

## MINUTES

### BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

December 4, 2006

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 4, 2006, at 2:00 p.m. Commissioners Bob Beerbower and Mike Wilson were present. Also in attendance was Donna Caton, Clerk of the Board. Commissioner Al Carter was excused.

#### **CALL TO ORDER AND FLAG SALUTE**

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

#### **MINUTES**

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

Chairman Beerbower announced that Commissioner Carter is on a trip to Washington, DC and is excused from this meeting.

#### **BIDS**

None

#### **HEARINGS**

**1. Consider 2007 Budget and Resolutions for General Fund, Miscellaneous, and Road Limit Factors:** There was a public hearing to consider adoption of the Grays Harbor County 2007 Budget, and also consideration of Resolutions authorizing increases in General Expense Fund, Miscellaneous Funds, and Road Limit Factors for Grays Harbor County, per the requirements of RCW 84.55. Copies of the Proposed 2007 Budget were available for study in the office of the County Auditor. Notice of the hearing was advertised in *The Montesano Vidette* on November 16 and 23, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director reported the 2007 budget is \$87.5 million. The General Fund is \$29.1 million and the Miscellaneous Fund is \$58.3 million. The General Fund expenditure request is \$26,864,786 with operations at 105% of the 2006 budget. Revenue increased \$1.2 million above the 2006 level with fund balance adopted usage at \$1,302,138, which retains an operation reserve of \$2,277,881. The tax levy revenue was increased at the 1% allowed by Washington State, in addition to re-evaluation and new construction values being added to the assessed valuation base. County finances are divided into two groups: The County General Fund Operations and the Miscellaneous Fund groups.

The General Fund budget totals \$26,864,786 with operations at 105% of the 2006 budget. Revenue increased \$1.2 million above the 2006 level with fund balance adopted usage at \$1,302,138, which retains an operation reserve of \$2,277,881.

The General Fund 2007 budget totals 76% (\$20,368,461) in salary and benefit costs, 24% (\$6,409,325) in goods and services with expenditures increased 5% (\$1,249,625) overall. \$9,078,500 from penalties, interest and taxes on assessed property represents 36% of the general fund revenue base. The County pursues available federal, state and local grants, which are the second largest revenue source (\$4,301,990) at 17% in 2007. Grants and fees fund 83% of the Public Health and Social Service programs with 2.5 cents of the General Fund levy, \$107,577, dedicated as mental health matching funds. The third largest revenue court fines, fees, and criminal justice tax generates 14% (\$3,558,411), with licenses, permits and fees for service revenues fourth at 13% (\$3,066,752). The fifth largest revenue is sales tax and generates 9% (\$2,310,000). Forest harvest and yield taxes are the sixth largest revenue at 6% (\$1,511,215).

Miscellaneous Funds total \$58,341,246 in budgeted funds. The Road Fund has the largest operating budget at 26% of the total for an annual road program of \$14,992,300. The road property tax levy generates 37% of the available road revenue at \$3,950,000, which is \$2.10 per \$1,000 assessed property value with increases in added new construction and valuation base only. The road program includes \$6,388,000 in road construction projects and \$7,395,000 in road maintenance and operations countywide. Social Services, Mental Health, Developmental Disabilities, and Substance Abuse pass-through grant programs deliver services totaling \$9,129,487. The Aberdeen Landfill Post Closure fund budget totals \$3,428,940 and the commitment to implement the Solid Waste Plan is funded at \$3,791,000 continuing hazardous waste and recycling programs for Grays Harbor citizens. Grays Harbor County provides forest harvest revenues to county funds, schools and junior taxing districts with its active Forestry Department budgeted at \$3,641,298.

Chairman Beerbower asked for public comment. Ron Armstrong, Hoquiam, Washington, asked if the budget information was available on-line. He commented it would be useful if the budget information were on-line and available to the public prior to the hearing. There was no additional public comment and the hearing was closed.

**Action: A motion was made, seconded and passed to approve Resolution No. 2006-125 – Adopting The Budget For Grays Harbor County For 2007**

**Action: A motion was made, seconded and passed to approve Resolution No. 2006-126 – Adopting The Grays Harbor County Annual Road Construction Program for 2007**

2. **Consider Ordinance Related To County Road Standards:** There was a public hearing to consider an ordinance repealing Ordinance 190 and, rescinding Resolution 83-114 and adding a new chapter to Title 12 of the Grays Harbor County Code to codify minimum county road standards. The following summary was published and provided a brief description of the ordinance presented to the Board of Commissioners of Grays Harbor County for consideration: An ordinance amending Title 12 of the Grays Harbor County Code to add a new chapter 12.02 containing minimum County Road Standards for public and private roads, repealing Ordinance 190 and Resolution 83-114, which implemented Road Standards by resolution rather than by County Code Requirement. Notice of the hearing was advertised in *The Montesano Vidette* on November 16, 2006. Chairman Beerbower asked for a staff report. Brian Shea, Director of Planning and Building Department, reported that the proposed ordinance pertains to the County Road Standards. These standards apply to all new developments within Grays Harbor County. Mr. Shea outlined the three primary areas of change.

