

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

May 12, 2008

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, May 12, 2008, at 2:00 p.m. Commissioners Al Carter, Bob Beerbower and Mike Wilson were present. Donna Caton, Clerk of the Board was also present.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

Regular Meeting May 5, 2008: A motion was made, seconded and passed to approve the minutes of the regular meeting of May 5, 2008.

COMMISSIONERS

- 1. Consider request for funding of recreation program – City of Cosmopolis:** Mayor Vickie Raines outlined the city recreation program features and the need for this funding during the period of lower revenues due to the closure of the pulp mill. A motion was made, seconded and passed to approve \$5,000 in funding to support the 2008 Cosmopolis Summer Recreation Program.
- 2. Set hearing date – Federal Forest Title III funding project:** A motion was made, seconded and passed to set June 23, 2008, at 2:00 p.m. as the date and time for a public hearing to consider release and use of Federal Forest Title III funds. Grays Harbor County is a member of a Resource Advisory Committee formed in compliance with the Secure Rural School and Community Self-Determination Act of October 30, 2000. This hearing will be conducted in accordance with Grays Harbor County Resolution No. 2003-97 distributing national forest land revenue for eligible county projects. Title III of Public Law 106-393 Section 302 allocates funding county projects associated with federal lands, forestry education, community emergency services, planning for fire and disaster prevention and other emergency services.

The following item was added by the Clerk of the Board after the agenda had been prepared:

- 3. Documents related to the employment of Tom Fite as Straddleline ORV Park Director:** A motion was made, seconded and passed to approve the following documents related to the employment of Tom Fite:

- Notice of Misconduct signed by all three Commissioners on March 13, 2008;
- Disciplinary Agreement signed by Chairman Al Carter on March 13, 2008.

An additional motion was made, seconded and passed to terminate the employment of Tom Fite as outlined in a letter dated May 5, 2008, and signed by all three Commissioners.

BIDS

None

PROCLAMATIONS AND PRESENTATIONS

- 1. Proclamation – Relay for Life Days:** A motion was made, seconded and passed to approve an American Cancer Society Relay for Life Proclamation. The proclamation proclaims Grays Harbor County as an official “Relay for Life County”, that the month of May be designated as Relay for Life Month in Grays Harbor County, and supports the American Cancer Society in the fight against cancer and encourages citizens to participate in the Relay for Life activities in Grays Harbor County.
- 2. Proclamation – Washington State University Master Gardener Volunteer Week:** A motion was made, seconded and passed to approve a Proclamation proclaiming May 11 through May 17, 2008, as Washington State University Master Gardener Volunteer Week, urging all citizens to join in this observance.
- 3. Presentation by Paul Easter – Certificate of Good Practice:** Paul Easter, Public Services Director, presented a Certificate of Good Practice that was approved by resolution of the Washington State County Road Administration Board at its meeting on April 17, 2008, and subsequently transmitted to the State Treasurer. This action by the County Road Administration Board will assure the continued distribution of the monthly state gas tax allotment from the Office of the State Treasurer. Mr. Easter introduced Russ Esses and Fred Becker of the Engineering Department and complimented them and the entire department for their quality of service to the county which was instrumental in the receipt of this certificate.

HEARINGS

- 1. Supplemental Budget – Fair:** There was a public hearing to consider Supplemental Budget as follows: Supplemental Budget – Fair Fund #103-000-000 in the

amount of \$5,808. Notice of this public hearing was published in the *Montesano Vidette* on May 1 and 8, 2008. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported that the supplemental budget hearing is in the Fair Fund for funding of \$5,808 received by FEMA for utilization of the fairgrounds as a Command Center in the December 2007 storm. Funding will be used in repairs and maintenance. 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 Resolution 2008-35 – Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Fair Fund #103-000-000.

DEPARTMENTS

AUDITOR

1. **Request Approval, March 2008 Expenditures:** A motion was made, seconded and passed to approve expenditures for March 2008 as follows: Claims \$3,470,123.06 and Salary \$2,282,550.51, for a total of \$5,752,673.57.

FORESTRY

1. **Request Approval, Timber Sale contract Amendments:** A motion was made, seconded and passed to approve three timber sale contract amendments whereby scattered patches of storm-damaged timber are included for salvage. These small patches of storm-damaged timber are 95% blown down and are located in the general vicinity of currently active sales. By including these areas with the current active sales, the value of this timber will be recovered in a timely manner. Resolution No. 2008-10 provides for the inclusion of storm-damaged timber with current timber sales, thereby facilitating the salvage and recovery of the timber in a timely manner.

