

MINUTES

BOARD OF COMMISSIONERS – GRAY HARBOR COUNTY REGULAR MEETING

August 2, 2010

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 2, 2010, at 2:00 p.m. Commissioners Mike Wilson and Terry Willis were present. Jenna Amsbury, Deputy Clerk of the Board, and Jim Baker, Senior Deputy Prosecuting Attorney, were also present.

CALL TO ORDER AND FLAG SALUTE

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

A motion was made, seconded and passed to excuse Commissioner Carter from the meeting.

A motion was made, seconded and passed to appoint Commissioner Wilson as Chair Pro Tem.

BIDS:

None

HEARINGS:

1. Continued Hearing – Road Vacation – East Wishkah Road north of milepost 3.470:

There was a public hearing on June 30, 2010 and the hearing was continued to today, August 2, 2010 to consider vacation of the East Wishkah Road North of Milepost 3.470. Notice of this hearing was published in the *Montesano Vidette* May 27th, 2010 and June 3rd, 2010.

Commissioner Wilson asked for a staff report. Tom Gray, Engineering, read the Engineers Report dated May 25, 2010.

Commissioner Wilson called for public comment.

Sue Edwards, Wishkah, made comments regarding accessibility and responsibility as it pertains to the road. She explained that the gate is kept unlocked most of the time and people find ways around the gate. She stated she believes the property owners could watch out for each others property better than the unlocked gate. She also made comments regarding Weyerhaeuser and the large corporation's monopoly on timber in the area. She is in favor of the road vacation.

George Reich, Seattle, provided and read a letter to the Commissioners as a representative for the Hannick family, who owns timber land on the East Wishkah Road. He explained that the family is against vacating the road. He stated that the other property owners in the area should not be responsible for the road just because one person wants to build a home on the land. He discussed road easements and timberland issues. He stated his family will not harvest timber for many years and does not see the benefit of having private ownership of the road and the costs that will be associated with it.

Doug Lewis, Attorney for Weyerhaeuser, discussed the property owner meeting regarding easements. He stated that there was not consensus in the group and does not see there being any until there is a decision made on the vacation. He stated that since no easements agreements were made, Weyerhaeuser opposes the vacation. He explained Weyerhaeuser wants mutual rights of easements for the road and is asking the Commissioners to put a clause in the vacation if approved.

Commissioner Willis stated that Jim Baker has advised the Board that they do not have the power to put such a clause for facilitation among homeowners into the order of vacation. Mr. Lewis disagreed. He stated he believes reasonable restrictions can be placed on the homeowners.

Commissioner Willis asked what the problem seemed to be in the property owner meeting. Mr. Lewis stated his impression was the way the road is presently being managed seems to be working fine for the majority and they see no need for it to change.

James Campbell, Kent, made comments in favor of the road vacation. He stated that he and his wife want to build one home on their property which is an approved use under timber land guidelines. He does not feel reasonable negotiations were held between the homeowners. He explained this is a property owner matter not a county issue and county staff has spent enough time and resources on the issue. He stated he and his wife want to be able to use the road to reach their property like everyone else.

Cheryl Campbell, Kent, stated they are not proposing any changes be made to the existing road; there will be no extra costs to improve the road placed on the other property owners. She explained the Department of Natural Resources does not have any concerns with the road use. She stated she has no objections to the logging practices and uses of the road.

Commissioner Willis asked Brian Shea if residential homes are an approved use for the land. Mr. Shea replied that single family residences are allowed in the zoning for the property. He added that there is a permitting process that must be followed.

Doug Lewis, Attorney for Weyerhaeuser, stated a permit proving easement access must be provided before building can begin. He stated he is trying to avoid chaos that will occur when other landowners cannot reach their property if no easement agreements are made.

Commissioner Willis asked for clarification from Jim Baker on easement authority. Mr. Baker stated RCW 36.87.140 does not give the county the authority to require or authorize easements. The only authority the Board has is for public utility easements. Mr. Baker added that the issue the Board has to consider is whether the road is of use in the county road system.

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

Commissioner Willis stated the issue is a mess, and over the years considerable resources and staff time has been used on this issue. The Commissioners have to consider whether or not this road has a use in the county road system. Commissioner Willis stated she sees no public benefit

in this road. The Campbell's are zoned properly for their use and the county is in the way of allowing a property owner to use their property as designated. She explained that the county does not maintain this road and she feels the property owners can come to an agreement.

Mike Wilson agreed that this is a mess and stated that if no agreements can be found the court system may be used.

ACTION: A motion was made, seconded and passed to approve the vacation the East Wishkah Road north of milepost 3.470.

