

## MINUTES

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

October 29, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, October 29, 2007, at 2:00 p.m. Commissioners Bob Beerbower and Al Carter were present. Also in attendance was Jim Baker, Senior Deputy Prosecuting Attorney and Donna Caton, Clerk of the Board. Commissioner Mike Wilson was excused.

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

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

#### **MINUTES**

**October 22, 2007:** A motion was made, seconded and passed to approve the minutes of the regular meeting of October 22, 2007.

#### **PRESENTATION**

1. **Washington State Department of Transportation regarding Cougar Smith Middle Satsop River Bridge Project – 2007 Award of Excellence:** Kathleen Davis, Director of Highways and Local Programs Division and Kevin Ward with the Federal Highway Administration reported that Grays Harbor County Cougar Smith Road Middle Satsop River Bridge Project was selected for the 2007 Award of Excellence in the Best County Project category. This project provides for a much safer and efficient roadway for the community. On behalf of Highways and Local Programs Division of WSDOT and the Federal Highway Administration an award was presented to Grays Harbor County. Russ Esses, County Engineer, introduced staff members Roger Stein, Dave Anderson, Fred Becker and Gene Zerby and thanked them for their exceptional work on this project.

#### **HEARINGS**

1. **CDBG Block Grant:** 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) program, and receive comments on proposed activities, particularly from low and moderate income persons and persons residing in the Grays Harbor area. Questions regarding the CDBG Program could be answered in advance of the public hearing by contacting Lee Napier, Deputy Director of Community Development. Grant dollars may be available to Grays Harbor County on a statewide basis to fund public facility, housing, economic development, or community facility projects that principally benefit low and moderate income persons.

The public could submit written proposals or comments prior to the public hearing by sending them to the Clerk of the Board, Commissioner's Office, 100 West Broadway, Montesano, Washington. Notice of this public hearing was advertised in the *Montesano Vidette* on October 18, 2007. Chairman Carter asked for a staff report. Lee Napier, with the Department of Public Services reported that the purpose of this hearing is to receive citizen input concerning proposed applications to the Community Development Block Grant's (CDBG) General Purpose grant program. Ms. Napier requested that the minutes reflect that copies of the public hearing handout provided by Washington State Department of Community Trade and Economic Development (CTED) related to Community Development Block Grants were available to the public at today's hearing.

Ms. Napier stated that, in selecting a project, the Board should consider the following about the grant agency and program.

- The Washington State CDBG grant program provides funds on a competitive basis for housing, infrastructure and community facilities.
- The CDBG program's intent is to improve and maintain the environment of eligible, non-entitlement cities and counties in order to enhance the quality of life for low- and moderate income (LMI) residents and, as a result, benefit the entire community.
- Funded projects provide benefits to low and moderate income individuals through projects that are also significant on a sub-state, regional or countywide basis in terms of economic diversification and community stability.

Each year, the county may submit one proposal to the State Department of Community, Trade and Economic Development.

Ms. Napier explained that following the presentation by staff the Board should ask for public input regarding community development and housing needs as a potential CDBG proposal for this round. After hearing public testimony, the Board may select a proposal for submission and direct the project sponsor to complete the required grant application.

To date, only Grays Harbor College has requested in writing support from the County for a CDBG application to build a child care center. Ms. Napier reported that Wes Peterson of Grays Harbor College was in attendance and available to speak on behalf of the college.

There were no questions of staff and Chairman Cater opened the hearing for proposals or comments from the project proponent and public.

Wes Peterson, from Grays Harbor College, spoke in support of the CDBG application to build a child care center. Mr. Peterson reported that this facility will serve the parents and families of students who are trying to complete their education and be available to citizens of the community as well. The college is requesting \$550,000 through the

Community Development Block Grant program which, along with other funding, will complete the project. There was no additional public comment and the hearing was closed.

