

## MINUTES

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

**December 18, 2006**

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 18, 2006, at 2:00 p.m. Commissioners Bob Beerbower, Al Carter and Mike Wilson were present. Steward Menefee, Prosecuting Attorney was present. Also in attendance was Donna Caton, Clerk of the Board.

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

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

#### **MINUTES**

**December 11, 2006:** A motion was made, seconded and passed to approve the minutes of the Commissioners' Meeting of December 11, 2006.

**Joint Session, November 17, 2006:** A motion was made, seconded and passed to approve the November 17, 2006 minutes of the Special Joint Session of the County Commissioners of Grays Harbor, Pacific, Wahkiakum, and Cowlitz Counties.

#### **BIDS**

**Juvenile Court Contracts:** Steward Menefee, Prosecuting Attorney for Grays Harbor County reported that the County advertised for defense contracts for Grays Harbor County District Court and for the Juvenile Department of the Grays Harbor County Superior Court. Five contracts were for the district court. The 2007 District Court contracts will pay \$2,798 .60 per month for 300 cases, plus an additional \$97.80 per case for each case over 300, to a maximum of 375 cases. The attorney is not required to accept more than 375 cases. The juvenile court contracts will be awarded to the lowest and best bid. Two juvenile court contracts will be awarded, one for representation of minors charged with criminal offenses and one for representation of minors in dependency proceedings. Copies of the contracts were available at the Grays Harbor County Commissioner's office. Mr. Menefee reported that four responses were received for the District Court Indigent Defense contract. The four responses received were from Robert Ehrhardt, Therese Wheaton, Kyle Imler, and Kathryn Davis-Delaney. All four attorneys have previously provided indigent defense services to the district courts for Grays Harbor County. Mr. Menefee reported that the judges had no objections to any of the applications. One bid was received for the Juvenile Court. The bid was from Kyle Imler for \$4,500.00 per month. Mr. Imler is currently providing that service and has provided service for a number of years. Mr. Menefee reported that the superior court judges have indicated that they are pleased with the services provided by Mr. Imler and

have no objection to his appointment. One bid was received for the Juvenile Guardian Ad Litem contract. That bid was received from Tamara Darst for the amount of \$5,500 per month. Ms. Darst has also provided that service for the County for several years. Mr. Menefee reported that the judges indicated that her services have been satisfactory and they have no objection to her appointment. Mr. Menefee recommended that the four district court contracts be awarded to Robert Ehrhardt, Therese Wheaton, Kyle Imler and Kathryn Davis-Delaney. He recommended the Juvenile Defense Contract be awarded to Kyle Imler and the Juvenile Guardian Ad Litem contract be awarded to Tamara Darst.

### **AWARD CONTRACTS**

1. **Indigent Defense Contracts:** A motion was made, seconded and passed to award Indigent Defense Contracts as follows: District Court Contracts to Robert Ehrhardt, Therese Wheaton, Kyle Imler and Kathryn Davis-Delaney. Juvenile Defense Contract to Kyle Imler for \$4,500 per month and the Juvenile Guardian Ad Litem Contract to Tamara Darst for \$5,500 per month.

### **HEARINGS**

1. **Continued from December 11<sup>th</sup> -- Consider Vacation of Right of Way – Petition by Drazich Holdings, LLC:** This hearing was continued from December 11, 2006. The public hearing was to consider a petition received by Drazich Holdings LLC to vacate pursuant to R.C.W. 36.87.020 the following right of way: all of Ninth Street between Lot 6 Block 9 and Lot 1 Block 10 in the Plat of Quinault Higley's Volume 3 Page 73 records of Grays Harbor County. Notice of this hearing was advertised in *The Montesano Vidette* on November 30 and December 7, 2006. Chairman Beerbower announced that this hearing was continued to allow for all public testimony.

