

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

August 31, 2009

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 31, 2009, at 2:00 p.m. Commissioners Al Carter, Terry Willis 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

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

BIDS

None

HEARINGS

1. Request for Reclassification as Current Use Open Space – Applicant

TerraPointe LLC: There was a public hearing on August 31, 2009 to consider a request for reclassification as Current Use Open Space for real property tax purposes for Parcel Numbers 180918210010, 181013110020, 181024210000, 18102420020, and 181025210010 by TerraPointe LLC. The request covers 226.05 acres over the entirety of the five parcels.

Notice of this hearing was advertised August 20, 2009, in the *Montesano Vidette*. The Clerk of the Board announced that the applicant had requested that the hearing be continued to December 7, 2009. Commissioner Wilson called for public comment. There was no public comment.

ACTION: A motion was made, seconded and passed to continue the hearing to Monday, December 7, 2009, at 2:00 p.m.

2. Ordinance Adding New Chapter to Title 3 – Sales and Use Tax 0.1%:

There was a public hearing on August 31, 2009 to consider an Ordinance adding a new chapter to Title 3 of the County Code to impose an additional sales and use tax to be used for the purpose of operation or delivery of new or expanded chemical dependency and mental health treatment programs and services and for the operation of new or expanded therapeutic court programs. Notice of this hearing was advertised August 20, 2009, in the *Montesano Vidette*. Commissioner Wilson asked for a staff report. Larry Kahl, Task Force on Substance Abuse and Mental Health Board Chair, presented a letter from Senator Hargrove, expressing the Senator's support of the tax, which he believes will create a safer community and is a wise use of tax dollars. Mr. Kahl presented a PowerPoint presentation describing the one tenth of one percent sales tax proposal. He described Senator Hargrove's Bill, the Omnibus Mental Health Act of 2005. It provides

local funds for substance abuse treatment, mental illness treatment and therapeutic courts. Thirteen counties have passed this Act, and six are currently studying it.

Mr. Kahl explained the impact of the one tenth of one percent sales and use tax. The cost to the taxpayer on ten dollars would be one penny and only ten cents for every hundred dollars spent. In 2008 this tax would have brought in \$1 million dollars, in 2009 it would have generated \$700,000. If enacted the tax would begin on January 1, 2010. There would be a lag of about two months for payments to the county. Current programs may also use up to 50% of the funding for programs associated with mental health and substance abuse.

The Task Force discovered statistics on mental illness and whom it affects: one in three homeless people, a quarter of all adults in jail/prison, 70% of kids in juvenile detention, one in nine adults and 5% - 9% of all children. Youth with a mental disorder have the highest high school dropout rate. In 2008, \$1.2 million in tax dollars were spent for psychiatric hospital care in Grays Harbor County.

Drug crimes were discussed and the affect of these crimes on the community. 90% of all arrests involve drugs or alcohol. 205 arrests in 2008 were drug based. Stolen and seized items equaled \$1.2 million dollars. 60% - 80% of all emergency room care involves drugs or alcohol. In Grays Harbor County treatment is limited and there is no detoxification facility. Mr. Kahl explained that 45% of people with a mental disorder also have substance abuse issues. This dual problem requires specialized care.

Throughout Washington State there is a 62% recidivism rate among jails. Thurston County Jail has a 72% recidivism rate, but in drug court, in the same county, there is only an 11% recidivism rate. Jail and prisons are high costs to the taxpayer. The cost per day per inmate in State Prison is \$74.44, and in Grays Harbor County Jail the cost is \$65.00. Thurston County Drug Court costs \$16.00 per day per person, a significant reduction in cost. In Grays Harbor County there is no drug court and the County Jail is full.

Next, Mr. Kahl described gaps in the current mental health service system in Grays Harbor County, inappropriate incarceration, little support for family or caregivers and the lack of prevention and early intervention programs. The substance abuse system has no detoxification service, treatment barriers (no beds, high cost and timing) and also a lack of prevention and early intervention programs. In the justice system there are no therapeutic courts and very limited resources for parole, youth supervision and family dependency intervention.

He went on to explain that costs can be reduced and our community can gain immeasurable value by implementing this tax and creating programs to help resolve these gaps and inefficiencies in our mental health, substance abuse and justice systems. He asked is it better, to invest in \$873 per day for a psychiatric hospital, or to invest \$114 for outpatient care per day. Jail costs are \$65 a day and drug court will only cost \$16. This tax can help decrease the number of children in foster care, the teen dropout rate, violent crimes, property crimes and homelessness. With the proper programs in place

individuals can receive the specialized treatment programs they need in order to succeed.

The Task Force recommends the following:

Enact the tax:

- Put tax dollars into programs proven to work
- Local control over local resources
- Safe neighborhoods, healthier communities
- Better business climate
- Waste fewer lives to crime and homelessness
- Stop needless spending on repeated and inappropriate

Appoint an Advisory Board:

- Be advisory to the Board of Commissioners
- Recommend a specific spending plan
- Conduct transparent allocation process
- Select programs based on proven effectiveness
- Require contiguous program evaluation
- Assure financial accountability

Build reserves:

- Take time to build reserves (other counties – 9 months to a year)
- Allow time for the advisory committee to conduct adequate community process
- Keep adequate reserves to assure smooth operation of programs
- Slow growth not rapid expansion

Assign administrative oversight:

- Select an administrative home for
 - Contracts
 - Budget process
 - Logistics
 - Evaluation plans
 - Support Advisory Board and community process

He ended the presentation with a proposed schedule of implementation, if approved. He thanked the task force for all their help and research.

