

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

May 18, 2009

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, May 18, 2009, at 2:00 p.m. Commissioners Al Carter, Mike Wilson and Terry Willis were present. Jim Baker, Senior Deputy Prosecuting Attorney, and Donna Caton, Clerk of the Board, were also present.

CALL TO ORDER AND FLAG SALUTE

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

BIDS

1. **2009-2010 County Beach Approach Sand Removal Project:** It was advertised May 7th and 14th, 2009, in the *Montesano Vidette*, that bids would be accepted for construction of the 2009-2010 County Beach Approach Sand Removal Project. The work to be performed under this contract consists of removing surplus sand from the County beach approaches. A set of plans and specifications for the project was available from the Public Services office in Montesano, Washington. It was announced that the Grays Harbor County Commissioners reserve the right to reject any or all bids or parts thereof without cause. The Clerk of the Board announced the following bids with bid bond attached:

<u>Company</u>	<u>Location</u>	<u>Bid Amount Part 1/Part 2</u>
Brumfield Construction, Inc.	Westport, WA	\$350.00/None
Coast Line, LLC	Copalis Beach	None/\$2,200.00

All bids were forwarded to the appropriate department for review and recommendation.

HEARINGS

1. **Open Space Reclassification Request – Cascade Land Conservancy:** There was a public hearing to consider a request by the Cascade Land Conservancy for classification as Current Use Open space for real property tax purposes for Parcel Numbers 181213310010, 181213340010, 181213430010, 181223110000 & 181223746400. Notice of this hearing was advertised May 7, 2009, in the *Montesano Vidette*. Chairman Wilson called for a staff report. Brian Shea, Grays Harbor County Planning Department Director, reported that this request is to classify approximately 268.68-acres located generally to the East of the Hogan's Corner area of Grays Harbor County. Mr. Shea stated that this application was reviewed for conformance with RCW 84.34 and the County's Comprehensive Plan, zoning regulations and for the identification of soil types present on the property. The property is currently located within the General Development five-acre (G5) zoning district. Both agricultural and forest practice activities are listed as permitted uses within that zoning district. The Comprehensive

Plan map designation for the property is general development. In review of the subject property, Mr. Shea noted that the property contains prime farmland soils which indicates that the property has the potential to be used in a manner that is consistent with both the comprehensive plan and zoning code designations. Based upon those findings, Mr. Shea stated that it is the Department's recommendation that the Board deny the request for Current Use Open Space classification by Cascade Land Conservancy. Commissioner Willis asked for verification as to whether this property had previously been classified as Current Use Timber or another classification. Mr. Shea reported that this land is not currently classified in a Current Use program.

Chairman Wilson called for public comment. Bill Brown, Grays Harbor County Commercial Appraiser, stated that this property consists of unimproved acreage that has not previously been classified as Current Use Timber or Designated Forest Lands. Mr. Brown noted that this property is consistent with land that would be classified as Current Use Open Space. He explained that the tax rate is fairly low because the property is unimproved and the majority is low, wet land. Mr. Brown noted that the applicable tax shift would be only several hundred dollars for the total property. At Commissioner Carter's inquiry, Mr. Brown reported that this land is currently considered unimproved land. He noted that the use of the land is very limited because it is low and wet with tidelands. He stated that there is a small cabin on the property which is likely the extent to which improvements could be made, with the main use of the property being for recreational purposes.

Chairman Wilson asked for clarification as to whether or not the property could be used for agricultural purposes due to its soil types, despite being low and wet. Mr. Shea confirmed that the property does contain wetlands, but this does not preclude the use of the property either for farming or forest practices. He noted that a majority of the properties in Grays Harbor County that are currently used for farming and forest practices have wetlands. He stated that the presence of wetlands would be problematic for a subdivision of the property, but not for farming or harvesting trees. Chairman Wilson referenced the staff report findings which state the proposal's inconsistency with the Grays Harbor County Comprehensive Land Use Plan Map which indicates that this property is located within an area designated as general development. Mr. Shea explained that the general development designation in the Comprehensive Plan provides general direction for what the most appropriate use of the property would be; zoning district designations which further describe the activities that should and should not take place on a particular piece of property. Mr. Shea reiterated that this property is zoned as general development-five acre (G5), which allows for agricultural activities and forest practices. He noted that G5 also allows for the construction of homes, though this may be problematic for this particular property.

Chairman Wilson asked for additional public comment. There was no further comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to deny the application by Cascade Land Conservancy for Classification as Current Use Open Space, based upon the findings as presented in the staff report.

