

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

November 3, 2008

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, November 3, 2008, at 2:00 p.m. Commissioners Al Carter, Bob Beerbower and Mike Wilson were present. Jim Baker, Senior Deputy Prosecuting Attorney, and Donna Caton, 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 October 27, 2008:** A motion was made, seconded and passed to approve the minutes of the regular meeting of October 27, 2008.

BIDS

None

HEARINGS

1. **Reclassification as Open Space for Real Property Tax Purposes – Applicant Mudd Family Revocable Trust:** There was a public hearing to consider a request by the Mudd Family Revocable Trust for reclassification as Open Space for real property tax purposes for Parcel Number 160503330000. Notice of this hearing was published October 23, 2008, in the *Montesano Vidette*. Chairman Carter announced that at the request of the applicant, this hearing would be continued to November 24, 2008.

2. **Reclassification as Open Space for Real Property Tax Purposes – Applicant John A. Vetter:** There was a public hearing to consider a request by John A. Vetter for reclassification as Open Space for real property tax purposes for Parcel Numbers 170708110000 & 170709320010. Notice of this hearing was advertised October 23, 2008, in the *Montesano Vidette*. Chairman Carter asked for a staff report. Brian Shea, Planning & Building Director, reported that the property related to this request for reclassification (144 acres) is subject to development restrictions set forth by the government's Wetland Reserve Program (WRP). Mr. Shea indicated that Bill Brown from the Assessor's Office would be available to provide further information regarding the WRP. Bill Brown, Commercial Appraiser, reported that the subject parcels total 412.1 acres which are currently classified as Current Use Farm & Agriculture. Of the total acreage, 144 acres are subject to a WRP Easement which was signed August 27,

2002. This Easement prohibits activities related to haying, mowing or seed harvesting, the harvesting of wood products, grazing or allowing livestock on the property, and the planting or harvesting of crops. These prohibited activities make the subject property ineligible for the Current Use Farm & Agriculture classification. Parcel No. 170708110000 consists of 337.35 acres, of which 139.5 acres are in the WRP. Parcel No. 170709320010 consists of 34.75 acres, of which 4.5 acres are in the WPR. Mr. Brown read the following suggested actions as provided by the Assessor's Office: Reclassify 139.5 acres of parcel 170708110000 and 4.5 acres of parcel 170709320010 into the Current Use Open Space Classification with conditions. The total number of acres to be reclassified is 144.0 according to the WRP easement legal description. The Wetland Reserve Program easement legal description and survey accompanied the hearing materials. Mr. Brown read the following aforementioned conditions of approval:

- Commercial farming is prohibited.
- Grazing or pasturing domestic or livestock animals is prohibited.
- Building and structures are prohibited.
- Woodcutting, altering vegetation, burning, dumping and filling are prohibited.
- Littering, excessive noise, and any actions that may endanger the animal or plant life on this property are prohibited.
- Camping and campfires are prohibited.
- The use of non-farm motorized vehicles, including off-road vehicles and quads, is prohibited.
- Farm vehicles used for the maintenance of wildlife food plots, to cut hay/grass to maintain wildlife habitat, or used to support the activities of the WRP easement are permitted.
- Any uses not allowed by the WRP easement are prohibited.

This agreement shall be established between the owner and the Granting Authority specifying the conditions. Should the owner sign the agreement, it shall be understood that the owner will comply with the conditions. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in RCW 84.34 and assessed at true market value.

If an application is approved for Current Use Open Space and the landowner changes the use or engages in activities prohibited by the Conditions of Approval, the property must be removed from the Current Use Open Space classification by the Grays Harbor County Assessor'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 the request for reclassification as Open Space for real property tax purposes for Parcel Numbers 170708110000 & 170709320010 by John A. Vetter with conditions as read.

The applicant, John Vetter, inquired as to which classification this property would be subject to. Chairman Carter indicated that the property had been reclassified as Current Use Open Space and referred Mr. Vetter to the Assessor's Office for specific information related to the applicable tax adjustment.

