, 2006 at 2:00 p.m. is the date and time set for a public hearing to consider an ordinance adding a new chapter to the Grays Harbor County Code requiring use of apprentices on public works projects.

3. Interlocal Agreement With State Of Washington Department Of Printing: Several County Departments have expressed an interest in contracting for services with the Washington State Department of Printing. The state prefers one contract for services

and has agreed to invoice each department separately. Jim Baker, Deputy Prosecuting Attorney, has reviewed the contract. A motion was made, seconded and passed to authorize the Board Chairman to sign the contract as presented.

4. Certification of PHA Plans Consistency With The Consolidated Plan – Housing Authority of GH: A motion was made, seconded and passed to authorize the Board Chairman to sign a Certification By State or Local Official Of PHA Plans Consistency With The Consolidated Plan. This certifies that the Five Year and Annual PHA Plan of the Housing Authority of Grays Harbor is consistent with the Consolidated Plan of the State of Washington.

DEPARTMENTS

JUVENILE COURT SERVICES

1. Request Approval, Contract with Washington State Department of Social and Health Services – Juvenile Rehabilitation Administration: A motion was made, seconded and passed to approve two originals of a contract between Grays Harbor County and Juvenile Rehabilitation administration (JRA). This is an on-going contract and is the same as last year. The \$10,000 will be used to provide family counseling for delinquent youth. The contract period commences on October 1, 2006 and runs through to September 30, 2007.

MANAGEMENT SERVICES

1. Request Approval, ORV Park Operation Agreement – ATV Safety Institute: A motion was made, seconded and passed to approve an ORV Park Agreement between the County and the ATV Safety Institute. The Safety Institute will be providing ATV safety education and awareness at the ORV Park. Contractor will pay the County \$5.00 per person attending the training class. The Safety Institute has provided the County with a Certificate of Insurance naming the County as additional insured.

2. Request Approval, Interlocal Agreement with City of Cosmopolis – Festival In The Park: A motion was made, seconded and passed to approve a One Time Only Interlocal Agreement between Grays Harbor County and the City of Cosmopolis for \$500.00 in funding to be used for entertainment at the Cosmopolis Festival in the Park.

PUBLIC HEALTH AND SOCIAL SERVICES

1. Request Approval, 2006-2007 Evergreen Counseling Center Clubhouse Contract: A motion was made, seconded and passed to approve a contract with Evergreen Counseling Center that provides funding for the operation of a consumer-run

Clubhouse. Medicaid funding requires that the Clubhouse be operated under the auspices of a licensed mental health center. The Clubhouse will be located in a house owned by Neighbor Works Grays Harbor. A consumer advisory board is already formed and active in the development of the operation.

2. Request Approval, Student Affiliation Agreement With Washington State University: A motion was made, seconded and passed to approve a Student Affiliation Agreement with Washington State University. Through this, a nursing student will be working with Karolyn Holden to educate healthcare providers regarding the importance of flu vaccinations for all healthcare workers.

3. Request Approval, Agreement With Chelan-Douglas Regional Support Network: A motion was made, seconded and passed to approve an Agreement with the Chelan-Douglas Regional Support Network. Through this Agreement, the Department will receive data and information services for mental health programs from the Chelan-Douglas RSN Information Services staff. The contract is for up to \$89,400 for September 2006 through June 2007.

4. Request Approval, Contract Amendment With Washington State DSHS Division Of Developmental Disabilities: A motion was made, seconded and passed to approve an amendment to the County's contract with the State DSHS Division of Developmental Disabilities. \$13,000 is added for the provision of employment services for young people leaving public school in this fiscal year. This funding, combined with other contract funds, allows services for approximately nine people out of eighteen who meet eligibility.

PUBLIC SERVICES

1. Request Approval, CRP Resolution For Wade Road Paving Project: A motion was made, seconded and passed to approve CRP Resolution No. C-60880-01 for Wade Road Paving Project C-60880-01. The project is to pave Wade road with approximately 2.5" of ACP, 12 feet wide by 877 feet long.

