

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

April 5, 2010

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, April 5, 2010, at 2:00 p.m. Commissioners Al Carter, Terry Willis and Mike Wilson were present. Donna Caton, Clerk of the Board, was also present.

CALL TO ORDER AND FLAG SALUTE

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

BIDS:

None

HEARINGS

1. Request for Reclassification as Current Use Timber – Applicants Michael and Katy Moore: There was a public hearing on April 5, 2010 to consider a request for reclassification as Current Use Timber for applicants Michael and Katy Moore; parcel number 180507320040. Notice of this hearing was published in the *Montesano Vidette* March 25, 2010. Commissioner Carter asked for a staff report. Bill Brown, Commercial/Industrial Appraiser, entered the application and findings into the record. He reported that the parcel is 6.01 acres and the application is for 5.01 acres, due to one acre being the home site. He explained the method of gathering information of the property including on-site inspection, aerial photos and the application materials.

Mr. Brown explained that the property includes two road easements, the Powers Creek Forest Reserve subdivision road 100 feet wide, with 50 feet being on the subject parcel and a 10 feet wide PUD easement. With these deductions to the acreage, the parcel falls under the required 5 acre minimum property size to be devoted only to timber growth. He explained that the forest management plan did not address these deductions in the total acreage that can be used for timber. Mr. Brown stated that the parcel is not eligible to be classified as Current Use Timber due to the acreage.

Commissioner Willis asked whether any of the area that was in the easements could be used for timber. Mr. Brown stated that the home site, road and PUD easement could not be used for timber harvesting. Commissioner Willis inquired as to the former classification of designated forestland. Mr. Brown explained that the property had just recently been split into smaller parcels. Previously the application area was larger than 20 acres qualifying it to be classified as Designated Forest Land. Mr. Brown reiterated that the Assessor's Office advises the Board, but the decision is the Commissioner's authority.

Commissioner Carter called for public comment.

Michael Moore, the applicant, explained that the property was sold to him in March as a 5 acre tree farm with an additional acre for the home site. He later learned that the forested area was less than 5 acres due to the neighbor owning a small portion. Commissioner Willis asked whether he understood the Assessor's reasoning behind the portions that were not eligible and Mr. Moore stated that he understood. The forest management plan created by Weyerhaeuser was discussed.

Marlene Voss, Weyerhaeuser, explained that she and Tim Sheer have been working with Mr. Moore and that she would try to answer some of the questions brought forth by Commissioner Willis. Ms. Voss explained that there is a community area on the property that can be replanted and included in the acreage if necessary, and has no restrictions as to its use. She explained that of the 50 foot road width, only 24 feet of the width is improved. The remaining 26 feet can be used for forest management. The road easement was created for the remote chance that someday the roads would become public roads rather than private. She stated that the PUD easement is within the road easement. Incidental uses are allowed for up to 10% of the acreage being used for timber practices. She said that the acreage for the road could be considered incidental use. Commissioner Carter discussed the road dimensions and uses.

Ms. Voss explained that the property is under a homeowners association, adding that the association allows tree farm management.

Russ Esses, County Engineer, stated that the Engineering Department has made a visit to the site and the property's road meets the current private road standards.

Commissioner Carter asked Bill Brown for clarification of the road easements. Mr. Brown explained that the road is taken into account for the deduction in acreage, which consists of over one acre, and is more than the 10% allowed for incidental use.

Ron Armstrong, Hoquiam, explained that he believes that a right-of-way does not mean that the land cannot be used for forest practices, and that the area should not be deducted from the total acreage. Bill Brown discussed the RCW and limitations. He stated that the RCW does not state that the right-of-way is included in the total acreage for forest practices.

Ray Brown, Westport, asked for clarification of the tax obligation for the applicant.

Commissioner Willis stated that the dollar amount should not be factored in the decision unless the tax burden is so high that Commissioners do not want to place it on the applicant.

Ray Brown added that the applicant should not be punished with a higher tax burden just because the PUD needed an easement. Commissioner Carter stated that the PUD easement is embedded in the road easement, so it is not adding any extra burden on the applicant.

Commissioner Willis added that the tax shift is not a consideration for timber classification requests. Back taxes, if the property is taken out of all classifications would be required to be paid.

