

## MINUTES

### BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

February 22, 2010

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, February 22, 2010, 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 Carter called the meeting to order with the pledge of allegiance.

#### **BIDS:**

1. **Wynooche Wishkah Road 13 Corners Realignment Project:** It was advertised January 28, 2010 and February 4, 2010, in the *Montesano Vidette*, that bids would be accepted for the Wynooche Wishkah Road 13 Corners Project. The work to be performed under this contract consists of reconstructing 0.95-mile of road. Major bid items include: Clearing and Grubbing, Lump Sum; Roadway Excavation Including Haul, 152,000 Cubic Yards; Embankment Compaction, 63,000 Cubic Yards; Quarry Spalls, 1,200 Tons; Gravel Base, 24,569 Tons; Crushed Surfacing Top Course, 3,878 Tons; Commercial HMA, 2,305 Tons; Cl. V. Reinforced Concrete Culvert Pipe 24" Diam., 510 L.F.; Cl. V. Reinforced Concrete Culvert Pipe 30" Diam., 134 L.F.; Beam Guardrail Type 1, 1,550 L.F.; Seeding, Fertilizing; Mulching, Lump Sum; Mitigation Site Planting, Lump Sum and Mitigation Site Stream Restoration, Lump Sum and other related work.

A set of plans and specifications for the project was available from the Public Services Department located at 100 W. Broadway, Suite 31, 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 engineer's estimate for the project is \$2,497,583.00. She announced the following bids with bid bond attached:

<b><u>Company</u></b>	<b><u>Location</u></b>	<b><u>Bid Amount</u></b>
Sterling Breen Crushing Inc.	Chehalis, WA	\$2,066,476.57
RV Associates Inc.	Port Orchard, WA	\$1,837,699.58
Scarsella Bros. Inc.	Seattle, WA	\$1,937,937.37
Schermer Construction Inc.	Aberdeen, WA	\$2,466,547.80
Rognlin's Inc.	Aberdeen, WA	\$2,340,766.35
Stan Palmer Construction Inc.	Port Orchard, WA	\$2,654,477.00
Construct Co.	Sumner, WA	\$2,747,689.40
SCI Infrastructure, LLC	Pacific, WA	\$1,997,481.00
Granite Construction Co.	Tumwater, WA	\$2,240,796.50
Bowers Construction Inc.	Montesano, WA	\$2,703,344.21
Titan Earthwork	Sumner, WA	\$2,670,751.00
Tapani Underground Inc.	Battle Ground, WA	\$2,228,929.00

**2. Sheriff’s Department – (2) 4wd SUV or Extended-Cab Pick-Up Trucks:** It was advertised February 4<sup>th</sup> and 11<sup>th</sup>, 2010, in the *Montesano Vidette*, that bids would be accepted for the two 4wd SUV or extended-cab pick-up trucks for the Sheriff’s Department.

Bid items include:

- 1) The purchase of (2) two used 4WD SUV and/or extended-cab pick-up trucks or combination thereof (i.e., one 4WD SUV and one extended-cab pickup truck).
- 2) The total purchase price of both Vehicles purchased, including applicable sales taxes, shall not exceed thirty-thousand dollars (\$30,000). Bidders may submit bids for one vehicle (not to exceed \$15,000 including Washington State sales tax) or two vehicles (not to exceed \$30,000 including Washington State sales tax).
- 3) The Vehicles are to be delivered to the Grays Harbor County Sheriff at 100 West Broadway, Suite 3, Montesano, WA 98563. It is the responsibility of the successful bidder to assure that the vehicles arrive safely without damage.
- 4) The Vehicles shall be used with clean title history, meet all applicable state and federal standards, and shall be ready for service when delivered.
- 5) The Vehicles shall be free of any logos or wording other than original equipment manufacturer provided on both interior and exterior.
- 6) The Vehicles are to be delivered within 30 days of receipt of purchase order.

Base Vehicle and Vehicle Options:

Model: (2) 4WD vehicles – no model specified  
 Type: SUV and/or Extended-cab pick-up truck  
 Style/Trim: Standard equipment with automatic transmission  
 Color Preference: None

A set of specifications for the purchase was available from the Sheriff’s Department located at 100 W. Broadway, Suite 3, 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>Truck Bid Amount</u>	<u>SUV Bid Amount</u>
Five Star Chevrolet – Toyota	Aberdeen, WA	n/a	\$15,000
Five Star Ford	Aberdeen, WA	\$15,000	\$15,000
Whitney’s Chevrolet	Montesano, WA	\$15,000	\$13,986

**HEARINGS**

**1. Request for Reclassification to Open Space – Applicant Cascade Land Conservancy:**

There was a public hearing on February 22, 2010 to consider a request for reclassification as Open Space for applicant Cascade Land Conservancy, parcel number 181213410000. Notice of this hearing was published in the *Montesano Vidette* February 11, 2010. Commissioner Carter asked for a staff report.