Chairman Beerbower asked for public comment. Ron Armstrong, resident of Hoquiam, Washington, discussed the proposed changes and expressed concern with changes involving private roads. Mr. Armstrong asked questions regarding the process for a variance request. Art Rathjen, resident of Hoquiam, expressed support for reducing the amount of regulations and requirements on developments wherever possible. Mr. Rathjen commented that reducing over regulation would improve the long-term economic development of Grays Harbor County. There was discussion regarding the possibility of improving County roads by adding wide shoulders to roads. Herb Welch, resident of Wishkah Road, asked questions regarding the proposed ordinance relating to a subdivision issue. There was no additional public comment and the hearing was closed.

**Action: A motion was made, seconded and passed to approve Ordinance #354 – An Ordinance Adding A New Chapter To Title 12 Of The County Code, Repealing Ordinance No. 190 And Rescinding County Resolution 83-114 To Revise And Codify Grays Harbor County Minimum Road Standards.**

3. **Consider Ordinance Related To Fire Apparatus Road Standards:** There was a public hearing to consider an ordinance amending Ordinances 243 and 320 and Chapter 15.12 of the Grays Harbor County Code to make technical changes to fire apparatus road standards and provide for approval of variances when appropriate. The following summary was published and provided a brief description of the proposed ordinance presented to the Board of Commissioners of Grays Harbor County for

consideration. An Ordinance Amending Chapter 15.12 Of The Grays Harbor County Code To Substitute “Director of Planning And Building Division” for “Chief” For Fire Apparatus Access Road Administration Purposes, Requiring Compliance With County Road Standards For Fire Apparatus Access Roads, Providing For Approval Of Variances Under Specific Circumstances and Making Textual Corrections. Notice of the hearing was advertised in *The Montesano Vidette* on November 16 and 23, 2006.

Chairman Beerbower asked for a staff report. Brian Shea, Director of Planning and Building Division, outlined the primary changes to the proposed ordinance relating to fire apparatus road standards.

Chairman Beerbower asked for public comment. Ron Armstrong, resident of Hoquiam, made comment regarding the amount of time he has spent on the road variance issue and commented on the proposed ordinance. Mr. Armstrong suggested the opportunity for on-line public input regarding future issues. Herb Welch, resident of Aberdeen, commented regarding the fire apparatus requirements for road standards. There was no additional public comment and the hearing was closed.

**Action: A motion was made, seconded and passed to approve Ordinance No. 355 – An Ordinance Amending Chapter 15.12 Of The Grays Harbor County Code Adopting Changes To Fire Apparatus Access Road Specifications And Designating Planning And Building Division Director As Approving Authority.**

**4. Review Community Development and Housing Needs:** There was a public hearing to review community development and housing needs, inform citizens of the availability of funds and eligible uses of the state community Development Block Grant (CDBG), and receive comments on proposed activities, particularly from low and moderate income persons residing in Grays Harbor and Pacific County areas. Up to \$169,125 will be available to Grays Harbor County and the Coastal Community Action Program to fund public service activities that principally benefit low and moderate-income persons. The draft application for the Public Services Grant proposal was available for review at the Grays Harbor Management Services Department, Administration Building, 100 West Broadway, Suite 32, Montesano, Washington. Comments on the County’s and Community Action Agency’s past performance and use of their 2006 CDBG Public Service Grant awards will be received. Notice of the hearing was advertised in *The Montesano Vidette* on November 16, 2006.

Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the hearing is for the Washington State Department of Community, Trade and Economic Development CDBG Public Services Block Grant. The purpose of this grant is to provide core administrative support for necessary community projects benefiting low and

moderate-income persons and households. Troy Colley with Coastal Community Action Program (CCAP) outlined the areas of support provided by the Block Grant. He discussed areas of focus for the development block grant this year. Mr. Colley expressed appreciation to the Board for the partnership between the County and CCAP.

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. 2006-127 – Application For Community Development Block Grant And Certification of Compliance.**

### **PRESENTATION**

None

### **COMMISSIONERS**

**1. Re-appoint Floyd Davis to serve on the Planning Commission – 4 year term:** A motion was made, seconded and passed to re-appoint Floyd Davis of Neilton, Washington to serve on the Grays Harbor County Planning Commission for a 4-year term ending December 31, 2010.