Commissioner Carter inquired whether Weyerhaeuser had discussed all these issues with the Moore's before selling the land. Brad Johnson, Weyerhaeuser, stated that there was discussion about removing one acre for a home site, and the applicant was informed that it may cause back taxes to be paid on that portion.

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

Commissioner Willis stated that she would like to postpone the decision for two weeks, so that she can get further information on forest practices and the easements on the property.

ACTION: A motion was made, seconded and passed to continue the decision until the meeting on April 19, 2010.

2. Resolution Amending the Six Year Transportation Improvement Program for 2010-2015: There was a public hearing on April 5, 2010 to consider a Resolution amending the Six Year Transportation Improvement Program for 2010-2015. Notice of this hearing was published in the *Montesano Vidette* March 25, 2010. Commissioner Carter asked for a staff report. Russ Esses, County Engineer, reported that federal aid funding for major routes of travel has been approved by congress. The county and seven cities have identified overlay projects for existing roads. This construction project must be included in the six year transportation improvement program in order to be eligible for federal funding.

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. 2010-18, Amending the 2010-2015 Transportation Improvement Program.

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.

John Straka, Hoquiam, made comments regarding the status of implementation of the ICC report recommendations. Commissioner Carter provided information on upcoming meetings he is having with staff regarding implementation.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

Morning Meeting – March 29, 2010
Regular Meeting – March 29, 2010

Auditor:

Month End Expenditure Audit Report for March 2010- Claims \$3,151,218.14 and salaries \$2,209,921.90

Management Services:

Set Hearing Date – April 19, 2010 – Supplemental Budget, Central Services Replacement Fund - \$15,015

Set Hearing Date – April 19, 2010 – Supplemental Budget, Central Services Operating Fund - \$26,852

Treasurer:

Set Hearing Date – April 19, 2010 – Tax Title Property Sale to Aberdeen Neighborhood Housing (NeighborWorks)

Correspondence and Administration:

Use Request – Elma Game Club Fishing Derby at Vance Creek Park – April 24, 2010
Claim, C-602-10 – Mike Bruner
Schmid Road Residents Request Letter

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

COMMISSIONERS

1. **Contract for Official County Publications:** A motion was made, seconded and passed to approve the contract with The Vidette of Montesano for the official county publications July 1, 2010 through June 30, 2011. They were the only bidder at the opening on March 29, 2010.

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

2. **Public Development Authority – Authorization to waive the 30 day notice to Commissioners of any proposed encumbrance of property:** A motion was made, seconded and passed to waive the notice requirement to the Grays Harbor County Commissioners under RCW 35.21.747 (2) that requires a copy and notification of any proposed encumbrance of property by GH PDA thirty (30) days in advance of any planned action. The public hearing will be held at the Satsop PDA April 20, 2010.

DEPARTMENTS

FAIR

1. **Request Approval, Authorization for Rod Easton to sign a contract with KISS Alive Tribute Band for the Grays Harbor County Fair:** A motion was made, seconded and passed to authorize Rod Easton to sign the contract with DH Entertainment for the KISS Alive Tribute Band to play at the 2010 Grays Harbor County Fair on August 13, 2010.

MANAGEMENT SERVICES

- 1. Request Approval, Resolution – Budget Transfer, Stadium Fund:** A motion was made, seconded and passed to approve the **Resolution No. 2010-19, Transferring items in the Grays Harbor County Miscellaneous Stadium Fund, in the amount of \$50,000.** The transfer is being made from Transfer Out - Fair Raceway to Transfer Out - ORV Park to cover start-up funds for the 2010 operations of the ORV Park.
- 2. Request Approval, CDBG 2010 Public Services Grant:** A motion was made, seconded and passed to approve the 2010 CDBG Public Services Grant. The grant has increased to \$248,615 from the original \$165,743. The grant period has been extended from January 1, 2010 through June 30, 2011. Coastal Community Action Program will provide core administrative support for necessary community projects benefitting low and moderate income persons and households.