Brian Shea, Planning and Building Director, reported that the parcel is 119 acres and is located within the General Development 5 acre zoning district. The Comprehensive Plan Designation is General Development and the Shoreline Master Program Designation is Natural Environment. The Estuary Management Plan Designation is Rural Agriculture. The soil survey found one prime farmland soil present on the property. Mr. Shea noted that there was a similar application in 2009 for a similar parcel; the request was withdrawn. Mr. Shea stated that the department recommends denial based on the land use designations and presence of farmland soil.

Commissioner Carter called for public comment. There was no public comment.

Commissioner Carter inquired as to the property's value. Mr. Shea referred to Attachment No. 9, explaining that he does not have the information on the assessed value. Commissioner Willis asked if the property is currently in an Open Space classification. Mr. Shea replied that this would be best answered by the Assessor's Office.

Jim Baker, Senior Deputy Prosecuting Attorney, replying to Commissioners Carter's inquiry, stated that the hearing could be continued in order to retain the necessary information from the Assessor's Office.

**ACTION: A motion was made, seconded and passed to continue the hearing to March 8, 2010 at 2:00 p.m.**

**2. Right-of-Way Vacation Petition, Helm Resort – Moclips:** There was a public hearing on February 22, 2010 to consider a right-of-way vacation for Helm Resort in Moclips. Notice of this hearing was published in the *Montesano Vidette* February 11<sup>th</sup> and 18<sup>th</sup>, 2010. Commissioner Carter asked for a staff report.

Tom Gray, Public Works, read the Engineers Report. On December 15, 2009 the Department of Public Works received an application from Don Hurd, representing Helm Resort to vacate a portion of Northern Way in the plat of the Ocean Crest Addition to Moclips, and a portion of Ocean View St. in the Plat of Forwoods.

The petitioner seeks to vacate a portion of Northern Way lying easterly of the East right of way line of Forwood Avenue projected south within the Ocean Crest Addition, and the easterly half of Ocean View Way adjacent to lots 3 through 9 inclusive, Block 4, Forwoods Addition. This vacation would encompass 11,265 square feet of dedicated right of way. The petitioner currently owns all the properties north, south, and east of the areas proposed to be vacated.

This road does not lead to a body of water, nor will any properties be landlocked as a result of this vacation. Mr. Gray explained that this action will economically protect the county from any potential liability in the future, ensure that maintenance funds will not be committed, and return the vacated portion to the tax rolls. He stated that the department recommends the Order of Vacation be approved. Mr. Gray noted that the department has received half of the appraised value from the petitioner, in the amount of \$3,380.

Commissioner Carter called for public comment.

Robert Schuetz, Helm Resort property owner, stated that the reason for the vacation is to eventually create a turnaround at the end of the road near the school property at the end of Northern Way.

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

**ACTION: A motion was made, seconded and passed to approve the Order of Vacation, Resolution No. 2010-04, vacating a portion of Northern Way in the Plat of Ocean Crest and a portion of Ocean View Way in the Plat of Forwood in Moclips.**

**3. Variance Request, fire apparatus access road standards, Applicant Chris Czichas:**

There was a public hearing on February 22, 2010 to consider a variance for a reduction in the minimum fire apparatus access road standards by applicant Chris Czichas. Notice of this hearing was published in the *Montesano Vidette* February 11, 2010. Commissioner Carter asked for a staff report. Curt Crites, Land Use Planner, reported that the property's driveway has some areas that are over the maximum grade standard of 14%. The applicant is requesting to vary from the fire apparatus access standard for driveways serving a single family residence. The request would vary the minimum grade from 14% to 22% in areas of the driveway; and to reduce the required 100-foot turning radius to 35-feet.

Mr. Crites stated that the applicant has provided two letters with his application describing his situation. Fire District No. 5 has also provided a letter explaining their review of the site. The letter requests that Mr. Czichas improve the second corner of the driveway and pave all areas above the maximum grade standard of 14%. Mr. Czichas stated he would comply with the request in both of his letters.

Mr. Crites stated that the County Engineer recommends denial of the request, but due to the extenuating circumstances including the topography and size of the site, the Planning and Building Department recommends approval of the variance request.

Commissioner Carter called for public comment.

Chris Czichas, property owner, explained that he has put a lot of money and effort into the property and has tried to comply with all of the requirements as best he can. He asked that the Commissioners approve his request.

