

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

November 6, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, November 6, 2006, at 2:00 p.m. Commissioners Bob Beerbower and Al Carter were present. Also in attendance was Donna Caton, Clerk of the Board. James Baker, Senior Deputy Prosecuting Attorney was present. Commissioner Wilson was excused.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

October 30, 2006: The minutes of the Commissioners' Meeting of October 30, 2006 were approved as presented.

BIDS

None

HEARINGS

1. **Reclassification of Open Space – Applicant Timothy Lutz:** There was a public hearing to consider a request by Timothy Lutz et al for reclassification as Open Space for real property tax purposes of Southwest ¼ of the Northeast ¼ of Section 16, Township 23, Range 9 together with Government Lot 3 lying South of Ingram Road and West of Ziegler Creek together with Tax Lot 14, Parcel #230916240030. Notice of the hearing was advertised in *The Montesano Vidette* on October 26, 2006.

Chairman Beerbower asked for a staff report. Brian Shea, Planning and Building Division Director, reported that this application is for Open Space/Open Space or a request for open space land use classification for taxing purposes. The property is under the ownership of Timothy J. Lutz et al, 711 Maple Street, Hoquiam, Washington. The total acreage of parcel(s) is 37.53-acres and the acreage for this Open Space Classification request is 36.53-acres. The property is located within the Lake Quinault zoning district and the Grays Harbor County Comprehensive Plan Map designation is Lake Quinault. Mr. Shea reported that the department reviews Open Space tax classification requests for consistency with Revised Code of Washington (RCW) 84.34.035 as outlined in the staff report. The property is located within the Lake Quinault zoning district and is subject to the goals, policies and procedures set forth in

the Lake Quinault sub-area comprehensive land use development plan. The application is consistent with the Lake Quinault sub-area plan the Lake Quinault area zoning as outlined on pages 4-5 of the staff reports. Mr. Shea reported that the United States Department of Agriculture Soil Survey of Grays Harbor County Area, Pacific County, and Wahkaikum County, Washington does not contain any information on the types of soil located on this property. The request is consistent with the objectives contained in the Comprehensive Plan's Lake Quinault Sub-Area Element. The department determined that there would be a resulting tax revenue loss or tax shift. This tax reclassification request, based on the information contained in the reclassification application and on the conclusions outlined in the staff report, is consistent with the reclassification criteria contained in Revised Code of Washington Chapter 84.34.037(2)(a) and Revised Code of Washington Chapter 84.34.037(2)(b). The granting of the reclassification request, as presented, will present the opportunity to provide for recreational opportunities and values for the residents who live in the Lake Quinault area. Mr. Shea reported that the recommendation was to grant the Open Space Land Classification request received June 14, 2006 by Timothy J. Lutz for property located adjacent to Ingram Road and having Grays Harbor County Tax Parcel Number 230916240030.

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 the Open Space Land Classification request received by Timothy J. Lutz for property having Grays Harbor County Tax Parcel Number 230916240030.

2. **Emergency Budget – Superior Court:** There was a public hearing to consider Emergency Budget as follows: Superior Court #001-000-033 in the amount of \$170,000. Notice of the hearing was advertised in *The Montesano Vidette* on October 26, 2006.

Chairman Beerbower asked for a staff report. Gordon Godfrey, Superior Court Judge, reported that the emergency budget request for \$170,000 is due to a shortfall in attorney fees for representation of indigent defendants. Judge Godfrey reported that these services are required by law and they have little control over these services as they depend on the number and type of cases filed each year. The court has been expending funds on an average of \$80,000 per month, and at this rate will be \$170,000 over budget at the end of the year. They do not anticipate that this rate of expenditure will decrease between now and December 31, 2006.

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. 2006-106 – Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Superior Court #001-000-033.

3. Supplemental Budget – General Fund Health and Social Services: There was a public hearing to consider a Supplemental Appropriation as follows: Health and Social Services, #001-000-029 in the amount of \$31,160. Notice of this hearing was advertised in *The Montesano Vidette* on October 26, and November 2, 2006. Chairman Beerbower asked for a staff report. Maryann Welch, Director of Public Health and Social Services department, reported that the \$31,160 supplemental is due to amendments to the State Consolidated Contract and a Multi-State Learning Collaborative grant and federal funding for the Pan-flu Preparedness grant. Funds will be used in salaries and benefits to add a Social Services Program Specialist III position and for interfund rentals and travel.

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. 2006-107 – Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Health & Social Services Department #001-000-029.

PRESENTATION

None

COMMISSIONERS

The Board of County Commissioners recessed and convened to serve as Commissioners for Drainage District #2. The Board of Commissioners for Drainage District #2 took the following action:

- 1. Request Approval, Set Hearing Date – Emergency Budget:** November 20, 2006 at 2:00 p.m. is the hearing date scheduled for an emergency budget request in the amount of \$9,986 for Drainage District #2 to cover repairs needed for the drainage ditch.
- 2. Request Approval, Set Hearing Date – Budget for 2007:** December 04, 2006 at 2:00 p.m. is the hearing date scheduled to consider the 2007 budget, including revenues and expenditures, for Drainage District #2.

