

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

July 14, 2008

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, July 14, 2008, at 2:00 p.m. Commissioners Al Carter, Bob Beerbower and Mike Wilson were present. Jim Baker, Senior Deputy Prosecuting Attorney, Donna Caton, Clerk of the Board, and Molly Copeland, Deputy Clerk of the Board were also present.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

- 1) **Regular Meeting June 30, 2008:** A motion was made, seconded and passed to approve the minutes of the regular meeting of June 30, 2008.

PROCLAMATIONS & PRESENTATIONS:

1. **Habitat for Humanity of Grays Harbor:** A motion was made, seconded and passed to proclaim the week of August 18 through August 23, 2008, Habitat for Humanity of Grays Harbor Week, to encourage all citizens to participate in any and all activities held by Habitat during that week. With a great need to eliminate substandard housing throughout the County, Habitat for Humanity of Grays Harbor is seeking new ways to ripple out further into the community and increase its impact in meeting the need for affordable housing. Carol Smith, Executive Director of Habitat for Humanity of Grays Harbor, explained fundraising events related to the week of the 18th and Habitat's new "Re-store" project that will soon be coming to the area. Ms. Smith reported that Habitat for Humanity of Grays Harbor has constructed 10 houses in 5 years, and is currently working on home No. 11 to be located in Ocean Shores.

BIDS

None

HEARINGS

1. **Continued from April 28, 2008 – Appeal Case 2008-0290 of the February 29, 2008 Grays Harbor County Subdivision Administrator's conditional approval for a two-lot large lot subdivision Case No. 2007-2661:** This hearing is a continuation of the public hearing held June 9, 2008, to consider an appeal request by Ronald and Jane

Phillipi (Case No. 2008-0290) of the February 29, 2008, decision of the Grays Harbor County Subdivision Administrator's conditional approval for a two-lot large lot subdivision (Case No. 2007-2661). The proposal is located at 40 Lennon Road, on property also identified as Grays Harbor County Tax Assessor Parcel Number 170610420020, located in the Northwest quarter of the Southeast quarter of Section 10, Township 17 North, Range 6 West and south of the City of Elma in unincorporated Grays Harbor County, Washington. Notice of this public hearing was advertised in *The Montesano Vidette* on April 17, 2008. Chairman Carter asked for a staff report. Curt Crites of the Planning and Building Department explained that legal counsel representing the Phillipi's has requested this hearing be discontinued as the disputing parties are in final negotiations and have resolved the reason for the appeal. 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 dismiss this hearing as requested by the applicant.

2. Ordinance Amending Chapter 10.12 of Grays Harbor County Code – Prohibition of Compression Brakes and Textual Corrections: There was a public hearing to consider an ordinance amending chapter 10.12 of the Grays Harbor County Code to add an area of State Route 12 between mileposts 9 and 10 where activation, use or operation of motor vehicle compression brakes are prohibited, adding a definition of compression brakes, and making textual corrections to sections 10.12.010 and 10.12.020. Notice of this hearing was advertised in *The Montesano Vidette* on July 3, 2008. 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. 374, Amending Grays Harbor County Code Chapter 10.12 Adding an Area of State Route 12 Between Mileposts 9 and 10 Where Activation, Use or Operation of Motor Vehicle Compression Brakes are Prohibited and Making Textual Corrections.

3. Supplement Budget Amendment - Clerk's Office: There was a public hearing to consider Supplemental Budget as follows: Supplemental Budget – General Fund Clerk's Office #001-000-014, in the amount of \$15,000. Notice of this hearing was advertised in *The Montesano Vidette* on July 3 and 10, 2008. Chairman Carter asked for a staff report. Rose Elway, Budget Director, explained that this is a request for a supplemental budget in the General Fund Clerk's Office for \$15,000 for the July 1, 2008 – June 30, 2009 Meth Grant allocated through the Washington State Association of County Officials (WACO). The grant will be used to upgrade the Laserfiche Work Flow system in the Clerk's Office. 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 No. 2008-64 – Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund Clerk’s Office #001-000-014.

4. **Supplement Budget Amendment – ORV Park Fund:** There was a public hearing to consider Supplemental Budget as follows: Supplemental Budget – Miscellaneous Fund ORV Park #118-000-000, in the amount of \$26,270. Notice of this hearing was advertised in *The Montesano Vidette* on July 3 and 10, 2008. Chairman Carter asked for a staff report. Rose Elway, Budget Director, explained that this is a request for a supplemental budget in the Miscellaneous Fund ORV Park for \$26,270 for funding received through FEMA for the December 2007 storm repairs at the ORV Park. The debris removal and fencing projects have been completed at the Park with the remaining off road vehicle trails and culvert replacement projects to be completed as weather permits. FEMA funds require a match from the County for the portion not covered by FEMA for \$8,756, which was approved by Resolution No. 2008-57. The total repair costs from the December 2007 storm at the ORV Park are estimated to be at \$35,026. 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 No. 2008-65 – Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Miscellaneous Funds ORV Park #118-000-000.