**ACTION: A motion was made, seconded and passed to sponsor the Grays Harbor College application to build a child care center for consideration by the Washington State Department of Community, Trade and Economic Development's Community Development Block Grant (CDBG) General Purpose program.**

**2. Appeal of State Environmental Policy Act (SEPA) Determination – Brogan and Anensen LLC:** There was a public hearing to consider an appeal of State Environmental Policy Act (SEPA) Determination, Grays Harbor County SEPA Appeal Case 2007-2295 by Brogan and Anensen. The proposal is located north of the Elma-Hicklin Road on the property having Grays Harbor County Assessor's Tax Parcel Number 180502230010 in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 2, Township 18 North, Range 5 West, W.M. near the City of McCleary, Grays Harbor County, Washington. Notice of the public hearing was advertised in the *Montesano Vidette* on October 18 and 25, 2007. Chairman Carter asked for a staff report. Brian Shea, Planning and Building Division Director for Grays Harbor County, reported that this is the first of two appeals for proposals that are in close proximity to each other in Grays Harbor County. The information provided to the applicant and the Board of County Commissioners is part of the request to set the hearing date and sets forth the Division's perspective on the SEPA Determination. Mr. Shea referenced the State Environmental Policy Act (SEPA) as set forth by RCW 43.21C and the Washington Administrative Code 197-11-680(2). The State Environmental Policy Act requires environmental reviews under certain criteria. Mr. Shea reported this application is for a short subdivision and the property contains wetlands. Staff examined all impacts from the proposal to the environment and it was determined that the impacts would be moderate. One area where staff was unable to make a determination involved water and whether development would impact the Wildcat Creek aquifer. Mr. Shea reported that the findings for this SEPA determination are included as an attachment to the SEPA determination and included in the package of materials as Exhibit #1. Mr. Shea summarized and stated that the SEPA determination is appropriate and consistent with the direction provided by RCW, Washington Administrative Code and Grays Harbor County Code.

Chairman Carter asked for public comment. Ken Brogan, the applicant and the acting project manager from the company, stated that he believes the evidence has been provided and that this project is one of many projects in this area over the aquifer recharge area for drinking water for the city. He expressed concern with a Determination of Significance (DS) being applied for a residential subdivision. Mr. Brogan stated that his application was submitted prior to the moratorium and is located outside of the recharge area. A low density project, it consists of four lots on 22+ acres. Mr. Brogan commented that the layers (depth) of wells on Hickland Road appear consistent

throughout the different well heads. He stated that the DS on his project is disturbing because he believes they have a clean project that will remain clean with low density. Mr. Brogan made reference to an adjacent property approved with 90+ homes with high density. He summarized and requested that he be allowed to provide additional documents regarding the project.

Busse Nutley, City Administrator for McCleary, reported that the city sent a detailed letter to Grays Harbor County staff. Ms. Nutley requested that the appeal be denied which supports county staff determination. Currently the City of McCleary and Grays Harbor County are partners in learning more about the aquifer. A nationally recognized consultant is working on this issue and assisting to determine the risk of contamination from development. Ms. Nutley reported that Summit Place 1 and 2, referenced by the applicant, are subdivisions solely within the City of McCleary. They do not have wells or septic tanks and ordinances restrict the amount of pesticides and herbicides allowed within the area. Ms. Nutley summarized and requested that the Board deny the appeal.

Tim Hamilton and Mary Stalcup, residents of West Elma Hicklin Road, live approximately 1-1 ½ miles from the project. Mr. Hamilton reported that the creeks that run through the properties run downstream. He reported that a 60-acre parcel was divided into three 20-acre parcels and expressed concern about the continued degradation of the wells. Mr. Hamilton discussed problems with various wells and stated that he is looking forward to the pending research and study. He commented that the neighbors have been frustrated by a piece-meal environmental review and that they want to know the effect of this project. He stated there is no critical area ordinance for Grays Harbor County and adoption won't occur until 2008. Mr. Hamilton stated that the area fits a critical area/critical aquifer recharge zone but the laws protecting citizens do not exist. He commented that the whole project should be considered under the appropriate environmental review and that common sense and state law be used.

Terri Franklin, resident of McCleary, made comments regarding both SEPA appeal cases. Ms. Franklin supported the Grays Harbor County Planning Department Determination of Significance on both of the proposals. She provided exhibits including pictures and explained that the ground cover was removed so that there is a better idea of the lay of the land. Ms. Franklin provided the following:

Exhibit #1 – A USGS, Geographical Information Systems photo from the National Mapping System. This shows the entire valley.

Exhibit #2 – A USGS, Geographical Information Systems photo from the National Mapping System. This is a closer view in which the county roads have been added to provide reference points.