PUBLIC HEALTH AND SOCIAL SERVICES

- 1. Request Approval, Contract Amendment 2 - Behavioral Health Resources for co-occurring chemical dependency outpatient services:** A motion was made, seconded and passed to approve Amendment 2 with Behavioral Health Resources Co Occurring Chemical Dependency Outpatient services. The amendment adjusts the Medicaid match set aside by \$8,766 based on service utilization. The new contract award is \$24,500.
- 2. Request Approval, Contract Amendment 2 - Educational Service District 113, adolescent chemical dependency outpatient services:** A motion was made, seconded and passed to approve Amendment 2 to the contract with Educational Service District 113. The amendment increases Medicaid and non-Medicaid funding allocations for a total increase of \$30,927 to provide adolescent chemical dependency outpatient treatment services.
- 3. Request Approval, Contract Amendment 1 with Evergreen Treatment Services – opiate substitution treatment services:** A motion was made, seconded and passed to approve Amendment 1 to the contract with Evergreen Treatment Services. The amendment increases the agency's Medicaid Match Set Aside by \$8,097 to provide additional Opiate Substitution Outpatient services.
- 4. Request Approval, Contract Amendment 1 with Providence St. Peter Hospital for chemical dependency outpatient services:** A motion was made, seconded and passed to approve Amendment 1 to the contract with Providence St. Peter Hospital. This amendment reduces funding in DCFS/CA by \$565, as a result of a contract amendment from DSHS/DBHR; reduces GIA funding by \$112,254 and increases CJTA funding by \$31,500 as result of service utilization for a net change of \$67,007. The new contract award is \$345,000.

5. Request Approval, Contract Amendment 2 with SeaMar for chemical dependency outpatient treatment services: A motion was made, seconded and passed to approve Amendment 2 to the contract with Sea Mar to provide chemical dependency services. The amendment increases the agency's allocation for Medicaid and non-Medicaid funded chemical dependency treatment services by \$57,840 based on service utilization. The new contract total is \$70,000.

PUBLIC SERVICES

1. Request Approval, Professional Services Contract with Appraisal Solutions Northwest – Black Creek Road Bridge Replacement: A motion was made, seconded and passed to approve the Professional Services Contract for Appraiser with Appraisal Solutions Northwest to appraise property for the replacement of the Black Creek Bridge at milepost 3.92 on Black Creek Road. The Black Creek Bridge project is 80% fund by the federal bridge replacement program. Appraisals are a required procedure on federal aid projects.

2. Request Approval, Letter of Agreement with Grays Harbor College, Watershed Facilitator Assistance – Chehalis Basin Partnership: A motion was made, seconded and passed to approve the Letter of Agreement between Grays Harbor College and Grays Harbor County. The agreement is for the purpose of securing a Watershed Facilitator to assist the Chehalis Basin Partnership with implementation of the watershed management plan. The College currently has the appropriate resources to provide this service to the County. Expenses incurred by both parties through this agreement will be eligible for reimbursement.

3. Request Approval, Rural Arterial Program Project Agreement – Ocean Beach Road Tulips Curve Reconstruction: A motion was made, seconded and passed to authorize the chairman to sign the Rural Arterial Program Project Agreement (RAP) authorizing an additional \$400,000 of State Funds for the Ocean Beach Road Tulips Curve reconstruction project.

ANNOUNCEMENTS

Commissioner Willis made an announcement that the Chehalis Basin Flood Authority is having three public meetings this week to discuss the draft Flood Plan. She announced the following meeting location and times:

Monday, April 5th: Swede Hall in Rochester at 6:00 p.m.

Tuesday, April 6th: City Hall in Montesano at 6:00 p.m.

Wednesday, April 7th: Veterans Memorial Museum in Chehalis at 6:00 p.m.

STAFF MEETINGS

The Board held a regular morning meeting on Monday, April 5, 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 Joan Brewster, Public Health and Social Services, regarding agenda items and requests to travel; Keith Foster and Ed Brewster, Grays

Harbor College and Mike Bruner, Fair and Tourism Director, regarding the sub lease of site at the fairgrounds; Russ Esses, County Engineer, regarding agenda items; Kevin Varness, Public Services, regarding agenda items; Lee Napier, Public Services, regarding agenda items, facility & utility updates; Brian Shea, Planning & Building, regarding agenda items and department updates; Jeff Nelson, Environmental Health, department updates and agenda items. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2010-18 | Amending the 2010-2015 Transportation Improvement Program |
| No. 2010-19 | Transferring items in the Grays Harbor County Miscellaneous Stadium Fund, in the amount of \$50,000 |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned 2:47 p.m.

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

ALBERT A. CARTER, Chairman, District 3

TERRY L. WILLIS, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna Caton, Clerk of the Board