Chairman Beerbower announced that the Board of County Commissioners would recess and convene as Commissioners for Drainage District #2 to consider the following:

**1. Hearing to Consider 2007 Budget:** There was a public hearing to consider adoption of the Grays Harbor County Drainage District #2 2007 Budget pursuant to RCW 84.55. Copies of the proposed 2007 Budget were available for study in the office of the Grays Harbor County Commissioners, 100 West Broadway, Suite 1, Montesano, Washington. Notice of this hearing was advertised in *The Montesano Vidette* on November 16 and 23, 2006. This hearing is to approve the 2007 Budget for Drainage District #2. The beginning case balance is estimated at \$9,986 and the anticipated assessment for the District is \$1,200 for a total budget of \$11,186. It is anticipated that all or a portion of the budget will be utilized in 2007 to clear the drainage ditch. A separate hearing will be held on December 18<sup>th</sup> to approve the assessment roll.

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. 2006-02 – A Resolution Adopting The 2007 Budget For Grays Harbor County 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, Set Hearing – Emergency Budget – Elections:** December 18, 2006 at 2:00 p.m. is the date and time set for an Emergency Budget in the General Fund Auditor #001-000-011 in the amount of \$39,000.

### **FAIR**

1. **Request Approval, Authorize Director To Sign Contract For Tourism Web Site Development:** A motion was made seconded and passed to authorize the Fair Director to sign a contract with Filip M. Galiza of [www.WebPageCreation.org](http://www.WebPageCreation.org) for redesign of the Grays Harbor Tourism website. The contract covers the architectural and visual development and complete redesign of the website. Upon completion of the website Grays Harbor County will have complete ownership and host the website. The department will have the ability to make updates and changes in-house. The total cost of the project is \$2,600.

### **FORESTRY**

1. **Request Approval, Set Bid Date for Tree Planting:** January 8, 2007 at 2:00 p.m. is the date and time set for a bid date for the planting of approximately 266 acres of County forestland.

### **MANAGEMENT SERVICES**

1. **Request Approval, Resolution Budget Transfer in Clerk's Office:** A motion was made, seconded and passed to approve **Resolution No. 2006-128 – Transferring Items In The Grays Harbor County General Fund Clerk's Office #001-014.** This resolution transfers \$2,810 from Overtime to Small Tools & Minor Repairs. The WACO Meth Grant, which is used for overtime, has authorized the Clerk's Office to spend a portion of the grant funding on a new scanner.

**2. Request Approval, Set Hearing Date – Supplemental Budget in Sheriff's**

**Department:** December 18, 2006 at 2:00 p.m. is the date and time set for a Supplemental Budget hearing in the Sheriff's Department for \$254,744 due to funds received from various agencies. \$55,777 in federal grant funding has been received from the Department of Justice and the Washington Traffic Safety Commission, \$27,294 in state funding from the Washington Traffic Safety Commission, \$67,100 in funding from the Washington State Parks, and \$87,850 for Police Services for Oakville, \$15,000 from the Law Enforcement Security and \$1,723 from the West Region EMS. Funds will be used for patrol overtime and benefits, beach patrol, supplies, uniforms, and professional services.

**3. Request Approval, 2007 CDBG Public Services Block Grant:** A motion was made, seconded and passed to approve grant documents necessary to apply for the 2006 Public Services grant with the Department of Community Trade and Economic Development. The CDBG Public Services grant will fund \$169,125 to Coastal Community Action Program to provide public services to low and moderate-income persons within Grays Harbor and Pacific Counties.

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

**4. Request Approval, Hearing Date, Emergency Budget, Assessor:** December 18, 2006 at 2:00 p.m. is the date and time set for an Emergency Budget request in the Assessor's Office as a result of two retirements. \$46,000 is needed to cover the sick leave and vacation payout along with benefits.

**PUBLIC HEALTH AND SOCIAL SERVICES**

**1. Request Approval, Contract with Grays Harbor Community Network:** A motion was made, seconded and passed to approve an Agreement between the County and the Grays Harbor Community Network. The Network is providing \$13,000 for continuation of the Youth Development Program through the end of the 2006-2007 school years. A motion was made, seconded and passed to approve the second Agreement where the Department will be paid \$7,500 to facilitate a needs assessment process to meet the Network's requirements from the Family Policy Council.