Chairman Beerbower asked for public comment. Tim Simonds, Chief Ranger for the Olympic National Park commented that he is not opposed to the right of way petition by Drazich Holdings, LLC. Joe Drazich, resident of 7841 Northeast 125<sup>th</sup> Street, Kirkland, Washington, reported that he is applicant. Mr. Drazich asked questions pertaining to the roadway and drains that are located in the vicinity. Chairman Beerbower responded that the National Parks division is responsible for those roadway and drains. There was no additional public comment and the hearing was closed.

**Action:** A motion was made, seconded and passed to approve Resolution No. 2006-135 – Order of Vacation/Drazich Holdings LLC.

**2. Emergency Budget – Auditor:** There was a public hearing to consider Emergency Budget as follows: General Fund Auditor, #001-000-011 in the amount of \$39,000. Notice of this hearing was advertised in *The Montesano Vidette* on December 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that this request is due to the new “pick a party” primary, which resulted in additional costs to the Auditor’s Office. The State shared the costs the first time this type of election was held but did not contribute anything for the last election, which resulted in the County paying an additional \$60,989.

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. 2006-136 – Authorizing an Emergency Appropriation in the Budget of the Grays Harbor County General Fund Auditor’s Office #001-000-011.**

**3. Emergency Budget – Assessor:** There was a public hearing to consider Emergency Budget as follows: Assessor’s Office, #001-000-010 in the amount of \$46,000. Notice of this hearing was advertised in *The Montesano Vidette* on December 7, 2006. Chairman Beerbower asked for a staff report. Rose Elway, Budget Director, reported that the Assessor’s Office has two retirements. The Chief Deputy and Chief Appraiser are retiring at the end of December with a total payout for vacation and sick leave of \$40,850. The emergency hearing is for the amount of \$46,000, which should cover the payout plus benefits.

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. 2006-137 – Authorizing an Emergency Appropriation in the Budget of the Grays Harbor County General Fund Assessor’s Office #001-000-010.**

**4. Supplemental Budget – Sheriff:** There was a public hearing to consider Supplemental Budget as follows: Sheriff’s Office, #001-000-032 in the amount of \$254,744. Notice of this hearing was advertised in *The Montesano Vidette* on December 7 and 14, 2006. Chairman Beerbower asked for public comment. Rose Elway, Budget Director, reported that the request is due to funds received from various agencies in the amount of \$254,744. \$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. Ms. Elway reported that funds would be used for patrol overtime and benefits, beach patrol, supplies, uniforms, and professional 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. 2006-138 – Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund Sheriff’s Department #001-000-032.**

**5. Service Level Ordinance – Residential Recycling:** There was a public hearing to consider an ordinance establishing minimum levels of service for curbside recycling provided to households serviced by solid waste collection companies operating in urban and rural areas of Grays Harbor County; and adding a new chapter to Grays Harbor County Code Title 8. A copy of the proposed ordinance was published in its entirety in *The Montesano Vidette* on December 7, 2006. Chairman Beerbower asked for a staff report. Kevin Varness, Director of Utilities and Development, reported that the proposed ordinance has been developed 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 also been approved by all the cities within the County.

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 Ordinance No. 356 – An Ordinance Establishing Minimum Levels of Service for Curbside Recycling Provided to Households Serviced by Solid Waste Collection Companies Operating in Urban and Rural Areas of Grays Harbor County; and Adding a New Chapter to Grays Harbor County Code Title 8.**

## **PRESENTATION**

None

## **COMMISSIONERS**

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

1. **Hearing – Assessment Roll:** There was a public hearing to consider adoption of the Grays Harbor County Drainage District 2 Assessment Roll for collection in 2007 pursuant to RCW 85.32.060. Copies of the proposed 2007 Annual Assessment roll were available for review 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, 23 and 30, 2006. Chairman Beerbower asked for a staff report. Ron Strabbing, Grays Harbor County Treasurer, provided an overview of the proposed Drainage District #2 Assessment Roll. The total assessment roll was \$1200.00 and distributed on the percent of land value lying within the district.