Exhibit #3 – A USGS, Geographical Information Systems photo from the National Mapping System. This view is of the aquifer and according to USGS is a Pacific Northwest basir fill aquifer.

Exhibit #4 – A USGS, Geographical Information Systems photo from the National Mapping System. This view shows the wetland polygons from the national wetland inventory. It shows there are wetlands on the parcels.

Exhibit #5 – A USGS, Geographical Information Systems photo from the National Mapping System. This is a closer view of the wetlands and the locations of these polygons.

Exhibit #6 – From the Grays Harbor County Geographical Information Systems. This is a 2005 aerial photo. Black lines were used to show the approximate layout of the parcels.

Exhibit #7 – From the Grays Harbor County Geographical Information Systems and is a close up of the parcels.

Ms. Franklin reported that she has been active in environmental issues for over a decade and especially in the East Grays Harbor County area. She stated that County Ordinances need to be upheld and the County needs to look at the water quantity and quality issues. Ms. Franklin summarized and asked that the Board uphold the Determination of Significance and require the Environmental Impact Statement.

Ken Brogan provided information from wetlands delineator including wetlands mapping as provided by the State of Washington. Mr. Brogan provided e-mails from the City of McCleary addressing their concern regarding the development of the project. He reported that the City of McCleary has approached him regarding his water rights with an interest in buying the rights to drill wells on his property. He commented that the City of McCleary's concerns regarding the impact of housing and contamination of the ground are addressed by the Aquifer Protection Plan.

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

**ACTION: A motion was made, seconded and passed to continue the hearing to November 19, 2007.**

**3. Appeal of State Environmental Policy Act (SEPA) Determination – Civil Investments LLC:** There was a public hearing to consider an appeal of State Environmental Policy Act (SEPA) Determination, Grays Harbor County SEPA Appeal Case 2007-2294 by Civil Investments, LLC. The proposal is located north of the Elma-Hicklin Road on the property having Grays Harbor County Assessor's Tax Parcel Number 180502230020 in the Southwest Quarter of the Northwest Quarter and the

Northwest Quarter of the Southwest Quarter of Section 2, Township 18 North, Range 5 West, W.M. near the City of McCleary, Grays Harbor County, Washington. Notice of the public hearing was advertised in the *Montesano Vidette* on October 18 and 25, 2007. Chairman Carter asked for a staff report. Brian Shea, Planning and Building Division Director for Grays Harbor County, reported that this is an appeal of the SEPA Determination of Significance. Mr. Shea stated the issues regarding this hearing are the same as the previous public hearing. Therefore, he requested that recordings and records for the previous hearing be transposed to this hearing. Mr. Shea reported that the determination of significance is predicated on the ordinances passed by the County concerning the Wildcat Creek Aquifer and the subdivision applicant is appealing this determination.

Chairman Carter asked for public comment. Ken Brogan, owner of Civil Investments reported that they are a real estate investment company based in Olympia. Mr. Brogan explained this is a similar case to the previous hearing and is adjacent property. He reported this is part of a cluster of lots that he purchased in 2005. The property is comprised of approximately 64 acres. When he purchased the property it was three parcels and he has not subdivided the property. Mr. Brogan addressed concerns made by the City of McCleary and citizens. He asked the Board to consider that if a DS is placed on his project and he is required to comply with an Environmental Impact Study that the study will take between six and nine months and will cost between \$100,000 - \$130,000 to complete, that all construction be stopped in all development projects in McCleary until impacts from development on the aquifer is assessed. He believes his project is the least dense project in the McCleary vicinity and it is located outside of the re-charge area. Mr. Brogan submitted seventeen transcripts from the City of McCleary council meetings regarding discussions and concerns of activity over the aquifer. He stated that he has paid all required fees and completed all engineering and other requirements for a 5-acre subdivision.

Busse Nutley, City Administrator for the City of McCleary, stated that her previous testimony should be transferred to this hearing. Ms. Nutley reported there is a difference between municipal water and sewer systems designed to protect the environment versus wells and septic tanks. She stated it is clear that these two projects are owned by the same people and SEPA law prohibits dividing a project in order to avoid cumulative environmental effects and that both projects should be considered together. There currently is not enough information to indicate whether additional wells and septic tanks in this area will impact the aquifer.