PUBLIC COMMENT

Commissioner 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:

Morning Meeting and Regular Meeting – July 26, 2010

Public Health and Social Services:

13 Human Services Advisory Board Appointments
Facility Use Agreement – Finch Park, Grays Harbor Mentoring Roundtable

Tourism:

Tourism Board Appointments – Beth Reeves and Margo Shortt

Correspondence:

Department of Natural Resource – State Forest Land Income Projections

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

PRESENTATION

1. **Ron Schillinger, Mayor of Montesano, regarding Annexation Issues:** Mr. Schillinger provided handouts to the Commissioners discussing the city's annexation procedure and the areas receiving city utilities. He stated the process starts by property owner initiation not the city's. The annexation process includes public hearings and meetings. The next meeting will most likely be September 7, 2010. He stated the annexation process for the proposed areas has not even reached step one yet. He wants to make sure the lines of communication are open; the city is not trying to hide anything from the county. He stated the county does great work and the citizens have not made any complaints about what the county is doing.

Commissioner Willis explained it is helpful to have this taped for the community. She stated the county is not involved in the city annexation process. All areas that are proposed do not have to be included, specific areas can be taken out.

COMMISSIONERS

1. Quit Claim Deeds for Salmon and Pearson Roads lying within the Chehalis

Reservation: A motion was made, seconded and passed to approve the quitclaim deeds for Salmon and Pearson Roads lying within the Chehalis Reservation. The deeds transfer title to the Confederate Tribes of the Chehalis.

DEPARTMENTS

FAIRGROUNDS

1. Request Approval, 2010 Fair Judging Contract Authorization with Novotny,

Manier and Haunreiter: A motion was made, seconded and passed to approve the contracts for 2010 fair judging with Elayne Novotny, Myrna Manier and Richard Haunreiter. The contracts are for the following amounts:

2010 Fair Judges:	Contract Amount:
Elayne Novotny	\$60.00
Myrna Manier	\$35.00
Richard Haunreiter	\$ 0.00 (volunteer service)

2. Request Approval, Authorization of the 2010 Fair Judging Contracts and 2010 Fair Services Group Contracts: A motion was made, seconded and passed to approve the 2010 Fair Judging Contracts and 2010 Services Group Contracts. The contracting parties and amounts are as follows:

2010 Fair Judges:	Contract Amount:
Terry Abbott	\$25.00
Karyn Koonse	\$20.00
Harriet Fredrickson	\$60.00
George Germaine	\$125.00
Margaret Habersetzer	\$60.00
Diane Harper	\$30.00
Brent Heppe	\$60.00
Rick Boyer	\$100.00
Mary Jane Jones	\$30.00
Terry Jones	\$60.00
Shirley Kimball	\$60.00
Maxine Morrow	\$30.00
Terry Nickels	\$200.00
Greg Pile	\$125.00
Catherine Reaney	\$125.00
Nancy Richter	\$60.00

Lloyd Walker	\$125.00
Joan Webster	\$60.00
Brenda Wood	\$30.00

Fair Service Groups:	Contract Amount:
Aberdeen High School	\$700.00
Elma Class of 2011	\$500.00
Elma Class of 2013	\$500.00
Elma Girls Soccer Boosters	\$3,000.00
Elma Football Dance and Drill	\$700.00
Lady Eagles Basketball Boosters	\$700.00
United Methodist Church	\$700.00

MANAGEMENT SERVICES

1. **Request Approval, Two Resolutions, Budget Transfer – Stadium Fund and Fair Construction Fund, \$40,000:** A motion was made, seconded and passed to approve **Resolution No. 2010-59, transferring items in the Grays Harbor County Miscellaneous Stadium Fund, in the amount of \$40,000.** A motion was made, seconded and passed to approve **Resolution No. 2010-60, transferring items in the Grays Harbor County Miscellaneous Fund Fair Construction, in the amount of \$40,000.** Rose Elway, Budget Director, explained the two transfers complete the construction of the livestock arena at the fairgrounds. \$40,000 is available in the Stadium Fund ending cash balance to transfer to the Fair Construction Fund Livestock Arena along with \$40,000 from the Fair Construction Building Roofs.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Memorandum of Agreement with the Domestic Violence Center:** A motion was made, seconded and passed to approve the Memorandum of Agreement between the Domestic Violence Center of Grays Harbor and Grays Harbor County Public Health and Social Services. The agreement raises awareness of domestic violence issues among teens in Grays Harbor County. The agreement provides \$3,000 for this purpose.

ANNOUNCEMENTS

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, August 2, 2010, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Carter, Wilson and Willis and the Deputy Clerk of the Board, Jenna Amsbury reviewed calendars and pending daily office issues. The Board met with Kevin Varness, regarding agenda and department updates; Russ Esses, Engineering, regarding an agenda item and department updates; Brian Shea, Planning and Building, regarding department updates; Lee

Napier, Public Services, regarding updates. Joan Brewster, Public Health and Social Services, regarding agenda items; Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2010-59 | Transferring items in the Grays Harbor County Miscellaneous Stadium Fund, in the amount of \$40,000 |
| No. 2010-60 | Transferring items in the Grays Harbor County Miscellaneous Fund Fair Construction, in the amount of \$40,000 |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned 3:01 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 McCallum
Clerk of the Board