

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

August 20, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 20, 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

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

MINUTES

August 13, 2007: A motion was made, seconded and passed to approve the minutes of the regular meeting of August 13, 2007.

PRESENTATION:

None

BIDS

None

HEARINGS

1. **Supplemental Budget – District Court:** There was a public hearing to consider a Supplemental Budget as follows: District Court #001-000-024 in the amount of \$101,522. Notice of this hearing was published in the *Montesano Vidette* on August 9, and 16, 2007. Chairman Carter asked for a staff report.

Judge Stephen Brown, District Court Department 1, reported that Grays Harbor County District Court has incurred additional expenses and will receive additional income in excess of the amount approved for the 2007 general fund budget. The supplemental budget request is in the amount of \$101,522 and is to provide for necessary expenses of the court. The increased number of appointments is due to unanticipated increased caseload levels. Through June 2007, the monthly average is over 200 indigent defense appointments. Funding for four (4) additional contracts with a 150 case limit per contract is requested. Judge Brown reported that due to legal requirements, the court is requesting that funds be allocated for indigent defense to provide for “attorneys of the day” for the court’s weekly arraignment calendars for September through December of

2007. The court anticipates that use of defense counsel on a limited basis during arraignments will assist in resolving cases without the necessity of “full” appointment of counsel. Judge Brown reported that in June 2007, there were at least 90 appointments of counsel in Driving While License Suspended Third Degree cases, about one-third to one-half of the total appointments for the month. Having counsel at arraignment would reduce the overall number of appointments under the regular contracts. The court would appoint counsel as the “attorney of the day” for arraignment days and compensate counsel on a “per hour” basis.

Rose Elway, Budget Director, reported that District Court is seven months through the year for the revenue report and at this time they are at seventy-two percent which is approximately sixty percent on revenue. Ms. Elway explained that funding is available for this request. An increase in funding from traffic infractions will be used to cover the State Salary Commission’s increase in judge’s salaries effective September 1, 2007 and the additional need for indigent defense contracts due to unanticipated caseload levels.

Chairman Carter asked for public comment. Ron Armstrong, Hoquiam, Washington, made comment regarding cost reductions by having an attorney present for arraignment days.

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

Action: A motion was made, seconded and passed to approve Resolution #2007-92 – Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund District Court #001-000-024.

PROCLAMATIONS

1. **Grays Harbor County Harvest Celebration:** This item was continued to a later date.

COMMISSIONERS

1. **Local Declaration of Emergency in Grays Harbor County – Resolution:** A motion was made, seconded and passed to ratify **Resolution No. 2007-91 – Local Declaration of Emergency in Grays Harbor County** signed and approved on August 15, 2007. This resolution pertains to an event on or about August 14 which caused the collapse of the Harp Road Bridge resulting in limited access for emergency vehicles and the public. There are persons and property that are and may be in danger unless further

efforts are taken to open road and bridge access to the Harp Road areas as soon as possible. There is an emergency present which necessitates activation of the Grays Harbor County Emergency Management Plan and utilization of emergency powers granted pursuant to 36.40.180 RCW. This resolution declares that due to the emergency designated departments are authorized to enter into contracts and incur obligations necessary to combat such emergency to protect the health and safety of persons and property, and provide emergency assistance to the victims of such emergency. Each designated department is authorized to exercise powers vested under Section 1 of this resolution in light of exigencies of an extreme situation without regard to time consuming procedures and formalities prescribed by law.

2. **Emergency Road Use Agreement with Weyerhaeuser:** A motion was made, seconded and passed to acknowledge the approval on August 16, 2007 under Resolution 2007-91 an Emergency Road Use Agreement with Weyerhaeuser Company to allow Grays Harbor County to use the Weyerhaeuser A-Line logging road until the County is able to repair the Harp Road Bridge.

3. **Human Services Advisory Board Appointment:** A motion was made, seconded and passed to reappoint Charlene Hood to the Grays Harbor County Human Services Advisory Board for a three-year term ending August 2010.