The Commissioners adjourned the meeting of Grays Harbor County Drainage District #2 and reconvened as Board of County Commissioners.

DEPARTMENTS

AUDITOR

1. **Request Approval, October Expenditures:** A motion was made, seconded and passed to accept expenditures for October 2006 as follows: Claims \$3,228,252.15, Payroll \$2,147,244.71, for a total of \$5,375,496.86.

MANAGEMENT SERVICES

1. **Request Approval, Set Hearing Date – Supplemental Budget – Fair Recreation & Activities Fund:** November 20, 2006 at 2:00 p.m. is the date and time set for a public hearing to consider a supplemental budget hearing in the Fair Recreation & Activities Fund in an amount of \$20,000 as a result of revenue received from the three (3) percent hotel/motel lodging. Funds will be used for graphic and website design, tourism brochures and advertising for a new hardcover Grays Harbor Visitor book.

2. **Request Approval, Resolutions as follows:**

a. **Budget Transfer in General Fund Non-Departmental:** A motion was made, seconded and passed to approve **Resolution No. 2006-108** – Transferring items in the Grays Harbor County General Fund Non-Departmental in the amount of \$1,285 to cover the shortfall of the property insurance premium due from Non-Departmental to the Insurance Office. Funds are available from the E-911 Fire District to make up the difference of the negative balance.

b. **Budget Transfer in Tourism Fund:** A motion was made, seconded and passed to approve **Resolution No. 2006-109** – Transferring Items In The Grays Harbor County Tourism Fund in the amount of \$20,000 from the ending fund balance to transfer out due to the supplemental budget done in the Fair Recreation & Activities Fund for funds received through the three (3) percent Hotel/Motel tax. Funding is going to be used for graphic and website design, tourism brochures and advertising.

c. **Budget Transfer in Prosecutor's Office:** A motion was made, seconded and passed to approve **Resolution No. 2006-110** – Transferring items in the Grays Harbor County Prosecutor's Office to move \$12,000 from Criminal Salaries to various categories to cover the remainder of the year. Vacancies in the Prosecutor's Office has led to funds being available to transfer and will be used to

cover the expenses necessary for the on-line legal research provider, supplies, and interfund communication and rentals.

d. Budget Transfer in Prosecutor's Office: A motion was made, seconded and passed to approve **Resolution No. 2006-111** – Transferring Items In The Grays Harbor County Prosecutor's Office to move \$1,700 from Crime Victim Salaries to Small Tools and Minor Equipment for the purchase of a computer and work station for the part time employee hired through a grant received from the Crime Victim Penalty Assessment program through CTED. They have approved the use of a portion of the grant funds to be used for the purchase of equipment.

PUBLIC HEALTH AND SOCIAL SERVICES

1. Request Approval, application for funding through Washington State DCTED Homeless Grant Assistance Program: A motion was made, seconded and passed to approve an Application for funding through the State's DCTED Homeless Grant Assistance Program. Each county is allowed to submit one application. A Request for Proposals within our County was issued and there was a single applicant.

The Coastal Community Action Program is proposing to administer a collaborative and comprehensive project to reduce homelessness. In addition to CCAP, six other local agencies have participated in the development of the project which will include a single point of contact, intensive case management and increased shelter, and transition bed capacity.

This project reflects the direction of homeless services represented in the County's Ten-Year Homeless Plan, developed in 2005. The application is for \$1,501,170 for the three-year project and is competing among 17 mid-size counties for a total of \$2.5 million.

2. Request Approval, amend agreement with DSHS Medical Assistance Administration: A motion was made, seconded and passed to approve an amendment to the County's Program Agreement with the DSHS Medical Assistance Administration. Changes have been made to the billing and payment section of the agreement. It is now required that the department submit billings for administrative match within one year of the end of a quarter. The department is currently billing within this timeframe so this requirement poses no problem for their operations.

3. Request Approval, Letter of Agreement with NeighborWorks and Evergreen Counseling Center: A motion was made, seconded and passed to approve a Letter of Agreement between NeighborWorks of Grays Harbor, Evergreen Counseling Center, and

the County. This letter spells out the terms by which the Department is using mental health funding to pay rent for a property owned by NeighborWorks. Evergreen Counseling Center will be using the house to operate a Mental Health Clubhouse.