3. Supplemental Budget – General Fund Extension Office: There was a public hearing to consider Supplemental Budget Amendment as follows: General Fund Sheriff's Department #001-000-032, in the amount of \$188,000. Notice of this hearing was advertised in the *Montesano Vidette* October 23 and 30, 2008. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported that the Sheriff's Department has received \$188,000 in reimbursable funds for unanticipated Law Enforcement Services. Funds will be allocated as \$120,363 in salaries, \$46,580 in benefits and \$21,057 in overtime for the Jail Division of the Sheriff's Department. 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. 2008-122, Authorizing a Supplemental Extension in the Budget of the Grays Harbor County General Fund Sheriff Department #001-000-032.

COMMISSIONERS

1. Re-appointments (3) to the Planning Commission: A motion was made, seconded and passed for each of the following reappointments to the Planning Commission:

- a. District 3, Position 1: Darrel Haglund.
- b. District 2, Position 3: Grant Fry
- c. District 1, Position 2: Ruth Kivi

Each of these re-appointments is for a four-year term, ending December 31, 2012.

***The Clerk of the Board announced the following item had been added after the agenda had been prepared:

2. Waiver of 30-day Notice – PDA Lease to BMT Northwest: A motion was made, seconded and passed to waive the 30-day notice of action in regards to the signing of a lease by BMT Northwest. The Clerk of the Board read the following excerpt from a letter addressed to Attorney Art Blauvelt on behalf of the Public Development Authority: "We are in receipt of your request on behalf of the Public Development Authority (PDA) to waive the notice requirement under RCW 35.21.747 that requires a copy and notification of any proposed "encumbrance" of GH PDA property to the Grays Harbor County Commissioners thirty (30) days in advance of any planned action. The Turbine Building and 10 acres in the Satsop Development Park are scheduled to be leased to BMT-NW, a metal fabrication company. This tenant will provide new opportunities in

the employment base in Grays Harbor.”

DEPARTMENTS

FAIR

- 1. Request Approval, Caretaker Services Contract Amendment – Adding Geneva Spracklen:** A motion was made, seconded and passed to approve an amended Caretaker Services Contract for the Grays Harbor County Fairgrounds & Event Center with Mearl and Geneva Spracklen. Mearl and Geneva have served as Caretakers since December 21, 2004. Mearl and Geneva share the duties of Caretaker for the 68 acre facilities. This approval adds Geneva to the contract. This amendment has been reviewed by Jim Baker, Senior Deputy Prosecuting Attorney.

- 2. Request Approval, Extension to the Washington State Department of Agriculture (WSDA) Grant for the Horse Barn Roof:** A motion was made, seconded and passed to authorize the Chairman to sign Amendment No. 1 to Interagency Agreement #IA 08-59-01 with the Washington State Department of Agriculture, Fairs Program. The agreement is for Special Assistance Funds to be used for a new roof for the Ortquist Horse Barn. The amount of the Special Assistance Grant awarded is \$40,000. The amendment extends the time for use of funds and reporting from December 31, 2008, to April 30, 2009.

- 3. Request Approval, Resolution Authorizing Rental Rate Schedule for Horse Stall Rentals:** A motion was made, seconded and passed to approve **Resolution No. 2008-123, Amending Resolution No. 2008-95 and Establishing the 2009 Rental Rate Schedule for the Grays Harbor County Fairgrounds & Event Center.** Recently the Board of County Commissioners approved the 2009 Grays Harbor County Fairgrounds & Event Center Rental Fee Schedule for events held during non-fair times. Because the Fair Board needed to do more market research, the horse stall rental rate was not changed at that time. After research and discussion, the Fair Board has recommended approval to increase horse stall rental fees from \$15 per day bedded, to \$17 per day bedded. This increase is necessary due to the increasing cost of bedding. This increase will be added to the 2009 Grays Harbor County Fairgrounds & Event Center Rental Fee Schedule.