2. **Supplemental Budget Reductions – General Fund (\$665,940):** There was a public hearing to consider a Supplemental Budget Reduction as follows:

Dept.	Fund	Amount
District Court	#001-000-024	+ \$17,990.00
Juvenile	#001-000-026	(\$59,714)
Prosecutor	#001-000-030	(\$134,876)
Superior Court	#001-000-033	(\$95,340)
Sheriff's Department	#001-000-034	(\$394,000)
	TOTAL	(\$665,940)

Notice of this hearing was advertised May 7th and 14th, 2009, in the *Montesano Vidette*. Chairman Wilson called for a staff report. Rose Elway, Budget Director, reported that revenue is being decreased by \$870,000, with \$720,000 reduced in investment interest; \$50,000 in forestry private harvest fees, and a decline of \$100,000 in WA State DNR Timber Harvest. Revenue is increased by \$204,060.00, with the Clerk's office contributing \$25,000 in fees; \$38,860 from Environmental Health in fees and grants; \$7,500 in fees from Facility Services; \$13,000 in District Court fees; \$119,000 from the Sheriff's Department, with \$100,000 coming from a grant from the WA State Department of Corrections. These fee and grant increases leave a net General Fund Supplemental Budget Reduction of \$665,940.

Ms. Elway stated that in the five departments effected by this reduction, a total of four (4) FTE positions are eliminated in the General Fund. District Court is working a rotation schedule change due to the contract amendment with the AFS-CME bargaining unit. The Juvenile Department is reducing the detention relief rotation schedule. The Prosecutor's Office is reducing a vacant Records Clerk one (1) FTE position and is applying for an American Recovery Act grant for the budget contra of \$88,000. The Superior Court has a contra entry of \$95,340. The Sheriff's Department has eliminated a vacant Deputy position, a vacant Corrections Officer position, and will have to lay off a Corrections Officer position if the American Recovery Act grants are not received to offset these position eliminations and a contra entry totaling \$98,986.

Chairman Wilson called 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. 2009-33, Authorizing a Supplemental Reduction in the Budget of the Grays Harbor County General Fund.

3. Supplemental Budget Reductions – General Fund (\$585,200): There was a public hearing to consider a Supplemental Budget Reduction, subtracting from the budget as follows:

Fund	Dept.	Amount	Fund	Dept.	Amount
010	Assessor	\$76,613	020	Disability Board	\$398
011	Auditor	\$49,934	021	Boundary Review Board	\$521
012	Board of Equalization	\$1,013	022	WSU Extension	\$15,382
013	Civil Service	\$2,427	024	District Court	\$100,105
014	Clerk's Office	\$24,200	026	Juvenile Dept.	\$107,659
015	Commissioners	\$30,429	028	Planning & Building	\$890
016	Environmental Health	\$363	034	Treasurer's Office	\$27,351
017	Coroner's Office	\$16,970	038	Non-Departmental	\$59,609
018	Facility Services	\$71,336		TOTAL	(\$585,200)

Notice of this hearing was advertised May 7th and 14th, 2009, in the *Montesano Vidette*. Chairman Wilson called for a staff report. Rose Elway, Budget Director, reported that this supplemental budget reduction reduces beginning cash balance by (\$585,200) and reflects a six percent budget reduction to the above listed departments. This six percent budget reduction reflects a 7.8 FTE staffing reduction as follows: An Assessor's Senior Real Property IV Appraiser position due to retirement; Auditor's Licensing Assistant .75 FTE position layoff; the Elected Coroner Retirement will be filled; Facility Services Administrative Clerk .50 FTE retirement and two custodian position layoffs; a vacant Diagnostic Coordinator Juvenile Department position was eliminated and .50 FTE retirement Detention Officer position; retirement of the Treasurer's Office Chief Deputy; vacant Community Health Nurse III position that will also be eliminated. Ms. Elway clarified that it is the beginning cash that is being reduced.

Chairman Wilson called 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. 2009-34, Authorizing a Supplemental Reduction in the Budget of the Grays Harbor County General Fund.

4. Supplemental Budget – Special Projects (\$554,975): There was a public hearing to consider Supplemental Budget in the Special Projects Fund #101-000-0000, in the amount of \$554,975. Notice of this hearing was advertised May 7th and 14th, 2009, in the *Montesano Vidette*. Chairman Wilson called for a staff report. Rose Elway, Budget Director, reported that \$554,975 in grant funding has been received through the Washington State Department of Community Trade & Economic Development (CTED) for Phase II of the Union Gospel Mission. Funds will be used for remodeling and construction of the Union Gospel Mission, demolition of the current building, re-facing of the west wall and design and construction of a warehouse. Chairman Wilson called 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. 2009-35, Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Special Projects Fund #101-000-000.