**2. Request Approval, Contract with Washington State Department of Health:** A motion was made, seconded and passed to approve the County's 2007-2011 Consolidated Contract with the State Department of Health. The funding embodied in the contract totals \$925,773. The total for Calendar Year 2007 is \$743,000. All of this revenue is included in the 2007 budget. This contract provides the basis for much of the

work the Department performs and will be approximately 24% of the Department's 2007 Budget.

**3. Request Approval, Amend Contracts with DSHS – Medicaid and State-Funded Mental Health Services:** A motion was made, seconded and passed to approve amendments to the County's contracts with the State DSHS for both Medicaid and state-funded mental health services. These amendments make language changes related to performing requirements but there are no changes in funding levels.

### **PUBLIC SERVICES**

**1. Request Approval, Hazardous Materials Emergency Preparedness Grant:** A motion was made, seconded and passed to authorize the Board Chairman to sign the grant from the Washington State Emergency Management Division in the amount of \$1,000. The funds from this grant will be used to help offset the costs associated with hazmat training, LEPC meetings, updating the Hazardous Materials Response Plan which is part of the County's Comprehensive Emergency Management Plan and developing a Tsunami Functional Exercise which also addresses hazmat issues.

**2. Request Approval, Planning and Building Rate Resolution:** A motion was made, seconded and passed to approve **Resolution No. 2006-129 – A Resolution Establishing Planning And Building Permitting Fees For Grays Harbor County.** This resolution reflects the CPI percentage increase of 4.2% for the fees charged by the Planning and Building Division.

**3. Request Approval, Accept Contract as Complete – North River Horseshoe Curve Realignment:** The Contractor, Scarsella Bros., has completed the North River Road Horseshoe Curve Realignment, M.P. 3.25 to M.P. 3.95/C-96130-31/STPH-0141(002) TA-2409. The total amount of the contract is \$2,560,056.26, which is 12.86% above the original bid. The Department recommended acceptance of the contract, which would allow release of retainage in the amount of \$128,002.81 as per Section 60.28, Revised Code of Washington. A motion was made, seconded and passed to accept the contract and allow release of retainage in the amount of \$128,002.81 as per Section 60.28, Revised Code of Washington.

**4. Request Approval, Accept Contract as Complete – 2006 Asphalt Concrete Paving – Wishkah Road, Quinault South Shore Road:** The Contractor, Lakeside Industries, has completed the 2006 Asphalt Concrete Paving – C-52070-08 Wishkah Road and C-93400-13 Quinault South Shore Road. The total amount of the contract is \$616,807.17, which is 3.19% below the original bid. The Department recommended acceptance of the contract, which would allow release of the Retainage Bond in the amount of \$128,002.81 as per Section 60.28, Revised Code of Washington. A motion

was made, seconded and passed to accept the contract and allow release of the Retainage Bond in the amount of \$31,858.20 as per Section 60.28, Revised Code of Washington.

**5. Request Approval, Personal Services Contract – Lloyd Phinney:** A motion was made, seconded and passed to approve two (2) original Personal Services Contracts for Lloyd Phinney to provide biological and technical services for various projects. Biological assessments are required for all projects with federal money. Mr. Phinney has been providing biological and technical services for County projects for the past eight years and is very familiar with state and federal procedures. The Department recommended hiring Lloyd Phinney and requested approval and authorization for the Board Chairman to sign the contract.

**6. Request Approval, Purchase Paver:** A motion was made, seconded and passed to approve the purchase of one (1) Layton Box Paver utilizing a “Hold Harmless Agreement” with the City of Port Townsend. The cost of the equipment is \$16,000.

**7. Request Approval, Accept Contract as Complete – Ocean Beach Road, Dekay Curve Revision:** The Contractor, Quigg Bros., has completed the Ocean Beach Road Dekay Curve Revision – M.P. 2.5 to M.P. 2.8/C-94230-36/STPH-O141(007). The total amount of the contract is \$1,222,666.85, which is 8.0% above the original bid. The Department recommended acceptance of the contract, which would allow release of the Retainage Bond in the amount of \$59,708.34 as per Section 60.28, Revised Code of Washington. A motion was made, seconded and passed to accept the contract and allow release of the Retainage Bond in the amount of \$59,708.34 as per Section 60.28, Revised Code of Washington.

**8. 8a. Request Approval, Contract for Professional Services – Chehalis Basin Partnership:** A motion was made, seconded and passed to authorize the Chair to sign the Contract for Professional Services Agreement with Puget Sound Meeting Services (Consultant) for professional services to support the Chehalis Basin Partnership through recording and transcription services. The Consultant will attend, record, and transcribe the meetings of the Chehalis Basin Partnership and several of its standing committees. All work described in this agreement is eligible for reimbursement through a grant from the Department of Ecology.