Chairman Beerbower asked for public comment. Jerry Shields, resident of 228 Monte-Brady Road, Montesano, commented on the status of the drainage district and how the district functions. Chairman Beerbower provided background information regarding the drainage district. There was no additional public comment and the hearing was closed.

**Action:** A motion was made, seconded and passed to approve Resolution No. 2006-03 – Resolution Adopting the 2007 Assessment Roll for Grays Harbor County Drainage District 2.

Chairman Beerbower announced that the Board would adjourn from Drainage District #2 and reconvene as the Board of County Commissioners.

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

2. **Resolution 2006-134 – Declaring Emergency:** A motion was made, seconded and passed to approve an emergency resolution adopted on December 15, 2006. The emergency **Resolution No. 2006-134 – Local Declaration of Emergency in Grays Harbor County** was due to events beginning on or about December 14 resulting in a series of wind and rain storms causing damage to public property/roadways, damage to private property, downed trees, slides and power outages in Grays Harbor County.

3. **Re-appointment -- L. Muller to Planning Commission:** A motion was made, seconded and passed to reappoint Louis (Buck) Muller to serve on the Grays Harbor County Planning Commission. This appointment will fill Position 3, District 1, for the four-year term running from January 2007 to December 31, 2010.

## **DEPARTMENTS**

### **AUDITOR**

1. **Request Approval, November Expenditures:** A motion was made, seconded and passed to accept expenditures for November 2006 as follows: Claims \$5,323,448.11 Salary \$2,270,012.12, for a total of \$7,593,460.23.

2. **Request Approval, Surplus Inventory:** A motion was made, seconded and passed to approve the request to declare the following items in the Auditor's office as surplus. The items have been replaced as part of the project to upgrade the recordings system. The surplus items will be turned over to the Data Processing department for reassignment to other departments or further disposition.

Tag #0087	Election Server/Pentium Venus Pro
Tag #0101	Fujitsu Scanner/Model #M3096EX
Tag #0112	Fujitsu Scanner/Model #M3096EX

## **FORESTRY**

1. **Accept Contracts As Complete – Breckenridge No. 3 Timber Sale:** Sierra Pacific Industries has satisfactorily completed all the terms and conditions of the contract for the Breckenridge No. 3 timber sale. The Department recommended that the County accept the contract as complete and release the performance bond as posted by Sierra Pacific Industries for this sale. A motion was made, seconded and passed to accept the contract for Breckenridge No. 3 timber sale (TBR0602) as complete and release the performance bond as posted by Sierra Pacific Industries as described.

## **MANAGEMENT SERVICES**

1. **Request Approval, Resolution – Budget Transfer – Distressed Area Capital:** A motion was made, seconded and passed to approve **Resolution No. 2006-139 – Transferring Items in the Grays Harbor County Miscellaneous Fund Distressed Area Capital #301-000-000**. This resolution is the result of the Board of County Commissioners approval of a grant in the amount of \$57,900 from the .08 money to the Grays Harbor Public Development Authority for funding to study the feasibility of using the PDA barge slip for the improvement of the Park's Turbine and Administrative building.

2. **Request Approval, Set Hearing Date – Supplemental Budget – Special Projects Fund:** January 8, 2006 at 2:00 p.m. is the date and time set for a public hearing to consider a supplemental budget in the 2007 Special Projects Fund for a \$75,000 grant received from the Interagency Committee for Outdoor Recreation. This grant is for Salmon Recovery – coastal regionalization scoping. Funds will be used in professional services and for lead entity time.

## **PUBLIC HEALTH AND SOCIAL SERVICES**

### **1. Request Approval, Contract Amendments:**

**a. Evergreen Counseling Center:** A motion was made, seconded and passed to approve an amendment to the County's contracts with Evergreen Counseling Center. Federal Mental Health Block Grant funding is being added to the contracts to be used for "flex" needs of consumers. The agencies may pay for such individually identified consumer needs as education, housing or medications. Additionally, the target service hours are to remain at a reduced level for one additional month to allow adequate information to establish a reasonable cost per hour and productivity expectation.