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

**ACTION: A motion was made, seconded and passed to approve the variance request with the following conditions: Make improvements to the second corner and pave the areas of driveway above the 14% grade. Or the following must be completed: The installation of a**

**water storage tank of a minimum 500 gallons and a domestic grade sprinkler system installed throughout the residential structure.**

**4. Supplemental Budget, ORV Park Fund in the amount of \$77,080:** There was a public hearing on February 22, 2010 to consider the budget for 2010. Notice of this hearing was published in the *Montesano Vidette* February 11<sup>th</sup> and 18<sup>th</sup>, 2010. Commissioner Carter asked for a staff report. Rose Elway, Budget Director, reported that the supplemental budget is necessary to account for FEMA funds received for emergency repairs at the ORV Park. Federal FEMA funds are in the amount of \$66,068 and State FEMA funds are in the amount of \$11,012 for a total of \$77,080. The Road Department has completed the work for emergency repairs.

Commissioner Carter 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. 2010-05, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Funds ORV Park Fund, in the amount of \$77,080.**

**5. Supplemental Budget, Special Projects Fund in the amount of \$1,761:** There was a public hearing on February 22, 2010 to consider the budget for 2010. Notice of this hearing was published in the *Montesano Vidette* February 11<sup>th</sup> and 18<sup>th</sup>, 2010. Commissioner Carter asked for a staff report. Rose Elway, Budget Director, reported that the county is a sub recipient of funding through an agreement with Thurston County for funding received by the Washington State Military Department. The funding is for the Citizen Corps program and will be used to reimburse West Coast Search Dogs.

Commissioner Carter called for public comment. There was no public comment and the hearing was closed.

**ACTION: A motion was made, seconded and passed to Resolution No. 2010-06, authorizing a supplemental extension in the budget of the Grays Harbor County Special Projects Fund, in the amount of \$1,761.**

#### **PUBLIC COMMENT**

Chairman Carter 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:**

Regular Meeting – February 8, 2010

Special Meeting – February 8, 2010, February 9, 2010 and February 10, 2010

**Commissioners:**

Set Hearing Date – *March 8, 2010* – Ordinance regarding use of compression brakes

**Management Services:**

Set Hearing Date – *March 8, 2010* – Supplemental Budget Fair Recreation and Activities Fund

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

**COMMISSIONERS**

1. **Joint Resolution Adopting the Protocol for Extreme Weather Action:** A motion was made, seconded and passed to approve **Resolution No. 2010-07, adopting the Grays Harbor County Protocol for Extreme Weather Action.**

\*\*\* Clerk of the Board announced that the following item has been added to the agenda:

2. **Set Hearing Date, March 8, 2010 - Public Services CDBG Grant Closeout for 2010:** A motion was made, seconded and passed to set March 8, 2010 at 2:00 p.m. as the date and time to consider a hearing to close out the grant funding for the 2010 Public Services CDBG grant.

**CONVENE AS BOARD OF HEALTH**

The Board of County Commissioners convened as the Board of Health to consider the following:

1. **Joint Resolution Adopting the Protocol for Extreme Weather Action:** A motion was made, seconded and passed to approve **Board of Health Resolution No. 2010-01, adopting the Grays Harbor County Protocol for Extreme Weather Action.**

The Commissioners adjourned the meeting of the Board of Health and reconvened as Board of County Commissioners.

**DEPARTMENTS**

**FAIRGROUNDS**

1. **Request Approval, Acceptance of Grant Funding and Spending Approval:** A motion was made, seconded and passed to approve \$25,000 in grant funding received by CTED to pay Morris Media for advertising and marketing services performed in 2009.

2. **Request Approval, Authorize Fair Manager to Sign Agreement with Romeo Entertainment Group:** A motion was made, seconded and passed to authorize the Fair Manager to sign an agreement with Romeo Entertainment Group to perform Social Media and

Marketing Services, with a stipulation that the contract not exceed \$2,000. Social Media programs represent the cutting edge in marketing and promotion of special events. The department feels this approach will increase attendance at events and ultimately generate more revenue.

### **FORESTRY**

1. **Request Approval, Award Forestry Tree Planting Contract for 2010:** A motion was made, seconded and passed to award the tree planning contract for 2010 to Ramon Coronel Reforestation Inc. for a contract value of \$31,248.00.

### **MANAGEMENT SERVICES**

1. **Request Approval, One Time Only Interlocal Agreement with Copalis Community Church Food Bank, Summer Free Lunch Program:** A motion was made, seconded and passed to approve the one time only interlocal agreement with Copalis Community Church Food Bank in the amount of \$2,000 for the development of a summer free lunch program in the North Beach area.