Commissioner Willis asked if there is any cost information for the start-up of certain programs and facilities. Mr. Kahl described that he does not know the numbers; the advisory board that may be enacted would be able to gauge the costs and which programs were most needed. Commissioner Willis asked if there would be extra cost for the administrative portion of this. He stated that if housed within Public Health, there should be minimal cost because they are already set up for handling similar issues.

Mr. Kahl invited the following speakers to describe their experiences with drug courts

and/or mental health or drug use issues and support for the tax:

Tania Blackburn, Advocate
James Gazori, Mason County Defense Attorney/ Advocate
Ed Drake, Advocate
Dave Christiansen, Grays Harbor Jail Administrator
John Masterson, Executive of Behavioral Health Resources
Patrick Martin, Businessman/ Advocate
Ted Genengels, NAMI Representative/ Advocate

Commissioner Wilson opened the floor for public comment.

The following individuals spoke in support of the one tenth of one percent sales and use tax, citing personal experiences, describing safety and healthy changes and the topic at large:

Kathryn Crawford, Pacific Beach
Dorothy Voege, Aberdeen
Ron Schmidt, Cosmopolis
Shawn Genengels, Ocean Shores
Doreen Wunningham, Hoquiam
Shane Voss, Montesano
Jeff Rowe, Aberdeen
Kevin James, Aberdeen
Judy Sinclair, Hoquiam
DeeDee Garman, Montesano
Sally Walton, Grays Harbor
Gary Rowell, Aberdeen
Mark Shaffer, Cosmopolis
Steven Brown, Elma
Terry Rochester, Montesano
Paula Rowell, Aberdeen
Kathy Wehage, Olympia

Commissioner Wilson thanked everyone for speaking and stated that the Commissioners need a little more time to think about their decision and that they would not take very long to do so.

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

The Commissioners took a recess at 3:50 p.m. and reconvened at 4:03.

PUBLIC COMMENT

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

There was no public comment.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

- a. Morning Meeting - August 24, 2009
- b. Regular Meeting - August 24, 2009
- c. Work Session – August 21, 2009
- d. Special Meeting (Exit Audit) - August 25, 2009

Management Services:

- a. Set Hearing Date – September 14, 2009 – Emergency Budget, Juvenile Department

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

COMMISSIONERS

1. **Grant Application to the Office of Public Defense:** A motion was made, seconded and passed to approve the grant applicant to the Office of Public Defense for Indigent Defense funding.
2. **Resolution – National Forest Related Safety-Net Payments:** A motion was made, seconded and passed to approve **Resolution No. 2009-84, in the matter of the election to receive National Forest related safety-net payments under P.L. 106-393.** The County has elected to receive its full payment amount pursuant to Title I, Section 102(a)(2) of P.L. 106-393 for the four-year period, which includes this fiscal year. The County hereby allocates 80 percent of its full payment for Title I of P.L. 106-393. The County will return none of its full payment amount to the General Treasury of the United States pursuant to Title I, Section 102(d)(1)(B)(iii). Of the amount allocated to Title II and Title III projects (Project Funds), Grays Harbor County further allocates between such Titles for federal fiscal year 2009 (for expenditure after federal fiscal year 2009) on the following basis: 17 percent of Project Funds for expenditure on Title II projects and 3 percent of the Project Funds for expenditure on Title III projects. Of the amount of Project Funds allocated to Title II projects, Grays Harbor County further allocates between RAC's 100 percent to the Olympia Peninsula RAC.

DEPARTMENTS

CENTRAL SERVICES

- 1. Request Approval, Inter-Local Agreement with Thurston County – ArcIMS Project:** A motion was made, seconded and passed to approve an Inter-Local Agreement with Thurston County for ArcIMS. This agreement will allow the Thurston County Central Services Department to assist our Central Services Department with an ArcIMS project for the Assessor's Office. Mapping functionality on the Grays Harbor County website will be greatly improved. Parcel search and zoom functionality, township/range/section search and zoom functionality and the sales information web link functionality are all additions that the Assessor would like to be made to our existing program through this agreement. The approximate cost for Thurston County's assistance is \$1,300.