PUBLIC COMMENT

Chairman Wilson called for public comment. He announced that comments and statements would be accepted and would be limited to three minutes. Questions should be submitted in writing.

There was no public comment.

CONSENT AGENDA: Approval was requested for the following items:

1. Minutes of Regular Meeting May 11, 2009
2. **Commissioners:**
 - a. Appointments (2) to the Solid Waste Advisory Council – Peggy Berry & Mike Meyers
3. **Management Services:**
 - a. Retirement Incentive Agreement – *John R. Kirkwood* – *Public Services Dept.*
 - b. Retirement Incentive Agreement – *Rebecca Waters* – *Treasurer's Office*
 - c. Set Public Hearing Date – *June 1, 2009* – Supplemental Budget, Prosecutor's Office
4. **ORV Park:**
 - a. Cascade Karting Event Contract – *May 23 & 24, June 13 & 27, July 25, Aug. 22 & Sept. 19*
5. **Prosecutor:**
 - a. Surplus Property - Dictaphone Dictation & Transcription Equipment
6. **Public Services:**
 - a. Set Public Hearing Date – *June 22, 2009*, to Review & Adopt the 2010-2015, Six Year Transportation Improvement Program
 - b. Information Only: Annual Engineer's Report of Bridge Inspection Findings, WAC 136-20-060
7. **Correspondence:**
 - a. Law Suits (2) – Northwest Rock: L-588-09 & L-589-09
 - b. Coroner's Monthly Summary Report for April, 2009
 - c. Grays Harbor Transit 2009 Transit Development Plan
 - d. Permission to use Parking Lot at Broadway & Fleet St. – Historic Montesano Car Show – *July 18, 2009*

ACTION: A motion was made, seconded and passed to approve all Consent Agenda items as listed above.

COMMISSIONERS

The Clerk of the Board announced that the following item was added to the agenda:

1. Housing Authority of Grays Harbor County – Certification of Public Housing Authority (PHA) Plan’s Consistency with the Consolidated Plan: A motion was made, seconded and passed to authorize the Chairman to sign the Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan. This signature certifies that the Five Year and Annual PHA Plan of the Housing Authority of Grays Harbor County is consistent with the Consolidated Plan of Grays Harbor County, prepared pursuant to 24 CFR Part 91. The Clerk of the Board noted that this is an annual certification.

DEPARTMENTS

FORESTRY

1. Request Approval, Timber Sale Completion – Raney Creek No. 6, Contract TBR0812: A motion was made, seconded and passed to accept as complete and release the performance bond posted by Chehalis Valley Timber, Inc. for the Raney Creek No. 6 timber sale. Chehalis Valley Timber, Inc. has satisfactorily completed all terms and conditions of the contract.

MANAGEMENT SERVICES

1. Request Approval, Resolution – Budget Transfer – Insurance Fund: A motion was made, seconded and passed to approve **Resolution No. 2009-36, Transferring Items in the Grays Harbor County Miscellaneous Fund Insurance Department #504-000-000.** This Resolution transfers \$27,638 from ending cash to salaries and benefits for the addition of the Program Assistant to the Insurance Fund.

2. Request Approval, Resolution – Salaries, Insurance Fund: A motion was made, seconded and passed to approve **Resolution No. 2009-37, Amending Resolution No. 2009-02 Fixing Compensation of Employees from and after January 1, 2009.** This salary Resolution amendment moves the Program Assistant from Emergency and Risk Management to the Insurance Fund effective June 1, 2009. The associated union has no objection in moving this position from the Public Services bargaining unit to the Courthouse bargaining unit.

3. Request Approval, Grant Contract Amendment – WA State Recreation & Conservation Office– Straddleline ORV Park Equipment Grant: A motion was made, seconded and passed to approve an amendment to the Straddleline ORV Park equipment grant. The Recreation & Conservation Office (RCO) has agreed to amend the grant for an additional \$15,000 to upgrade existing equipment.