### **PUBLIC SERVICES**

1. **Request Approval, Solicit for Appraisal Services for Black Creek Road Bridge:** A motion was made, seconded and passed to allow the Public Works Department to begin the process to hire an appraiser for the Black Creek Road Bridge Project

2. **Request Approval, Project Acceptance and Closeout for Mary's River Waterline Relocation – East County Industrial Park:** A motion was made, seconded and passed to accept the Mary's River Waterline Relocation as complete and closeout the project. Pape and Son's, Inc. has completed construction of the water line improvements at the East County Industrial Park. Total cost of the project, including the change order work requested by the City of Elma, is \$181,066.35.

3. **Request Approval, 2010 Agreement between Grays Harbor Transit and ER&R for Radio Equipment Maintenance:** A motion was made, seconded and passed to approve the 2010 Agreement between Grays Harbor Transit Authority and the ER&R Division for radio equipment maintenance. A fee of \$500 per month will be paid by Grays Harbor Transit Authority for ER&R to service all two-way radio systems and associated electronics gear.

4. **Request Approval, Reimbursable Agreement with the Federal Highway Administration – repair of Cougar Smith and Boundary Roads:** A motion was made, seconded and passed to authorize the Chairman to sign the Reimbursable Agreement between Grays Harbor County and the Federal Highway Administration. This Agreement reimburses the County for road damage to the Cougar Smith and Boundary Roads caused by heavy hauling for the Grisdale Reconstruction Project.

## **SHERIFF**

- 1. Request Approval, Addendum to the Jail Services Contract with the City of Hoquiam:** This item has been postponed until the next meeting, March 1, 2010, in order to obtain more information.

## **ANNOUNCEMENTS**

None

### **EXECUTIVE SESSION:** RCW 42.30.110(1) (C) Oakhurst Property Sale or Lease

At 2:27 p.m. Chairman Carter announced that Commissioners would convene in executive session for 30 minutes. The Commissioners and Jim Baker, Senior Deputy Prosecuting Attorney, returned to the meeting at 2:57 p.m. Chairman Carter stated that the executive session lasted 30 minutes and no decisions were made.

Commissioner Willis made a motion to offer to sell the Oakhurst property located at 420 E. Young Street in Elma, WA to the Grays Harbor Hospital District No. 1 for the amount of \$1 million dollars. Ms. Willis stated that the property is valued at \$1.3 million, but to support the hospital expansion a discounted price is being offered.

**ACTION:** A motion was made, seconded and passed to offer the sale of the Oakhurst property to Grays Harbor Hospital District No. 1 for the discounted price of \$1 million.

**A motion by Commissioners Wilson and Carter was made, seconded and passed to name Commissioner Terry Willis as the negotiator for the county for this sale of property.**

Chairman Carter adjourned the regular meeting of the Board of Commissioners at 3:03 p.m.

## **STAFF MEETINGS**

The Board held a regular morning meeting on Monday, February 22, 2010, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Carter, Willis and Wilson and the Clerk of the Board reviewed calendars and pending daily office issues. The Board met with Jim Baker, Prosecuting Attorney, regarding a letter to the International Code Council; Mike Bruner, Fair and Tourism Manager, regarding agenda items; Russ Esses, County Engineer, regarding agenda items; Kevin Varness, Public Services, regarding agenda items, facility & utility updates; Brian Shea, Planning & Building Director, regarding agenda items and department updates; Curt Crites, regarding agenda item; Jeff Nelson, Environmental Health, department updates. Notes of these meetings are available upon request.

The Board approved the following:

**RESOLUTIONS**

- |                    |   |
|--------------------|---|
| <b>No. 2010-04</b> | <b>Vacating a portion of Northern Way in the Plat of Ocean Crest and a portion of Ocean View Way in the Plat of Forwood in Moclips</b>            |
| <b>No. 2010-05</b> | <b>Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Funds ORV Park Fund, in the amount of \$77,080</b> |
| <b>No. 2010-06</b> | <b>Authorizing a supplemental extension in the budget of the Grays Harbor County Special Projects Fund, in the amount of \$1,761</b>              |
| <b>No. 2010-07</b> | <b>Adopting the Grays Harbor County Protocol for Extreme Weather Action</b>   |

**BOARD OF HEALTH RESOLUTIONS**

- |                    |   |
|--------------------|---|
| <b>No. 2010-01</b> | <b>Adopting the Grays Harbor County Protocol for Extreme Weather Action</b> |
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**ORDINANCES**

None

**INTERGOVERNMENTAL AGREEMENTS**

None

The meeting adjourned 3:03 p.m.

BOARD OF COMMISSIONERS  
For Grays Harbor County  
This \_\_\_\_\_ day of \_\_\_\_\_, 2010

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ALBERT A. CARTER, Chairman  
District 3, Chairman

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TERRY L. WILLIS, Commissioner, District 1

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MIKE WILSON, Commissioner, District 2

ATTEST:

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Donna Caton  
Clerk of the Board