**b. Behavioral Health Resources:** A motion was made, seconded and passed to approve an amendment to the County's contracts with Behavioral Health Resources. Federal Mental Health Block Grant funding is being added to the contracts to be used for "flex" needs of consumers. The agencies may pay for such individually identified consumer needs as education, housing or medications. Additionally, the target service hours are to remain at a reduced level for one additional month to allow adequate information to establish a reasonable cost per hour and productivity expectation.

**2. Request Approval, Contract with Sea Mar Community Health Center:** A motion was made, seconded and passed to approve a contract with Sea Mar Community Health Centers to provide oral health assessment, education, screening and coordination services. Sea Mar will continue to provide these services to the Department with the same staff as Peninsula did for the past three years. The contract utilizes funding received from the State Department of Health and totals \$25,390 through August 31, 2007.

**3. Request Approval, 2007 Interlocal Agreement With Clark County Health Department:** A motion was made, seconded and passed to approve the 2007 Interlocal Agreement between Grays Harbor County and Clark County Health Department, which is the lead agency for Region VI Omnibus AIDS funding. The Agreement provides \$77,383 for Calendar Year 2007. The bulk of this funding will be to support the Syringe Exchange Program that targets populations at high risk of developing HIV/AIDS.

## **PUBLIC SERVICES**

**1. a. Request Approval, Contract with Interagency Committee (IAC):** A motion was made, seconded and passed to approve a grant contract between Grays Harbor County and the Office of the Interagency Committee (IAC) for a coastal regionalization-scoping project. The purpose of this grant is to provide the Coastal

Salmon Recovery Region with funding to commence the assessment and articulation of options for creating the structure and function of a potential governance unit for salmon sustainability.

**b. Professional Services Agreement – Triangle Associates, Inc.:** A motion was made, seconded and passed to approve a professional services agreement with Triangle Associates, Inc., who will serve as the group facilitator. The funds secured through this grant contract will cover the expenses incurred.

**2. Request Approval, 2007 Lease Agreement with Economic Development Council:** A motion was made, seconded and passed to approve the 2007 lease agreement with the Economic Development Council located at 506 Duffy Street, Aberdeen, Washington. The amount of the lease remains the same at \$550 per month plus leasehold taxes. This is a renewal of the existing lease agreement.

**3. Request Approval, Administrative Offer Summary – North River Road:** A motion was made, seconded and passed to approve an Administrative Offer Summary for County road project CRP E-11-96130-64 North River Road. With approval of Just Compensation, the County's right of way agent will proceed with the negotiations to acquire the parcel.

**4. Request Approval, Local Agency Agreement & Project Prospectus Requesting Federal Funds – North River Road Repair:** A motion was made, seconded and passed to approve the Local Agency Agreement and Project Prospectus requesting Federal Funds to reimburse the County for removing a debris slide on North River Road and placing Riprap and Quarry Pitrun to repair two embankments slides on Brooklyn Road. This project is eligible for Federal Funding under the Emergency Repair Program.

**5. Request Approval, Award Bid – Middle Satsop Road Boat Launch Curve Realignment:** A bid recap for the Middle Satsop Road Boat Launch Curve Realignment M.P. 2.42 to M.P. 3.04 – SPTH-T141-(002), TA-2408, C-97250-11 was provided. The low bid of \$2,105,106.61 was submitted by Wilder Construction Company of Olympia, Washington. This bid is 20.90% below the Engineer's estimate. The Department recommended the contract be awarded to Wilder Construction Company of Olympia, Washington. A motion was made, seconded and passed to award the bid to Wilder Construction Company of Olympia as described.

**6. Request Approval, Advertise For Bids – Stamper Road Cloquallum Creek Bridge Rehabilitation:** A motion was made, seconded and passed to grant approval to advertise for bids for the Stamper Road Cloquallum Creek Bridge Rehabilitation – C-

76730-01 BHOS-2014 (063) project. Approval was granted to close Stamper Road beginning June 18<sup>th</sup> to August 24<sup>th</sup>. Traffic will be detoured via the Elma-McCleary Road. This closure was selected to not interfere with school bus traffic. A 2000 gallon water truck with pump and hose will be stationed on the Elma side of the bridge site. This will be for temporary use by District 5 fire during the road closure period. Their station is located on the opposite side of the bridge.