FORESTRY

- 1. Request Approval, Blown Down Salvage Contract – Donkey Creek:** A motion was made, seconded and passed to approve a blow-down salvage contract with Sierra Pacific Industries whereby a patch of severely damaged timber is to be recovered. The stand, located in the Donkey Creek area, is 95% blown down and as it has been down since the December 2007 storm, it is important to recover it as soon as possible. There is a present opportunity to salvage the timber in conjunction with another sale in the general vicinity.

PUBLIC SERVICES

- 1. Request Approval, Reward Issued as Per Resolution 2003-13 to a Person Responsible for Arrest and Conviction of Individuals who Vandalized County Road Signs:** A motion was made, seconded and passed to approve the issuance of a reward in the amount of \$500 to be given to Jim Ward. Mr. Ward was responsible for the arrest and conviction of individuals who vandalized County road signs on April 25, 2007, as authorized by Resolution 03-13. Commissioner Beerbower asked that Paul Easter, Public Services Director, provide further information. Mr. Easter explained that over the years the county has experienced various types of vandalism to county road signs which is dangerous to motorists. In response, the Department initiated this program to increase public awareness about the problem and create incentive for reporting its occurrence. Mr. Easter noted that from 1999 to 2000 the cost of the vandalism to county tax payers reached \$80,000. Since implementing the program, the cost has decreased to a current amount of approximately \$20,000 per year. Mr. Easter commented that he hopes to see this program continued as it has proven to be one of merit.
- 2. Request Approval, 2008 Countywide Aggregate Stockpiling Contract – Accept as Complete & Release Retainage:** A motion was made, seconded and passed to accept the contract with Northwest Rock, Inc. for the 2008 Countywide Aggregate Stockpiling as complete and allow the retainage release of \$11,839.86 as per Section 60.28 Revised Code of Washington.
- 3. Request Approval, Set Hearing Date – Change of Use Property Tax Classification to Current Use Open Space, as Requested by Virgil & Sylvia Mudd Trust:** November 24, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider a request by Virgil & Sylvia Mudd Trust for reclassification as Open Space for real property tax purposes for Parcel Numbers 170717120020 & 17078430020.

ANNOUNCEMENTS

None

CORRESPONDENCE

1. Claim No. C-577-08 filed by Les & Cindy Jasper. This claim was forwarded to the Claims Review Committee.

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.

Cheryl Campbell, Kent, made comments regarding why she continues to protest regarding property rights.

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

EXECUTIVE SESSION

At 2:25 p.m., Chairman Carter announced that the Board would be moving in to Executive Session in order to meet with legal counsel regarding personnel matters. He announced that this Executive Session was expected to last 30 minutes in duration. At 2:55 p.m. a cursory view of the Commissioners' meeting room and outside areas by the Clerk of the Board, noted that no individuals were present to announce the session's extension of 10 minutes.

At approximately 3:05 p.m., the Board reconvened to regular session. Chairman Carter announced that no decisions were made and no actions were taken during the Executive Session. Chairman Carter asked for additional business or public comment. Hearing none, the meeting was adjourned.

STAFF MEETINGS

The Board held staff meetings on Monday, November 3, 2008, beginning 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 Michael Tracy, EDC, regarding 2009 strategy; Fair Team, regarding agenda items; Jim Baker, Deputy Prosecutor; Larry Smith, Forestry, regarding blown down timber; Paul Easter, Public Services Director, regarding agenda items, road and bridge projects and personnel updates; Kevin Varness, regarding agenda items, facility/utility project updates. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

No. 2008-122

**Authorizing a Supplemental Extension in
the Budget of the Grays Harbor County
General Fund Sheriff Department
#001-000-032**

No. 2008-123

**Amending Resolution No. 2008-95 and
Establishing the 2009 Rental Rate**

**Schedule for the Grays Harbor County
Fairgrounds & Event Center**

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 3:08 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