COMMISSIONERS

None

DEPARTMENTS

AUDITOR

1. **Request Approval, Month-End Expenditures Audit Report for June, 2008:** A motion was made, seconded and passed to approve the Month-End Expenditures Audit Report as of June 30, 2008 as follows: Claims, \$4,316,036.95, Salary, \$2,404,252.92 for a total of \$6,720,289.87.

FORESTRY

1. **Request Approval, Contract Amendment – 4570 Blow Timber Sale:** A motion was made, seconded and passed to approve an amendment to the 4570 Blow Timber Sale Contract whereby a small 5-acre patch of blown down timber in the general vicinity is included for salvage. These 5-acres of timber are over 90% blown down as result of the December 2nd & 3rd storm event. The 4570 Blow Sale is currently active and

by including this damaged timber, the County can ensure its timely salvage and removal. Resolution No. 2008-10, as approved by the Board of County Commissioners, 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.

2. Request Approval, Timber Sale Contracts: Saddle Hill No. 1, Raney Creek No. 5, Raney Creek No. 6: A motion was made, seconded and passed to accept the high bids received on the following Grays Harbor County Timber sales held July 11, 2008:

| <u>Sale Name :</u> | <u>Successful Bidder:</u> | <u>Estimated Value:</u> |
|--------------------|------------------------------|-------------------------|
| Saddle Hill No. 1 | Quinault Logging Corp. | \$143,706 |
| Raney Creek No. 5 | Hampton Tree Farms, Inc. | \$215,798 |
| Raney Creek No. 6 | Chehalis Valley Timber, Inc. | \$221,141 |

SHERIFF

1. Request Approval, Traffic Safety Coordinator Agreement: A motion was made, seconded and passed to approve a contract for services with Susan Bradbury. Ms. Bradbury will replace Rich Jacobson as Project Coordinator for the Washington State Traffic Safety Grant. The Grays Harbor County Sheriff's Department receives this funding from the Washington Traffic Safety Commission. This agreement is valid through June 30, 2010.

MANAGEMENT SERVICES

1. Request Approval, Resolution Authorizing Transfers – Tourism Fund: A motion was made, seconded and passed to approve **Resolution No. 2008-66, Transferring Items in the Grays Harbor County Miscellaneous Tourism Fund #112-000-100.** This Resolution transfers \$20,000 from ending cash balance within the Tourism Fund to Tourism Promotion. The Fair Fund ending cash balance was utilized to promote “staycations” in Grays Harbor. These funds will be utilized for the electronic reader board match for the Community Credit Union Grant.

2. Request Approval, Set Hearing Date – Supplemental Budget Hearing – Election Reserve Fund, Auditor's Office: July 28, 2008, at 2:00 p.m., is the date and time set for a hearing to consider Supplemental Budget in the Election Reserve Fund for \$16,000 received for the sixth phase of the Help America Vote Act (HAVA). This funding will be used for training election officials and for the purchase of computer equipment.

PUBLIC SERVICES

- 1. Request Approval, Resolution Acknowledging Right-of-Way, Applicant Fire District #14:** A motion was made, seconded and passed to approve **Resolution No. 2008-67, Acknowledging Vacation by Operation of Law, the Right-of-Way Described as South Half of Atlantic Avenue Adjacent to Parcel #791507900000.** The Grays Harbor County Public Services Department received a petition from Fire District #14 to acknowledge vacation of right-of-way adjacent to property owned by the Fire District in Ocosta. The Public Services Department has found no record of this right-of-way having ever been opened within the applicable time period and has no objection to the acknowledgment of this right-of-way having been automatically vacated by operation of law.
- 2. Request Approval, Right-of-Way Deed for the Middle Satsop Road Realignment Slide Repair Project:** A motion was made, seconded and passed to approve a right-of-way deed for the Middle Satsop Road Realignment E-97250-56 Slide Repair Project.
- 3. Request Approval, 2008 Emergency Management Performance Grant (EMPG):** A motion was made, seconded and passed to authorize the Chairman to sign the appropriate contract with the Washington State Military Department Emergency Management Division for the 2008 Emergency Management Performance Grant in the amount of \$54,793. This funding supports the Emergency Management operating budget.
- 4. Request Approval, Emergency Support Function 8 – Public Health & Medical Services Plan:** A motion was made, seconded and passed to approve Emergency Support Function 8 – Public Health & Medical Services. This plan is part of the County's Comprehensive Emergency Management Plan (CEMP) and was developed under the leadership of Grays Harbor County Public Health and Social Services and reviewed by jurisdictions and agencies within the County, including but not limited to law and fire agencies, E911, Environmental Health, hospitals, EMS, the Medical Officer and other care facilities. It will be reviewed and updated as needed. Upon approval the plan will be posted to the Emergency Management website and a copy will be maintained by the Washington State Emergency Management Division.
- 5. Request Approval, Award Bid for a Used Water Truck for Solid Waste:** A motion was made, seconded and passed to accept the bid of \$80,225.68 from Randco Tanks for the purchase of one used water truck with a stainless steel tank for Solid Waste.
- 6. Request Approval, Set Bid Date for Administration Building Roof:** August 4, 2008, at 2:00 p.m., is the date and time set to accept bids for the Administration Building roof project. The previously received bids for this project were rejected and the project