MANAGEMENT SERVICES

1. **Request Approval, Salary Resolution Amendment, ORV Park:** A motion was made, seconded and passed to approve **Resolution No. 2008-36, Establishing an Interim Deputy ORV Park Manager exempt position and salary range effective May 2, 2008.** All other positions on the salary resolution stay as previously adopted with the Manager position vacant during this interim period. The salary resolution remains within the adopted 2008 budget.

2. **Request Approval, Memorandum of Understanding, AFSCME Local #275-Master Agreement Article II Section B:** A motion was made, seconded and passed to approve an agreement from the union to enter into a one time only Memorandum of

Understanding for the ORV Park Lead Maintenance Assistant Position while the individual assumes the responsibilities of the Interim Deputy ORV Park Manager exempt position.

3. Request Approval, ORV Park Operations Agreement with Cascade Family M/C Club: A motion was made, seconded and passed to approve the ORV Park Operation Agreement for the Cascade Family M/C Club for the April 1, through October 31, 2008 ORV Park season. It is understood that they will operate scheduled events providing Grays Harbor County with insurance and 50% of the gate fees.

4. Request Approval, Set hearing date, Supplemental Budget- General Fund #001-000-022 Extension Office: June 23, 2008, at 2:00 pm is the date and time set for a public hearing to consider a Supplemental Budget Request in the General Fund Extension Office for \$14,000 of Title III funding received from the United States Forest Service. Funds will be used to continue with the WSU Day Camp to provide community outreach and 4-H education to an underserved section of Grays Harbor County.

5. Request Approval, Set hearing date, Supplemental Budget- Special Projects Fund # 101-000-000: June 2, 2008, at 2:00 pm is the date and time set for a public hearing to consider a Supplemental Budget Request in the Special Projects Fund for \$50,000 in state grant funding received through the Department of Fish and Wildlife Coastal Marine Resource Committee. Funding will be used to provide the foundation with scientifically sound, locally supported marine conservation measures needed to address marine ecosystem issues within the county. Grays Harbor County will be the first county to establish a coastal MRC, thereby serving as a pilot from which WDFW, the other coastal counties, and other stakeholders can learn how to successfully implement coastal MRC's.

PROSECUTING ATTORNEY

1. Request Approval, Resolution authorizing legal action in superior court to abate a public nuisance at 121 Stillson Road: A motion was made, seconded and passed to approve **Resolution No. 2008-37- Requesting the Prosecuting Attorney to Commence Legal Action to Abate County Code Violations Constituting a Public Nuisance on Real Property Located at 120 Stillson Road, McCleary, Washington.** This request is a result of long-standing and unresolved violations of the county code with respect to unlawful accumulation of trash, junk, debris and other solid waste, and unlicensed or abandoned vehicles. This matter was referred to the prosecuting attorney's office by the Planning and Building Division after several unsuccessful attempts since December 2002 to obtain the property owner's compliance with the county code.

PUBLIC SERVICES

- 1. Request Approval, CRP Resolution to pave Cloquallum Creek Road Approach:** A motion was made, seconded and passed to approve CRP Resolution C-78150-12, to pave the Cloquallum Creek Road approach. Last year a portion of the road was paved but became unusable for logging trucks after it had been widened and the roadway shoulder was paved. Paving of the approach had been deleted from the construction contract at that time with the agreement to resume paving after the landowner reconstructed his bridge and raised the approach grade.
- 2. Request Approval, Local Agency Agreement Supplement #3- Middle Satsop Road Boat Launch Curve Project:** A motion was made, seconded and passed to approve the signing of the Local Agency Agreement Supplement #3 for the Middle Satsop Road Boat Launch Curve Project. This agreement transfers funds to State PE form Agency CE to cover increased State PE costs.
- 3. Request Approval, Correction of Resolution No. 2008-33 Acknowledging Vacation- Brock & Amber Maxfield:** A motion was made, seconded and passed to correct the name stated on the original Resolution document.
- 4. Request Approval, Accept Contract as Complete and Release Retained Funds- 2007 Emulsified Asphalt Contract:** A motion was made, seconded and passed to accept the 2007 Emulsified Asphalt Contract with Paramount Petroleum, LLC, as complete and allow the release of \$30,775.31 as per section 60.28 Revised Code of Washington.
- 5. Request Approval, Permanent Easement across county property extended to Kurt Loris- portion of Kirkpatrick Road:** A motion was made, seconded and passed to approve a request from Kurt Loris for a permanent easement across County property. This easement would cross 0.05 acres of County Road Department property located near the 7 mile marker on the Kirkpatrick road. This easement will provide access for Mr. Loris's proposed subdivision.
- 6. Request Approval, CRP Resolution- Fish Passage Barrier Removal Program- Middle Satsop Road:** A motion was made, seconded and passed to approve a Fish Passage Barrier Removal Program on the Middle Satsop Road which includes the following: CRP Resolution C-97250-15 authorizing the County to provide matching funds and a "Landowner Agreement for Projects Funded by the Salmon Recovery Funding Board. The total cost of this project is estimated at \$300,000 with the County share being \$158,000.
- 7. Request Approval, Coastal Marine Resource Committee (MRC):** A motion was made, seconded and passed to approve the following:

- A) **Letter Agreement with Creative Community Solutions:** This letter describes staffs support and coordination of the MRC.
- B) **Interlocal Agreement with Washington State Dept. of Fish & Wildlife:** This agreement provides funding to cover costs incurred by the County related to organization of an MRC.

8. Request Approval, Accept contract as complete and release retained funds- County Wide Curve Improvements Hot Mix Paving Project: A motion was made, seconded and passed to accept the County Wide Curve Improvements Hot Mix Paving Project STPH-OOS(179), TA-3015, C-97250-13 and allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington. The Contractor, Lakeside Industries, has completed this contract with the total amount of the contract being \$677,516.49, which is 1.14% above the original bid.

9. Request Approval, Advertise for Bids- Harp Road Garrard Creek Bridge Replacement and authorization to close Harp Road: A motion was made, seconded and passed to authorize the department to advertise for bids for the Harp Road Garrard Creek Bridge Replacement C-69030-03 BROS-2014 (065), and authorize the closure of Harp Road for a 2-day period, yet to be determined, for relocation of the existing emergency bridge to act as the project detour bridge. Traffic will be detoured via the previously used emergency detour route.

ANNOUNCEMENTS

The Clerk of the Board made the following announcement: The County offices will be closed on May 26th in observance of the Memorial Day Holiday.

CORRESPONDENCE

1. A Claim for Damages, #C-569-08, was filed by James & Marcy Peterson. The claim was referred to the Claims Review Committee for review and recommendation.

PUBLIC COMMENT

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

Mr. Carter emphasized the need for respect and professionalism during public comment. He outlined rules of conduct for public discourse that would apply to the public and to the

Commission, explaining that he celebrates the public's right to talk on a wide-range of topics, but in an appropriate manner.

Frank Moses, Aberdeen, commented on the guidelines for public comment.

Cheryl Campbell, Kent, commented on her road development permit process and progress. She discussed ownership and public and private road standard requirements.

Paul Easter, Public Services Director, noted that the property owners are being sent a survey to assess whether the county would consider vacation of the road near Ms. Campbell's property. The adjacent owners were given 30 days to respond as to whether they would support vacation of the road and exchange of easements. He also discussed private vs. public road standards.

Stan Blunt, Aberdeen, commented on the county Salal harvest contract and the contractor's business practices related to employees.

STAFF MEETINGS

The Board held staff meetings on Monday, May 12, 2008, 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 Rose Elway, Budget Director, regarding salaries; Larry Smith, Forestry, regarding agenda items; Jim Arthur, Consultant, and Lee Napier, Public Services, regarding issues related to the Wildcat Creek Aquifer; Paul Easter, Public Services Director, regarding agenda items, road and bridge projects and personnel matters; Kevin Varness, Public Services, regarding agenda items and Facility/Utility Project updates; Brian Shea, Planning & Building Director, regarding department updates. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2008-35 | Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Fair Fund #103-000-000 |
| No. 2008-36 | Establishing an Interim Deputy ORV Park Manager exempt position and salary range effective May 2, 2008 |
| No. 2008-37 | Requesting the Prosecuting Attorney to Commence Legal Action to Abate County Code Violations Constituting a Public Nuisance on Real Property located at 120 Stillson Road, McCleary, Washington |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 3:03 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2008

ALBERT A. CARTER, Chairman
Commissioner, District 3

BOB BEERBOWER, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna Caton
Clerk of the Board