Tim Hamilton raised the issue of the 60 acre plus property being divided into three 20-acre parcels. Mr. Hamilton explained that he based his information on the Assessor's office showing one tax parcel and somehow it was changed to three 20-acre parcels. He discussed the re-charge zone area and the City of McCleary wells.

Teri Franklin requested that all of her comments and documents that she previously submitted be transposed to this hearing. Ms. Franklin made comment regarding the Ecological Land Services wetland delineation.

Ken Brogan submitted a series of documents including a title company certification and deeds showing that the property has been three parcels since 1984.

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

**Action: A motion was made, seconded and passed to continue the hearing to November 19, 2007.**

**4. Long Plat Application – applicant, Larry Birindelli:** There was a public hearing to consider the following: Larry Birindelli has submitted an application, Case #2007-1664, for a Long Subdivision permit to subdivide approximately 10.42-acres into sixteen lots ranging between approximately .50-acres and .522-acres. The project is proposed on the property having Assessor's Parcel #180632140050, #180632140110, #180632140100, and #180632140120 in the Southeast Quarter of the Northeast Quarter, all in Section 32, Township 18N., Range 6W. W.M., west of the City of Elma near the intersection with Newman Creek Road and Monte-Elma Road, Grays Harbor County, Washington. Information on the application was available from Grays Harbor County Planning Division, 100 West Broadway Avenue, Suite 31, Montesano, Washington. Notice of this hearing was published in the *Montesano Vidette* on October 18 and 25, 2007. Chairman Carter asked for a staff report. Jane Hewitt, Grays Harbor County Planning Department, provided a staff report. The following items were provided to the applicant and the Board of County Commissioners and entered into the record.

- Exhibit 1: Planning Commission Record of Action containing findings of fact, conclusions, staff recommendation, and Planning Commission action.
- Exhibit 2: Application and preliminary plat.
- Exhibit 3: State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance and Environmental Checklist.
- Exhibit 4: Notice of public hearing, mailing list and affidavit of publication from the *Montesano Vidette*.
- Exhibit 5: Personalized notice of application and public hearing to owners of subject property.
- Exhibit 6: Written comment received to date.

Ms. Hewitt reported that this application is to subdivide approximately 10.42-acres into sixteen (16) lots ranging between approximately .50-acres and .522-acres. The property is zoned General Residential (R-2). The property will be served by the City of Elma public water and on site sewage systems. Ms. Hewitt stated that based on the Findings of Fact, Conditions of Approval, and Conclusions contained in the staff report, the Planning Commission voted to approve the Preliminary Long Subdivision, Case 2007-1664, as conditioned.

Chairman Carter asked for public comment. Larry Birindelli stated that he is the applicant, lives in McCleary, and has been trying to develop this property for 4-5 years. He reported that when city water became available it became possible to develop sixteen ½-acre lots. A plat map indicates two entries off of the Monte-Elma Road. Mr. Birindelli discussed concern with a wet area on the lower southeast corner and indicated that the issue has been resolved with the decision to leave the southeast corner as a holding pond area. The road will be a private road and there will be a swale on both sides of the road for runoff of water from the roads, but most of the water will go into the ground.

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

**ACTION: A motion was made, seconded and passed to approve Preliminary Long Subdivision, Case #2007-1664, as conditioned.**

**5. County Road Standards Variance Request – Louis Muller:** There was a public hearing to consider an application as follows: Louis Muller has requested a variance for a reduction in the required road easement width from 60-feet to 40-feet to allow for the subsequent reconstruction of an existing gravel access road to an approximately 85.92-acre site locate near the Cougar-Smith Road in unincorporated Grays Harbor County. The applicant will improve the private lane in conformance with the Private Roadway Section C requirements set for in *Grays Harbor County Code 12.02 (Grays Harbor County Minimum Road Standards)*. Information regarding this hearing was available by contacting Curt Crites, Grays Harbor County Planning Division, 100 West Broadway Avenue, Suite 31, Montesano, Washington. Notice of this hearing was published in the *Montesano Vidette* on October 18, 2007.