MANAGEMENT SERVICES

- 1. Request Approval, Resolution – Budget Transfer in the Juvenile Department:** A motion was made, seconded and passed to approve **Resolution No. 2009-85, Transferring items in the Grays Harbor County General Fund Juvenile Department, in the amount of \$159,096.** The transfer is being made from various categories to detention salaries and benefits to cover the costs for the remainder of the year.
- 2. Request Approval, Salary Resolution Amendment – Addition of Deputy Director of Emergency Management:** A motion was made, seconded and passed to approve **Resolution No. 2009-86, Amending Resolution No. 2009-02 fixing compensation of employees from and after January 1, 2009.** This amendment adds the Deputy Director of Emergency Management in the Sheriff's Department effective August 10, 2009.
- 3. Request Approval, Establishment of New Department – Superior Court Public Defense Department:** A motion was made, seconded and passed to approve **Resolution No. 2009-87, Establishing a Superior Court Public Defense Department within the General Fund Grays Harbor County Superior Court Public Defense Department #001-000-035.** This department is being created for public defense budgeting for 2010. It is necessary to account for these operations as a separate department from the Superior Court operations within the General Fund.
- 4. Request Approval, Agreement with the Department of Military for Wireline Wireless Amendment B:** A motion was made, seconded and passed to approve the e-911 Washington State Military Department Amendment B to the Wireline and Wireless funding agreement. The contract expiration date is September 30, 2009 and the amendment increases the overall contract amount from \$92,353 to \$96,552, an increase of \$4,199.

PUBLIC SERVICES

1. Request Approval, Service Agreements – Chehalis Basin Watershed Festival:

A motion was made, seconded and passed to authorize the chairman to sign the service agreements for the Chehalis Basin Watershed Festival. All agreements are related to services needed to support the 2009 Chehalis Basin Watershed Festival in Aberdeen on September 19, 2009. All services rendered are eligible for reimbursement through a grant with the Department of Ecology. The agreements include: Cascade Security Corp. dba as Twin County Security for site security of displays Friday evening; Anita Eisenman to coordinate and conduct the fish printing activity; Priscilla Brenenstuhl to coordinate and conduct a water coloring activity; the City of Centralia to cover printing costs for bookmarks.

2. Request Approval, 2009 Salmon Recovery Funding Board Prioritized Project

List: A motion was made, seconded and passed to authorize the chairman to sign the 2009 Salmon Recovery Funding Board prioritized project list. Appendix F, titled the Lead Entity List Memorandum for 2009, ranks the projects recommended for funding by the local review team and the Chehalis Basin Partnership. Grays Harbor County, as Lead Entity for Salmon Recovery for the Chehalis Basin Watershed, is responsible for submitting the list to the Salmon Recovery Funding Board.

3. Request Approval, Resolution Revising and Establishing the Planning and Building Department Fee Schedule: A motion was made, seconded and passed to approve **Resolution No. 2009-88, Amending Resolution No. 2002-115 and Resolution No. 2009-26 revising and establishing the Planning and Building Fee Schedule for Grays Harbor County.** The rate resolution has been prepared to increase the land use permit and building permit processing fees charged by the Planning and Building Division. The fee increase process is the same as that enacted previously by Grays Harbor County Resolution No. 2004-115 and Grays Harbor County Resolution No. 2009-26. The Resolution provides an effective date of September 1, 2009.

SHERIFF'S DEPARTMENT

1. Request Approval, Agreement with the City of Ocean Shores – Beach Patrol

Services: A motion was made, seconded and passed to approve the agreement with the City of Ocean Shores. This agreement is a renewal of a long standing agreement with Ocean Shores to provide beach patrol services. The City of Ocean Shores is paid for these services from the monies received by our department from the Washington State Parks and Recreation Commission. A new agreement with the WSPRC was signed during the August 24, 2009 Commissioner's Meeting.

TOURISM

1. Request Approval, Resolution – Festival and Events Marketing Contract for the Outlaw Days: A motion was made, seconded and passed to approve the festival and

events marketing contract for the Outlaw Days Festival 2009. The Grays Harbor Tourism Advisory Board approved the festival marketing expenses.

ANNOUNCEMENTS

It was announced that there will be no meeting next Monday, September 7, 2009 due to the holiday.

STAFF MEETINGS

The Board held a regular morning meeting on Monday, August 31st, 2009, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Willis, Wilson and Carter and the Clerk of the Board reviewed calendars and pending daily office issues. The Board met with Dale Gowan, Central Services, regarding agenda item; Greg Reynvaan, Juvenile Department, agenda items and budget; Shanda Barlow, Payroll Administrator, Shared Work Program; Kevin Varness, regarding agenda items, facility & utility updates; Brian Shea, Planning & Building Director, regarding agenda item and department updates; Jeff Nelson, Environmental Health, department updates. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|----------------|--|
| 2009-84 | In the matter of the election to receive National Forest related safety-net payments under P.L. 106-393 |
| 2009-85 | Transferring items in the Grays Harbor County General Fund Juvenile Department #001-026, in the amount of \$159,096 |
| 2009-86 | Amending Resolution No. 2009-02 fixing compensation of employees from and after January 1, 2009 |
| 2009-87 | Establishing a Superior Court Public Defense Department within the General Fund Grays Harbor County Superior Court Public Defense Department #001-000-035 |

2009-88

**Amending Resolution No. 2002-115 and
Resolution No. 2009-26 revising and
establishing the Planning and Building
Fee Schedule for Grays Harbor County**

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

- Agreement with Thurston County for ArcIMS assistance
- Agreement with the City of Ocean Shores for beach patrol assistance

The meeting adjourned 4:19 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