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

**8b. Request Approval, Grant Agreement – Department of Ecology Regarding Development & Administrative Costs Of The Chehalis Basin Partnership:** A motion was made, seconded and passed to approve Ecology Grant No. G0700127 – State of

Washington Department of Ecology and Grays Harbor County. The amount of the grant is \$75,000.

**9. Request Approval, Set Hearing – Service Level Ordinance – Residential Recycling:** December 18, 2006 at 2:00 p.m. is the date and time set for a public hearing to consider an Ordinance to implement a new single cart curbside recycling collection program for County residents. The program has been developed by staff and the Solid Waste Advisory Committee. The program has been approved by all the cities within the County, and the Department recently completed a review by the WUTC and Prosecutor's Office.

#### **ANNOUNCEMENT(S)**

None

#### **CORRESPONDENCE**

A claim (#C-522-06) was received from Randy D. and Donna J. Clark. The claim was forwarded to the Prosecuting Attorney and the Claims Review Committee.

An e-mail dated November 28, 2006 was received from Stanley J. Trohimovich. The subject was: Replacement For Message Sent On November 27, 2006. This item has been documented and placed on file at the request of Mr. Trohimovich.

#### **PUBLIC COMMENT**

Chairman Beerbower asked for public comment. Ron Armstrong, Hoquiam, Washington asked where agenda items are discussed prior to the 2:00 p.m. Board meeting. Chairman Beerbower explained that during the staff meetings, beginning at 9:00 a.m. the date of the Board meeting, agenda items are reviewed and discussed. Those meetings are open to the public. Mr. Armstrong made comment on the Planning and Building rate resolution appearing on the agenda.

Art Rathjen, Hoquiam, Washington asked questions regarding the status of construction of a bridge over Conner Creek. Chairman Beerbower explained that lack of funding is the reason that a bridge has not been constructed and that Commissioner Carter is working to secure funds.

Stanley Trohimovich, Aberdeen, Washington commented regarding resolution of disputed bills and his consistent request for an official accounting. Mr. Trohimovich read from his e-mail dated November 28, 2006.

Stan Blunt, Aberdeen, Washington commented on a 3-year forestry contract for 32,000 acres. Mr. Blunt made comment regarding his request for I-9 forms on employees.

There was no additional public comment.

At 3:20 p.m. Chairman Beerbower announced that the Board would recess to discuss with legal counsel a litigation issue. He reported that no decisions would be made and no action would be taken. The Board reconvened at 3:52 p.m. and Chairman Beerbower reported that no action was taken.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, December 4, 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; Michael Tracy of EDC; Rose Elway and Marilyn Lewis, Budget Department; Maryann Welch, Public Health and Social Services; Paul Easter, Kevin Varness, Brian Shea and Lee Napier, Department of Public Services.

The Board approved the following resolutions:

### **RESOLUTIONS**

- |                     |   |
|---------------------|---|
| <b>No. 2006-125</b> | <b>Adopting The Budget For Grays Harbor County For 2007.</b>                                    |
| <b>No. 2006-126</b> | <b>Adopting The Grays Harbor County Annual Road Construction Program For 2007</b>               |
| <b>No. 2006-127</b> | <b>Application For Community Development Block Grant And Certification Of Compliance.</b>       |
| <b>No. 2006-128</b> | <b>Transferring Items In The Grays Harbor County General Fund Clerk's Office #001-014.</b>      |
| <b>No. 2006-129</b> | <b>A Resolution Establishing Planning And Building Permitting Fees For Grays Harbor County.</b> |

### **DRAINAGE DISTRICT:**

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| <b>No.-2006-01</b> | <b>Resolution Adopting The 2007 Budget For Grays Harbor County Drainage District #2.</b> |
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**ORDINANCES:**

**No. 354                    An Ordinance Adding A New Chapter To Title 12 Of The  
County Code, Repealing Ordinance No. 190 And Rescinding  
County Resolution 83-114 To Revise And Codify Grays  
Harbor County Minimum Road Standards.**

**No. 355                    An Ordinance Amending Chapter 15.12 Of The Grays Harbor  
County Code Adopting Changes To Fire Apparatus Access  
Road Specifications And Designating Planning And Building  
Division Director As Approving Authority.**

**INTERLOCAL AGREEMENTS:**

None

The meeting adjourned at 3:53 p.m. to Monday, December 11, 2006 at 2:00 p.m.

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

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BOB BEERBOWER, Chairman  
Commissioner, District 1

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MIKE WILSON, Commissioner, District 2

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*excused*  
ALBERT A. CARTER, Commissioner, District 3

ATTEST:

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Donna Caton  
Clerk of the Board