PUBLIC SERVICES

- 1. Request Approval, Resolution – Environmental Health Division Fee Schedule:** A motion was made, seconded and passed to approve **Resolution 2006-112** authorizing implementation of a fee schedule for Environmental Health Programs. The rate resolution increases some of the fees charged by the Environmental Health Division and provides for appropriate CPI increases for these fees.
- 2. Request Approval, Amend contract for the Chehalis Basin Salmon Recovery Lead Entity Program:** A motion was made, seconded and passed to approve the contract amendment with Washington State Department of Fish and Wildlife for the Chehalis Basin Salmon Recovery Lead Entity Program. The amendment describes a deliverable, updates the local strategy, which was omitted from the original contract. The funds secured through the Washington State Department of Fish and Wildlife Lead Entity grant will cover the expenses incurred through this contract.
- 3. Request Approval, Resolution setting Emergency Road Restrictions:** A motion was made, seconded and passed to adopt **Resolution No. 2006-113** Establishing Emergency Load Limitations. Each year this department requests authorization to set and remove established emergency load restrictions during freeze and thaw periods and other inclement weather, which threatens the foundation and surface of county roads. The resolution covers 180 days from the effective date, which will provide for the winter of 2006-2007.
- 4. Request Approval, Set hearing date for Pacific Beach/Moclips area and Ocean City area Water System Plans:** November 20, 2006 at 2:00 p.m. is the date and time set to consider the Pacific Beach/Moclips area and Ocean City area Water System Plans. The plans have been approved by the Washington State Health Department. The Pacific Beach/Moclips Water System Plan was initiated to address increasing development including Seabrook. The Ocean City Water System Plan was prepared to address the area served by the systems that the County has recently acquired.

TREASURER

- 1. Requests Approval, Set hearing date to consider levy resolution for the County Tax Refund Fund for collection during 2007:** November 20, 2006 at 2:00 p.m. is the date and time set for a hearing to consider levy resolution for the County Tax

Refund Fund for collection during 2007. This levy is being made pursuant to RCW 84.58 to fund the tax refund paid to Qwest Corporation, Inc. earlier this year. On January 17, 2006 a Stipulated Judgment was filed in Kittitas County Superior Court finalizing a dispute between Qwest Corporation, Inc. and the Washington State Department of Revenue. The decision affects the utility values used to calculate property taxes paid in 2002-2005 in 36 of 39 counties. As a result of the ruling, a refund from the county tax refund fund was issued to Qwest Corporation, Inc. Under the process prescribed in statute, the County issues the taxpayer a refund from the tax refund fund. Then “at the time required by law for the levying of taxes for county purposes, the proper county officers required by law to make and enter such tax levies shall make and enter a tax levy or levies for said county tax refund fund . . .” (RCW 84.68.040) Basically, the taxes collected from this refund levy are used to repay the county tax refund fund for the monies paid to the taxpayer.

ANNOUNCEMENT(S)

Grays Harbor County Board of Commissioners will not hold a regular meeting on November 27, 2006 due to the Thanksgiving Holiday.

CORRESPONDENCE

A Projection of Income from State Forest Lands was received from Doug Sutherland, Commissioner of Public Lands. The Department of Natural Resources (DNR) manages about 31,318 acres of state forestlands that benefit Grays Harbor County. The report shows, in the first three quarters of calendar year 2006, these lands generated \$640 thousand and are projected to generate \$225 thousand in the remainder of calendar year 2006. The next projection of state forestland revenues will be available in late January 2007. The report was forwarded to the Forestry Department and the Treasurer’s office.

PUBLIC COMMENT

Chairman Beerbower asked for public comment. Ron Armstrong, Hoquiam, Washington reported that he has been in contact with Jim Baker, Senior Deputy Prosecutor and there are plans to have the County Road Standards issue addressed at the next County Commissioner meeting. Mr. Armstrong discussed an issue involving the Grayland area and he suggested that staff go to Grayland and assess the flooding issue for that area. Mr. Armstrong addressed the homeless issue and that a lot of money is being allocated for that project. He suggested that information be collected regarding the reasons for homelessness.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, November 06, 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; Lee Napier, Kevin Varness, Brian Shea and Paul Easter, Director of Department of Public Services.

The Board approved the following resolutions:

RESOLUTIONS

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| No. 2006-106 | Authorizing An Emergency Appropriation In The Budget Of The Grays Harbor County General Fund Superior Court #001-000-033. |
| No. 2006-107 | Authorizing A Supplemental Extension In The Budget Of The Grays Harbor County General Fund Health & Social Services Department #001-000-029 |
| No. 2006-108 | Transferring Items In The Grays Harbor County General Fund Non-Departmental #001-038-000 |
| No. 2006-109 | Transferring Items In The Grays Harbor County Tourism Fund Non-Departmental #112-000-100 |
| No. 2006-110 | Transferring Items In The Grays Harbor County General Fund Prosecutor's Office #001-030-000 |
| No. 2006-111 | Transferring Items In The Grays Harbor County Crime Victim Penalty Fund #109-000-000 |
| No. 2006-112 | Resolution Authorizing Implementation Of A Fee Schedule For Environmental Health Programs |
| No. 2006-113 | Resolution Establishing Emergency Load Limitations |

ORDINANCES:

None

INTERLOCAL AGREEMENTS:

None

The meeting adjourned at 3:43 p.m. to Monday, November 13, 2006 at 2:00 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2006

BOB BEERBOWER, Chairman
Commissioner, District 1

excused

MIKE WILSON, Commissioner, District 2

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board