DEPARTMENTS

MANAGEMENT SERVICES

1. **Request Approval, Change in Financial Reporting Method for Grays Harbor County:** A motion was made, seconded and passed to approve the recommendation of the Internal Control Committee to report Grays Harbor County's financial information using the cash basis of accounting as outlined in the Washington State Auditor's Budgeting, Accounting and Reporting System (BARS) manual instead of using Generally Accepted Accounting Principles (GAAP). The committee believes the change is necessary due to significant new accounting and auditing standards recently enacted by Governmental Accounting Standards Board (GASB). These new standards have added workload and complexity of financial reporting for local governments where Grays Harbor County does not have the staffing necessary to meet these standards. The Internal Control Committee recommended this change be effective immediately for the fiscal year ending December 31, 2007. The Committee researched this and did not see any adverse affects resulting from this change in financial reporting.

2. Request Approval, E-911 Washington State Military Department

Amendment B: A motion was made, seconded and passed to approve two copies of a Washington State Military Department Enhanced 911 Wireless/Wireline grant Amendment B. This increases the overall contract amount by \$199,543.

PROSECUTOR

1. Request Approval, Black Creek Settlement: The parties to the dispute regarding the public status of the 1933 extension of Black Creek Road and bridge have resolved that this road (including the bridge) is a public road. The parties have agreed to a declaratory judgment to that effect in *Grays Harbor County v. Weyerhaeuser, et al*, which was approved by the superior court on August 8, 2007. In order to complete final settlement of this case, it is necessary for the County to execute the settlement agreement and accept a quit claim deed transferring all interest in the road and bridge to the County. A motion was made, seconded and passed to approve the Black Creek settlement agreement, quit claim deed, excise tax narrative and excise tax affidavit.

PUBLIC HEALTH AND SOCIAL SERVICES

1. 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 Center to provide oral health assessment, education, screening and coordination services. The contract utilizes funding received from the State Department of Health and totals \$20,000 through December 31, 2008.

PUBLIC SERVICES

1. Request Approval, CRP 95190-15 & 95190-17 Camp Grisdale Road (Wynooche Valley Road): A motion was made, seconded and passed to approve two Administrative Offer Summaries for the Camp Grisdale Road (Wynooche Valley Road) project. With approval of Just Compensation, the County's right-of-way agent will proceed with the negotiations to acquire the parcels.

2. Request Approval, Chehalis Basin Planning Unit Administrative Support Grant Contract: A motion was made, seconded and passed to approve the Chehalis Basin Planning Unit Administrative Support Grant between the Department of Ecology and Grays Harbor County. This agreement contributes grant dollars to build administrative capacity of the Chehalis Basin Partnership. This additional staff capacity will focus on implementation activities, particularly outreach, described in the Watershed

Management Plan and Detailed Implementation Plan. The County on behalf of the Chehalis Basin Partnership will administer the grant from the Department of Ecology.

3. Request Approval, Boundary Road Realignment M.P. 5.6 to M.P. 6.07: The Contractor, Quigg Bros., has completed the Boundary Road Realignment contract. The total amount of the contract is \$629,693.87, which is 28% above the original bid amount.

The Department recommended acceptance of the contract by the Board of Commissioners, which would allow release of retainage in the amount of \$31,484.69 as per Section 60.28, Revised Code of Washington.

ANNOUNCEMENTS

None

CORRESPONDENCE

The Clerk of the Board announced the following correspondence:

1. An e-mail received from Stan Trohimovich dated August 19, 2007. The subject was: The instruction, on its face, says discrimination against “an alien not authorized to work in the U.S.” is lawful. The e-mail was placed on file.
2. A correspondence dated July 31, 2007 and received from Doug Sutherland, Commissioner of Public Lands. The subject was projection of income from state forest lands.

PUBLIC COMMENT:

Chairman Carter asked for public comment. He announced that comments and statements only would be accepted and would be limited to five minutes. Questions should be submitted in writing.

Stanley Blunt, Aberdeen, Washington submitted a document regarding Immigration and Customs Enforcement (ICE). Mr. Blunt made comment regarding illegal alien issues.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, August 20, 2007, starting at 8:30 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 Rose Elway, Budget Director, Debbie Adolphsen, Fair Director, Maryann Welch, Public Health and Social Services Director, Board of Equalization and Paul Easter, Public Services Director.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2007-91 | Local Declaration of Emergency in Grays Harbor County |
| No. 2007-92 | Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund District Court #001-000-024. |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 2:32 p.m. to Monday, August 27, 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