2. Request Approval, Proclamation – Chehalis Basin Watershed Week: A motion was made, seconded and passed to proclaim the week of September 17th as Chehalis Basin Watershed Week. This proclamation will serve two purposes by publicly announcing the first annual Chehalis River Watershed Festival on September 23rd and acknowledging the work of the Chehalis Basin Partnership. Lee Napier, Deputy Director of Community Development, read the Chehalis Basin Watershed Week Proclamation.

3. Request Approval, Contract With Streamworks, LLC Formerly LWC

Consulting: A motion was made, seconded and passed to approve a contract amendment between Grays Harbor County and Streamworks, LLC, formerly LWC Consulting. The amendment allows for continued technical support related to the lead entity program for salmon recovery. The funds secured through a WDFW Lead Entity grant (#05-2030) will cover the expenses incurred through this contract.

4. Request Approval, Joint Funding Agreement With US Department Of Interior, US Geological Survey: A motion was made, seconded and passed to approve an agreement which provides for funding between Grays Harbor County and US Geological Survey for the operation and maintenance of the Humptulips River Stream Gaging Station. The total cost of the program for the period October 1, 2006 through September 30, 2007 is \$15,000. Grays Harbor County will be responsible for \$7,675.

ANNOUNCEMENT(S)

CORRESPONDENCE

1. A Lawsuit (#L-518-06) against Grays Harbor County was received from William Daryl Stute. The lawsuit was referred to the Prosecuting Attorney.
2. An e-mail was received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The e-mail was dated September 9, 2006 and the subject was: Official Bond Violations. The e-mail was placed on file and available to the public for review.
3. An e-mail was received from Stanley J. Trohimovich, 1521 Simpson Avenue, Aberdeen, Washington. The e-mail was dated September 10, 2006 and the subject was: Official Bond Violations. Correcting error in Ed Prkut email address and clarifying instructions to Commissioners' Secretary. Original message sent September 9, 2006 at 11:53 p.m. The e-mail was placed on file and available to the public for review.
4. A request was received from Cranberry Coast Chamber of Commerce regarding the Annual Cranberry Harvest Festival in Grayland. The event is scheduled for October 14 and 15, 2006. The parade will be held October 14th. The request is for permission to divert traffic for no longer than 30 to 45 minutes, as in years past. Traffic Control will be supplied by Grays Harbor and Pacific County Sheriff's offices, Washington State Patrol and the Shoalwater Bay Tribal Police. A motion was made, seconded and passed to approve the request subject to review and recommendation by the Sheriff's Department, the Department of Public Services and Risk Management.

PUBLIC COMMENT

Chairman Beerbower asked for public comment. Ron Armstrong, resident of 2633 West Highway 101, Hoquiam, Washington, asked for the current status on road variance requirements and current regulations. Brian Shea reported that the drawings have been completed and have been submitted to the Senior Deputy Prosecuting Attorney for preparation of an ordinance changing the County road standards.

Steven Friederich, reporter with *The Daily World*, commented on contracts and the amount of the contracts.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday September 11, 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 Ed Prkut, Assessor, Maryann Welch, Director of Public Health and Social Services, and Paul Easter, Brian Shea, Kevin Varness, Lee Napier, Jane Hewitt and Suresh Bhagavan, Department of Public Services.

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2006-85 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund District Court #001-000-024 |
| No. 2006-86 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund District Court #001-000-024 |
| No. 2006-87 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Environmental Health Department #001-000-016 |
| No. 2006-88 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund WSU Cooperative Extension #001-000-022 |

- No. 2006-89 Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County Special Projects Fund #001-000-000**
- No. 2006-90 Resolution Proposing Action To Suspend Operations Of Grays Harbor County Drainage District No. 2**
- No. 2006-91 Order of Vacation -- In The Matter of the Vacation of all right of way over and across that portion of Government Lots 11 and 12, the SW ¼ of the SW ¼, and the SE ¼ of Section 20, Township 17 North, Range 5 West, Willamette meridian, in Grays Harbor County, State of Washington, known as South Bank County Road and lying easterly of the new cul-de-sac as shown on County Road Project 96412-26 sheet 16 of 16 and northerly of right-of-way station 13+90.89 as shown on said County Road Project Sheet 15 of 16. Exhibit Maps “A” and “B”.**

ORDINANCES

None

INTERLOCAL AGREEMENTS

None

The meeting adjourned at 3:57 p.m. to Monday, September 18, 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