Chairman Carter asked for a staff report. Brian Shea, Grays Harbor County Planning and Building Division Director, provided a staff report. Mr. Shea reported the request is for a variance request from the *Grays Harbor County Minimum Road Standards*. The applicant wants to improve an existing roadway into their property. The applicant will be able to comply with all the County regulations with the exception of the easement width. Mr. Shea stated that the County Road Engineer has reviewed the request and examined the topography of the area. Based on the information contained in the variance request, the County Road Standards, and the criteria for granting variances, the County Road Engineer recommended that the variance request be granted.

Chairman Carter asked for public comment.

Louis Muller, applicant and resident of Elma, Washington spoke in support of the variance request and stated that he agrees to adhere to the conditions set forth by the road engineer.

Ron Armstrong, resident of Hoquiam, Washington, stated that he does not have a problem with this project. Mr. Armstrong made comments regarding the engineer's report.

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

**ACTION: A motion was made, seconded and passed to approve County Road Standards Variance Request #2007-2349.**

Chairman Carter requested a brief break and the Board recessed at 3:18 p.m. The Board reconvened at 3:27 p.m.

**6. Ordinance regarding changes to County Building Code, Chapter 15.04:**

There was a public hearing to consider an ordinance amending Ordinance 243, 320 and 344 and Chapter 15.04 of the Grays Harbor County Code to adopt the State Building Codes, as amended and updated pursuant to RCW 19.27.074. A brief description of the ordinance to be presented to the Board of Commissioners of Grays Harbor County for consideration was published. A full text of the proposed ordinance was available at the County Commissioners office, Suite 1, County Administration Building, 100 West Broadway, Montesano, Washington for review and was available to be mailed upon request. Notice of this hearing was advertised in the *Montesano Vidette* on October 18, 2007.

Chairman Carter asked for a staff report. Brian Shea, Planning and Building Division Director, reported that every three years the building codes throughout the United States are updated, a majority of which are prepared by the International Code Council. They prepare a variety of building code documents to govern the construction of buildings throughout the United States. When these documents are updated, the State of Washington Building Code Council examines the documents and makes changes that are then approved by the state legislature. Mr. Shea stated that this hearing includes adopting the 2006 International Building Code, the 2006 International Residential Code, 2006 International Fire Code, the 2006 International Mechanical Code, the 2006 Uniform Plumbing Code, the 2006 Washington State Energy Code, the 2006 Washington State Ventilation and Indoor Air Quality Code and the 1991 Uniform Code for the Abatement of Dangerous Buildings. Mr. Shea reported that the proposed changes have been reviewed and approved by the Grays Harbor County Building Codes Advisory Council and also reviewed and approved by the County Prosecuting Attorney.

Chairman Carter 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. 367 – An Ordinance Amending Chapter 15.04 of the Grays Harbor County Code Adopting Changes to the Grays Harbor County Building Code.**

**BIDS**

None

**COMMISSIONERS**

None

**DEPARTMENTS**

**FAIR & TOURISM**

**1. Request Approval, Professional Services Agreement with SMG Productions, Inc.:** A motion was made, seconded, and passed to authorize the director of Fair & Tourism to sign a professional services agreement with SMG Productions, Inc. for video production. The agreement is for the production of a 15-30 minute video program for Grays Harbor County. The video can be used as a marketing tool and will portray Grays Harbor County as a “must see” destination location. The agreement will include: one broadcast quality program master; 300 DVD copies of the program, and 10 one-minute video segments to be edited from the program and used by Grays Harbor County as promotional spots and/or integrated into Grays Harbor County’s Tourism’s website. The professional services agreement has been reviewed by County Attorney, Jim baker and suggested changes have been made.

**JUVENILE COURT SERVICES**

**1. Request Approval, Program Agreement, Evidence Based Expansion with Department of Social & Health Services:** A motion was made, seconded, and passed to approve the Program Agreement, Evidence Based Expansion, between Grays Harbor County and the Department of Social and Health Services. The contract period will begin November 1, 2007 and run through June 30, 2009. The maximum amount of the grant is \$74,691.70 and would provide expanded treatment and services for additional youth throughout the contract period.