PUBLIC SERVICES

- 1. Request Approval, Award Bid & Authorize Chairman to Sign the Contract – Union Gospel Mission:** A motion was made, seconded and passed to award the bid and authorize the Chairman to sign the contract documents for the Union Gospel Mission Warehouse Project. Rognlin's Inc. of Aberdeen is the responsive low bidder with a base bid of \$448,617.00. This project is funded by state appropriations and private donations.
- 2. Request Approval, Appointments to Grays Harbor Marine Resource Committee (MRC) - 11 Members:** A motion was made, seconded and passed to authorize the Board to sign letters appointing 11 individuals to serve on the first Grays Harbor Marine Resource Committee (MRC). MRC's are county-based, volunteer groups composed of tribal co-managers, fishermen, citizens, scientists, recreational, economic and conservation interests, and government agencies. MRC's can encourage community-based marine stewardship, conduct citizen-driven marine science, sponsor and oversee projects to meet local priorities and make science-based recommendations. The members of the MRC include Bob Burkle, Roberta Davenport, Eric Delvin, Kathy Greer, R.D. Grunbaum, Don Harders, Robin Leraas, Don Samuelson, Ray Toste, Joe Schumacker and Lorena Marchant.
- 3. Request Approval, Speaking Engagement Agreement – Samara Lectures, LLC, Representing Dr. David Montgomery:** A motion was made, seconded and passed to authorize the Chairman to sign a speaking engagement agreement with Samara Lectures, LLC, representing Dr. David Montgomery. On June 20th, 2009, the Grays Harbor Marine Resource Committee will host its first public forum. Dr. Montgomery will be the keynote speaker for this event.
- 4. Request Approval, CRP Resolution Authorizing the Paving of South Monte Branch Road No. 62120, C-62130-01:** *This item was removed from the agenda at the Department's request.*
- 5. Request Approval, Resolution Re: 2009 Application for the State Hazard Mitigation Grant Program:** A motion was made, seconded and passed to approve **Resolution No. 2009-39, Designating the Applicant Agent for the State of Washington Hazard Mitigation Grant Program Planning Grant Application.** This Resolution authorizes the Chairman to execute for and on behalf of the County, the application, grant agreement and payment requests to be filed with the Military Department, Emergency Management Division (EMD), for the purpose of obtaining and administering certain state and federal financial assistance under the Hazard Mitigation Grant Program (44 CFR Subpart N). The EMD has a funding cycle available for jurisdictions to update their All Hazards Mitigation Plans. These plans are required for local jurisdictions to be eligible for financial assistance to help fund a wide range of new projects that reduce hazard vulnerability and the potential of damage. The EMD requires that plans remain current. Grays Harbor County's All Hazard Mitigation Plan will be due for updating by September 2010.

TREASURER

1. Request Approval, Resolution Scheduling 2009 Tax Foreclosure Sale – December 11, 2009: A motion was made, seconded and passed to approve **Resolution No. 2009-38, Setting the Time and Date for the Sale of Real Property Pursuant to the Real Estate Tax Foreclosure**. The Tax Foreclosure Sale will take place December 11, 2009, from 9:00 a.m. to 4:00 p.m. at the Grays Harbor County Administration Building.

ANNOUNCEMENTS

The Clerk of the Board announced that due to the Memorial Day Holiday on May 25th, the next scheduled BOCC meeting will be held June 1, 2009.

STAFF MEETINGS

The Board held staff meetings on Monday, May 18th, 2009, 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 Rose Elway, Budget Director, regarding agenda items and budget updates; Russ Esses, regarding agenda items and department updates; Kevin Varness, regarding agenda items, facility & utility updates; Lee Napier regarding agenda items; Jeff Nelson, Environmental Health, regarding agenda items and updates. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|---|
| No. 2009-33 | Authorizing a <u>Supplemental Reduction</u> in the Budget of the Grays Harbor County General Fund (\$665,940) |
| No. 2009-34 | Authorizing a <u>Supplemental Reduction</u> in the Budget of the Grays Harbor County General Fund (\$585,200) |
| No. 2009-35 | Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Special Projects Fund #101-000-000 |
| No. 2009-36 | Transferring Items in the Grays Harbor County Miscellaneous Fund Insurance Department #504-000-000 |

- | | |
|--------------------|---|
| No. 2009-37 | Amending Resolution No. 2009-02, Fixing Compensation of Employees from and after January 1, 2009 |
| No. 2009-38 | Setting the Time and Date for the Sale of Real Property Pursuant to the Real Estate Tax Foreclosure |
| No. 2009-39 | Designating the Applicant Agent for the State of Washington Hazard Mitigation Grant Program Planning Grant Application |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned 2:37 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2009

MIKE WILSON, Chairman
Commissioner, District 2

TERRY L. WILLIS, Commissioner, District 1

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board