

## MINUTES

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

March 12, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, March 12, 2007, at 2:00 p.m. Commissioners Bob Beerbower, Al Carter and Mike Wilson were present. Jim Baker, Senior Deputy Prosecuting Attorney was present. Also in attendance was Donna Caton, Clerk of the Board.

#### CALL TO ORDER AND FLAG SALUTE

Commissioner Carter called the meeting to order with the pledge of allegiance.

#### MINUTES

**March 05, 2007:** A motion was made, seconded and passed to approve the minutes of the Commissioners' meeting of March 05, 2007.

#### BIDS

None

#### HEARINGS

**1. Continued from February 26, 2007-Subdivision request by Terry Graham:**

There was a public hearing to consider an application submitted by Terry Graham on February 26, 2007 and it was continued to today, March 12, 2007. The applicant has requested to subdivide the existing 38 acres of land into 93 lots. The project is purposed on Edgewood Avenue, on the property having Assessor's Parcel #180627310000, just Northwest of the city of Elma, within the Northeast quarter of the Southwest quarter of Section 27, Township 18N., Range 6 W. W.M., Grays Harbor County Washington. Commissioner Carter confirmed that all testimony had been heard and asked Clerk of the Board Donna Caton to read an amendment to condition 5 of the preliminary approval for this case as follows;

*Prior to recording the final plat, \$400,000 for reconstructing County roads providing access to Garden Hill Road shall be submitted and made payable to Grays Harbor County. This off-site final mitigation fee for improvements to Garden Hill Road will be substantiated by the County, with costs in a manner that requires the subject development to pay its fair share.*

*In the event that the portion of Garden Hill Road accessed by the development is annexed into the City of Elma prior to final subdivision recording, the developer shall obtain a*

*right-of-way use permit from the City of Elma and construct the aforementioned \$400,000 reconstruction improvements as prescribed by the County Road Engineer. In the event the developer obtains a bond for the aforementioned improvements but does not construct the required improvements, then the applicant shall authorize the County to cash the bond and construct the aforementioned \$400,000 reconstruction improvements to Garden Hill Road as permitted by the City of Elma right-of-way use permit and as prescribed by the Grays Harbor County Road Engineer.*

**Action: A motion was made, seconded and passed to accept the findings of fact, conclusions, and conditions to include amended condition 5, and to approve the long subdivision permit, case #20062279.**

**2. Right of Way Vacation-Keys Road South:** There was a public hearing to consider vacation of a right-of-way for a portion of Keys Road South between mileposts 0.25 and 0.421, pursuant to R.C.W. 36.87.010. The Department of Public Works initiated the intent to vacate this right-of-way under Resolution 2007-19 approved February 12, 2007. Notice of this public hearing was advertised in *The Montesano Vidette* on March 1<sup>st</sup> and March 8, 2007. Chairman Carter asked for a staff report. Tom Gray, Assistant County Surveyor stated that Weyerhaeuser Company made a proposal to the Department of Public Works resulting in an agreement in 2005. The agreement was that the county would construct a cul-de-sac on Keys Road South at milepost 0.241, providing that Weyerhaeuser contribute the additional right-of-way necessary for this construction. The Department of Public Works would then initiate a vacation process for the remaining road south of this cul-de-sac. The Weyerhaeuser Company and Gary and Antha Holt are the only landowners adjacent to this portion of the road and are in favor of the vacation.

On March 12, 1956, a right-of-way easement was filed with the county auditors' office under Volume 362, pages 432-438, which transferred an easement to the county from Weyerhaeuser Company for a public road. With the construction of Keys Road #64432, the need for this additional access has been diminished. By vacating this portion of Keys Road South, the maintenance costs will be reduced. Furthermore, this action will not land lock any property, nor does it lead to a body of water. The Department of Public Works, Engineering, recommended approval of this right-of-way vacation.

Russ Esses, County Road Engineer, added that the newer Keys Road has better access and that this section of right-of-way is only graveled.

Chairman Carter asked for public comment. Linda Wilder, a resident of Keys Road, spoke against vacation of the right-of-way. Gary Holt, resident of Keys Road South, and Tim Sherer, Land Use Manager of Weyerhaeuser Company, spoke in favor of the vacation request.

**Action:** A motion was made, seconded and passed to approve **Resolution No. 2007-26**, vacating a portion of the right-of-way on Keys Road South between mileposts 0.25 and 0.421, pursuant to RCW 36.87.010.

### **PROCLAMATION**

**1. March 11-17, 2007, GIRLS SCOUTS MAKE THE WORLD A BETTER PLACE WEEK:** A motion was made, seconded and passed to approve a Proclamation proclaiming March 11-17, 2007 as “GIRLS SCOUTS MAKE THE WORLD A BETTER PLACE WEEK” and urging all citizens of Grays Harbor County to celebrate the 95<sup>th</sup> anniversary of Girls Scouts of the USA.

### **COMMISSIONERS**

**1. Call for Bid- Official Publication for the County, RCW Chapter 36.72:** April 23, 2007 at 2:00 p.m. is the date and time set for a bid opening for a contract for Grays Harbor County legal publications for the printing and publication of Commissioners’ proceedings, legal notices, and all other advertising of Grays Harbor County during the period of July 1, 2007 through June 30, 2008.