### **ANNOUNCEMENTS**

A motion was made, seconded and passed to cancel meetings for December 25 and January 1, 2007 due to the Christmas Holiday and New Years Day. The next regular meeting will be held January 8, 2007 at 2:00 p.m.

### **CORRESPONDENCE**

Grays Harbor Public Development Authority submitted Resolution No. 2006-22 – A Resolution of the Board of Directors of Grays Harbor Public Development Authority Re: Local Declaration of Emergency Keys Road Well. Chairman Beerbower reported that this resolution authorizes the Public Development Authority to enter into a contract and incur obligations necessary to combat an emergency to protect the health and safety of persons and property served by the Keys Road well.

### **PUBLIC COMMENT**

Chairman Beerbower asked for public comment. Stanley Blunt, resident of Aberdeen, Washington made comment regarding the contract with Sea Mar Community Health Center. Mr. Blunt distributed copies of a Grays Harbor County Assessor's Office online parcel database assessment information sheet for property located at 319 North D Street, Aberdeen and discussed operations held at the property. He discussed contracts involving County properties.

Ron Armstrong, resident of Hoquiam, Washington made comment regarding a correspondence he sent to the Board concerning wells and building permits.

There was no additional public comment.

### **SWEARING IN CEREMONY: ELECTED OFFICIALS OATH**

Judge Godfrey administered the oath of office to each of the following newly elected officials.

Albert A. Carter, Commissioner  
Cherri Rose-Konschu, Assessor  
Vern Spatz, Auditor  
Cheryl Brown, Clerk  
Steward Menefee, Prosecutor  
Michael Whelan, Sheriff  
Ronald A. Strabbing, Treasurer  
Stephen E. Brown, District Court Judge

Ed Fleming, Coroner and Tom Copland, District Court Judge were unable to attend and have taken their oath and received their certificate.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, December 18, 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; Mike Whelan, Sheriff, Debbie Adolphsen, Fair Director, Maryann Welch, Public Health and Social Services and Paul Easter, Department of Public Services.

The Board approved the following:

### **RESOLUTIONS**

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|---------------------|--|
| <b>No. 2006-134</b> | <b>Local Declaration of Emergency in Grays Harbor County</b>   |
| <b>No. 2006-135</b> | <b>Order of Vacation/Drazich Holdings LLC.</b>   |
| <b>No. 2006-136</b> | <b>Authorizing an Emergency Appropriation in the Budget of the Grays Harbor County General Fund Auditor's Office #001-000-011</b>    |
| <b>No. 2006-137</b> | <b>Authorizing an Emergency Appropriation in the Budget of the Grays Harbor County General Fund Assessor's Office #001-000-010.</b>  |
| <b>No. 2006-138</b> | <b>Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund Sheriff's Department #001-000-032.</b> |

**No. 2006-139            Transferring Items in the Grays Harbor County Miscellaneous  
Fund Distressed Area Capital #301-000-000**

**Drainage District No. 2:**

**No. 2006-03            Resolution Adopting the 2007 Assessment Roll for Grays  
Harbor County Drainage District 2**

**ORDINANCES**

**No. 356                An Ordinance Establishing Minimum Levels of Service for  
Curbside Recycling Provided to Households Serviced by Solid  
Waste Collection Companies Operating in Urban and Rural  
Areas of Grays Harbor County; and Adding a New Chapter to  
Grays Harbor County Code Title 8.**

**INTERLOCAL AGREEMENTS**

None

The meeting adjourned at 3:09 p.m. to Monday, January 8, 2007 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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ALBERT A. CARTER, Commissioner, District 3

ATTEST:

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Donna Caton  
Clerk of the Board