has since been revised, eliminating the HVAC elements of the original project.

7. Request Approval, Right-of-Way Deed – Schmid Rd. Bridge Bypass Project, CRP-11171-02: A motion was made, seconded and passed to approve a right-of-way deed for the Schmid Road Bridge Bypass Project, CRP-11171-02.

8. Request Approval, Contract Supplement for Grays Harbor County Bridge Replacements - Harp Road, Garrard Creek Bridge Replacement: A motion was made, seconded and passed to approve Supplemental Agreement No. 2 with Sargent Engineers, Inc. This supplement will provide for construction support services as provided for in the original advertisement for engineering services.

9. Request Approval, Local Agency Supplemental Agreement No. 1, Porter Creek Road W. Overflow Bridge Replacement Project: A motion was made, seconded and passed to authorize the Chairman to sign Supplemental Agreement No. 1 for the Porter Creek Road W. Overflow Bridge Replacement E-96540-50. This supplement will provide for additional bridge load rating for the Porter Creek Road W. Overflow Bridge and the Monte Elma Road, Newman Creek Bridge No. 4.

10. Request Approval, Reimbursable Agreement Amendment No. 4, Gatton Creek Bridge Project: A motion was made, seconded and passed to authorize the Chairman to sign Amendment No. 4 to a Reimbursable Agreement with the Federal Highway Administration. This Amendment extends the Agreement ending date to December 31, 2008.

11. Request Approval, Set Hearing Date – County Road Standards Variance Request 2008-0897: July 28, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider County Road Standards Variance Request 2008-0897. Brian Beaver, represented by Chris Merritt of Olympic Engineering, has requested a variance for a reduction in the required commercial or multiple access standard road approach.

12. Request Approval, Set Hearing Date – Right-of-Way Vacation petition from Kurt Loris: August 4, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider a petition by Kurt Loris to vacate a portion of unopened right-of-way that is adjacent to his property along Kirkpatrick Road.

ANNOUNCEMENTS

None

CORRESPONDENCE

1. A motion was made, seconded and passed to approve a Use Request by the Historic Montesano Car Show Committee for use of the parking lot at Broadway and Fleet, to access power in front of the Administration Building, and to open the County Courthouse for tours. This event coincides with the Montesano Festival of People, which will take place Saturday, July 26th, 2008.
2. A Lawsuit, #L-573-08, filed by Invenergy Grays Harbor, LLC, was referred to the Prosecuting Attorney's Office.
3. Monthly Reports received from the Grays Harbor County Coroner's Office, for the months of October through December, 2007, and January, 2008. These reports were placed on file and are available for review.
4. An email from Stanley Trohimovich, titled "Unconstitutional Due Process and Taking – Agenda Action by Commissioners' Secretary is Requested". This email was placed on file.

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.

Ron Armstrong, Hoquiam, made comments regarding a recent letter to the editor.

STAFF MEETINGS

The Board held staff meetings on Monday, July 14, 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 Sheriff Mike Whelan, regarding fuel costs and staffing issues; Larry Smith, Forestry, regarding agenda items; Barb Smith, Tourism, regarding staff reclassifications; Paul Easter, Public Services Director, regarding agenda items, road and bridge projects; Brian Shea, Planning & Building Director, regarding department updates; Anne Sullivan, Emergency Services/Risk Management, regarding agenda items; Jeff Nelson, Environmental Health, regarding department updates. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- No. 2008-64** **Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund Clerk’s Office #001-000-014.**
- No. 2008-65** **Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Miscellaneous Funds ORV Park #118-000-000**
- No. 2008-66** **Transferring Items in the Grays Harbor County Miscellaneous Tourism Fund #112-000-100**
- No. 2008-67** **Acknowledging Vacation by Operation of Law The Right-of-Way Described as South Half of Atlantic Avenue Adjacent to Parcel #791507900000**

ORDINANCES

- No. 374** **Amending Grays Harbor County Code Chapter 10.12 adding an area of State Route 12 Between Mileposts 9 and 10 Where Activation, Use or Operation of Motor Vehicle Compression Brakes are prohibited and Making Textual Corrections**

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 2:38 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