**2. Personal Service Contract –Mr. James Arthur:** A motion was made, seconded and passed to approve a personal service contract with James Arthur and the City of McCleary for services related to the moratorium on the Wildcat Aquifer.

**3. Re-appointment to Building Codes Advisory Council-Matthew Anglesey:** A motion was made, seconded and passed to re-appoint Matthew Anglesey to serve on the Building Codes Advisory Council for a four-year term ending February, 2011.

**4. Appointment to Planning Commissioner –Ruth Kivi:** A motion was made, seconded and passed to appoint Ruth Kivi to serve on the Grays Harbor County Planning Commission to fill an unexpired term for Position 2, District 1 that expires December 31, 2008.

### **DEPARTMENTS**

#### **FAIR & TOURISM**

**1. Request Approval, Resolution Amending GHC Resolution 03/30-Fair Board:** A motion was made, seconded and passed to approve **Resolution No. 2007-27**, amending Grays Harbor County Resolution No. 03/30 to define the Fair Board’s composition, as well as the terms and districts for each position.

### **MANAGEMENT SERVICES**

- 1. Request Approval, Pacific NW 4 Wheel Drive Association ORV Park Use Agreement:** A motion was made, seconded and passed to approve Pacific NW Wheel Drive Association ORV Park Use Agreement for the dates of March 24<sup>th</sup> and 25<sup>th</sup>, 2007. This organization will operate scheduled events providing Grays Harbor County with insurance and 50 percent of the gate fees.

### **PUBLIC SERVICES**

- 1. Request Approval, Accept bid and Award 2007 Traffic Control Devices Supply Contract:** A motion was made, seconded and passed to accept the low bid of \$62,561.09 submitted by Zumar Industries, Inc. and to award them the 2007 Traffic Control Devices Supply Contract.
- 2. Request Approval, Revise Bid Date:** Hearing no objections, Chairman Carter announced that a revised bid date of April 9, 2007 is set to accept bids for a knuckle crane, medium sized SUV, and a truck cab and chassis.

The Clerk of the Board announced the following item that was added after the agenda was published:

- 3. Request Approval, Resolution exempting the requirement for competitive bidding and to approve a contract relating to fuel monitoring, control, and dispensing equipment:**

A motion was made, seconded, and passed to approve **Resolution 2007-28**, finding that fuel monitoring, control, and dispensing equipment replacement is necessary to improve pollution control capabilities and exempting such equipment improvement and replacement from any requirement of competitive bidding.

A motion was made, seconded, and passed to approve the hiring of Joe Hall Construction to replace the existing underground storage tank fuel monitoring, tracking, and dispensing systems at all four County shops at a cost of \$201,447.69.

### **ANNOUNCEMENTS**

None

### **CORRESPONDENCE**

None

**PUBLIC COMMENT**

Commissioner Carter asked for public comment.

Ron Armstrong, Hoquiam, discussed issues related to a right-of-way appeal by the Campbells that previously had been heard by the Board. Cheryl Campbell, Kent, read a prepared statement relating to her appeal of the right-of-way conditions. Tim Sherer, Land Use Manager of Weyerhaeuser Company, also spoke about their position. He clarified that the right-of-way belongs to the county and that Weyerhaeuser Company has a permit to haul from mile post .00 to 3.77 up to and through the Campbell's property. The company position is that they would like the gate to remain in place.

Public Works Director Paul Easter explained the difference between county right-of-ways that are not improved nor maintained by the county, and county roads that are maintained by the county and taxes collected in order to do so. He stated that the Campbells are aware that they can pursue a vacation request for a portion of this road.

Maggie Ogg, West Boundary Road, discussed problems in her area related to vandalism, garbage, and shooting which have been exasperated by the removal of a gate.

Stan Blunt, Aberdeen, spoke about harvesting in county forests.

Gary Furar, Elma, inquired about whether he could build a shop with no utilities in the Wildcat Aquifer moratorium area. A legal opinion will be obtained.

There was no additional public comment.

**STAFF MEETINGS**

The Board held staff meetings on Monday, March 12, 2007, 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 Debbie Adolphsen, Fair & Tourism, Paul Easter, Brian Shea, Russ Esses and Betty Strabbing of the Department of Public Services, Milt Hagedorn of ER&R, Maryann Welch, Public Health & Social Services and Anne Sullivan of Emergency Services.

The Board approved the following:

**RESOLUTIONS**

- 2007-26**      **Vacation of Right-of-Way on Keys Road South**
- 2007-27**      **Amendment to Resolution 03/03-Fair Board to define the Fair Board's composition, as well as the terms and districts for each position.**
- 2007-28**      **Finding that fuel monitoring, control, and dispensing equipment replacement is necessary to improve pollution control capabilities and exempting such equipment improvement and replacement from any requirement of competitive bidding**

**ORDINANCES**

None

**INTERLOCAL AGREEMENTS**

None

The meeting adjourned at 3:16 p.m. to Monday, March 19, 2007 at 2:00 p.m.

BOARD OF COMMISSIONERS  
For Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
ALBERT A. CARTER, Chairman  
Commissioner, District 3

\_\_\_\_\_  
BOB BEERBOWER, Commissioner, District 1

\_\_\_\_\_  
MIKE WILSON, Commissioner, District 2

ATTEST:

\_\_\_\_\_  
Donna Caton  
Clerk of the Board