**MANAGEMENT SERVICES**

**1. Request Approval, Public Notice Requirements per RCW 41.50.152:** A motion was made, seconded and passed to approve public notification, in compliance with RCW 41.50.152, for labor contracts that include provisions for payments of excess compensation. This requirement occurs for Public Employee Retirement system I (PERS I) employees who have vacation leave paid over 240 hours and any sick leave paid at retirement. At the Board of Commissioners meeting that approves the labor contract, the public will be notified of the estimate of the excess compensation billings that the county would have to pay as a result of the proposed compensation provision.

**2. Request Approval, Resolution to Establish Fund- Public Health & Social Services:** A motion was made, seconded and passed to approve **Resolution 2007-110, Establishing a Grays Harbor County Miscellaneous Fund, Public Health & Social Services Fund #129-000-000**. Because the Public Health & Social Services Department is funded 83% by federal, state, and local grants it is necessary to ensure that such funding does not supplant existing funding. All accounting records will be moved from the General Fund to this new fund in 2008.

**3. Request Approval, Resolution- Budget Transfer, Special Projects #101-000-000:** A motion was made, seconded and passed to approve **Resolution 2007-111, Transferring Items in the Grays Harbor County Miscellaneous Fund, Special Projects #101-000-000**. This Resolution authorizes a \$3,000 transfer made within Special Projects for some advertising expenses on the CDBG Union Gospel Mission grant for 2007. Funds are available to transfer from the ANHS project which has been completed. The \$315,000 balance of the grant is being put in the 2008 budget.

**4. Request Approval, Set Hearing Date- Supplemental Budget-ER&R Fund:** November 19, 2007 at 2:00 p.m. is the date and time set for a supplemental budget hearing to consider the ER&R Fund for \$1,253,000 to convert this fund to the cash basis of accounting.

**5. Request Approval, Resolution supporting hearing date of November 19, 2007 for the 2008 CDBG Public Services Grant Application:** A motion was made, seconded and passed to approve **Resolution No. 2007-112, establishing a hearing date of November 19, 2007 at 2:00 p.m. to hear comments regarding the application for Community Development 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.

## **PUBLIC HEALTH AND SOCIAL SERVICES**

**1. Request Approval, Mental Health Service Contract Amendments:**

Maryann Welch, Public Health & Social Services Director, requested the Board of Commissioners authorize the amendments to the County's contracts for mental health services with both Behavioral Health Resources and SeaMar. This amendment passes along \$92,817 specifically to fund direct care worker wage increases. Both agencies will report numbers of employees working in direct mental health care each month and the monthly allocation will be split proportionately between the agencies. There is a quarterly report required by the state on the expenditure of these funds.

- a. **Behavioral Health Resources:** A motion was made, seconded and passed to approve the Mental Health Service Contract with Behavioral Health Resources.
- b. **SeaMar:** A motion was made, seconded and passed to approve the Mental Health Service Contract with SeaMar.

**PUBLIC SERVICES**

**1. Request Approval, 2007 Culvert supply contract Retainage Release:** A motion was made, seconded, and passed to allow the release of \$4,643.40 as per Section 60.28 Revised Code of Washington, and accept the 2007 Culver supply contract. The contractor, Pacific Corrugated Pipe Co., Inc., has completed the above referenced project.

**2. Request Approval, Resolution- Wholesale Water Purchase Agreement with City of Ocean Shores:** A motion was made, seconded and passed to approve **Resolution 2007-113, Authorizing the wholesale purchase of water from the City of Ocean Shores.** The new agreement supersedes a 1987 agreement and will allow for service to be provided to the Quinault Beach Resort. The agreement also reduces the cost of water purchased by the County from the City. This will allow a reduction in the monthly water rates for the Oyhut/Illahee water system.

**3. Request Approval, Amendment #4- Engineering Agreement CH2M Hill for Pacific Beach Sewer:** A motion was made, seconded and passed to approve the signing of Amendment No. 4, amending the Standard Agreement for Professional Services between Grays Harbor County and CH2M Hill, Inc., dated January 24, 2005, and amended August 8, 2005, April 17, 2006, and July 30, 2007 per Article 5.10 'Changes' of the Agreement. The contract amendment has been prepared to provide for additional engineering work to include completion of the design documents for the expansion of the Pacific Beach Sewer plant and bidding assistance. The cost of the amendment is \$85,329,000. Financial assistance for this work is provided for in our Utility Service Agreement with the Seabrook Development Company.

**4. Request Approval, Fairgrounds Dog Barn HVAC contract:** A motion was made, seconded and passed to allow the Chairman to sign the appropriate contracts as prepared for implementation of the HVAC project at the Fairgrounds Dog Barn. They have been

executed by Harbor Ventilation, the low bidder. The project cost is \$33,174.00, not including sales tax. Funds are available in the current 301 and 303 budgets.

**5. Set Hearing Date- Long Plat Planned Unit Development- Applicant: PAC Equities in Receivership:** November 19, 2007 at 2:00 p.m. is the date and time set for a hearing to consider Zone Reclassification and Preliminary Approval of a Long Plat with Planned Unit Development, Case 2005-1618. PAC Equities in Receivership, the applicant, has proposed a project to allow for the establishment of a Planned Unit Development (PUD) on approximately 542 acres resulting in an entitlement of 60 residential lots and 8 commercial lots. The request includes a zone reclassification of 16 acres from General Development - 5 (GD-5) to General Commercial (C-2) and 526 acres from General Development - 5 to Resort Residential (R-3).

The project site is located north of the City of Ocean Shores, near the intersection of State Route 109 and State Route 115 in Section 23, Range 12 West, Township 18 North and in the southern ½ of Section 14, Range 12 West, Township 18 North, Grays Harbor County, Washington. The project area is further described as Assessor's Tax Parcel Numbers: 181214330010, 181223120000, 181214330050, 181223220000, 181223210000, 181214440000, 181214410010, and 181214140000.

### **ANNOUNCEMENTS**

None

### **CORRESPONDENCE**

1. Lawsuit L-546-07 filed by Duane & Elaine Hartford and John Latch. This item was referred to the Prosecuting Attorney's Office.
2. The Department of Natural Resources' Commissioner of Public Lands, Doug Sutherland submitted a report on the "Projection of Income from State Forest Lands" reflecting the first three quarters of calendar year 2007. This report was placed on file and made available for public review.
3. An e-mail received from Stanley J. Trohimovich dated October 23, 2007. The subject is "Are you obeying the superior powers? Or, foolishly and unlawfully, are you applying the work of unqualified legislators, executive officers, and judicial officers". The e-mail was placed on file.
4. Petition by residents of rural Montesano regarding the feasibility of a county noise ordinance regarding dogs.

5. A motion was made, seconded, and passed to approve a permit requested by Ray Damitio, Doo Wop Club Rally Organizer, for road use and closure of a portion of the Brooklyn-Oakville Road and the Blue Slough Road to conduct the National Auto Sport Association (NASA) sanctioned Doo Wop Club Rally on Sunday, February 24, 2008 contingent upon departmental review and the required certificate of insurance.

### **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. Hearing none, the meeting was adjourned.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, October 15, 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 Adolphson from the Fair & Tourism Department, Bill Trivison, Juvenile Court Services, Maryann Welch and Joan Brewster, Public Health and Social Services, and Paul Easter, Brian Shea, Kevin Varness, Jane Hewitt, and Lee Napier of the Public Services Department.

The Board approved the following:

### **RESOLUTIONS**

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|---------------------|--|
| <b>No. 2007-110</b> | <b>Establishing a Grays Harbor County Miscellaneous Fund, Public Health &amp; Social Services Fund #129-000-000.</b> |
| <b>No. 2007-111</b> | <b>Transferring Items in the Grays Harbor County Miscellaneous Fund, Special Projects #101-000-000.</b>              |
| <b>No. 2007-112</b> | <b>Application for Community Development Block Grant and Certification of Compliance.</b>                            |
| <b>No. 2007-113</b> | <b>Authorizing the wholesale purchase of water from the City of Ocean Shores.</b>                                    |

**ORDINANCES**

**No. 367                      Amending Chapter 15.04 of the Grays Harbor County Code  
                                    Adopting Changes to the Grays Harbor County Building Code**

**INTERGOVERNMENTAL AGREEMENTS**

**Wholesale Water Purchase Agreement – City of Ocean Shores**

The meeting adjourned at 3:52 p.m.

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

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ALBERT A. CARTER, Chairman  
Commissioner, District 3

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BOB BEERBOWER, Commissioner, District 1

*excused*

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MIKE WILSON, Commissioner, District 2

ATTEST:

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Donna Caton  
Clerk of the Board