

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

December 20, 2010

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 20, 2010, at 2:00 p.m. Commissioners Al Carter, Mike Wilson and Terry Willis were present. Donna McCallum, Clerk of the Board, and Jim Baker, Senior Deputy Prosecuting Attorney, were also present.

CALL TO ORDER AND FLAG SALUTE

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

Chairman Carter announced that Lee Napier was awarded the Environmental Excellence award from the Department of Ecology. This award is the highest award given from the Department for leadership, innovation and extraordinary service in protecting and improving the environment. He presented Ms. Napier with the award and stated he is very proud that an employee from Grays Harbor County received this prestigious award.

Commissioner Willis stated she has been present at numerous meetings with Ms. Napier and her leadership has been crucial to projects and committees throughout the region.

Commissioner Wilson read the statement from the Department of Ecology acknowledging Ms. Napier's strengths and leadership.

Ms. Napier thanked the Board and accepted her award.

BIDS:

None

HEARINGS:

1. Emergency Budget – Civil Service Commission, \$700: There was a public hearing on December 20, 2010 to consider an emergency budget appropriation in the Civil Service Commission Fund. Notice of this hearing was published in *The Montesano Vidette* December 9, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported \$700 is needed in the Civil Service Fund to cover the expenses to perform testing of civil service positions for the remainder of the year.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-114, authorizing an emergency appropriation in the budget of the Grays Harbor County General Fund Civil Service Commission in the amount of \$700.

2. Supplemental Budget – Mental Health/Developmental Disability Levy Tax, \$617,477: There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Mental Health/Developmental Disability Levy Tax. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported the supplemental appropriation is needed to account for receipts on the levy tax. The Funds will be posted to ending cash.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-115, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Mental Health/Developmental Disability Levy Tax in the amount of \$617,477.

3. Supplemental Budget – Trial Court Improvement, \$22,540: There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Trial Court Improvement Fund. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there was an unanticipated increase in the revenues received from the Washington State Office of the Administrator of the Courts for court improvements. The ending cash balance will be increased from the additional revenues received.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-116, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Trial Court Improvement in the amount of \$22,540.

4. Supplemental Budget – Homeless Housing Fund, \$178,000: There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Homeless Housing Fund. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported the recording surcharge revenue is higher than was anticipated.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-117, authorizing a supplemental extension in the budget of the Grays Harbor County Homeless Housing Fund the amount of \$178,000.

5. Supplemental Budget – Tax Title Management, \$320,000: There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Tax Title Management Fund. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported the appropriation is necessary due to the sale of timber and to cover a shortfall in the professional

services category as a result of some unanticipated emergency road construction to enable the county to salvage some blown down timber.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-118, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Tax Title Management in the amount of \$320,000.

6. **Supplemental Budget – Sheriff’s Department, \$239,392:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Sheriff’s Department. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported the appropriation is necessary to account for funding received from the state and federal grant reimbursements. The funds will be used in the patrol division operating budget.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-119, authorizing a supplemental extension in the budget of the Grays Harbor County General Fund Sheriff’s Department in the amount of \$239,392.

7. **Supplemental Budget – PB/ Moclips Water System M&O, \$47,000:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the PB/ Moclips Water System M&O. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there is funding available in beginning cash to fund shortfalls in various categories.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-120, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund PB/ Moclips Water System M&O in the amount of \$47,000.

8. **Supplemental Budget – Pacific Beach Sewer M&O, \$32,000:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Pacific Beach Sewer M&O. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there was an increase in revenues from connection fees will be used for the purchase of a pre-fabricated building at the treatment plant.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-121, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Pacific Beach Sewer M&O in the amount of \$32,000.

9. **Supplemental Budget – North Beach Water System, \$5,000:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the North Beach Water System. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there was an increase in water sales received and the funds will be used for a shortfall in various categories.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-122, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund North Beach Water System in the amount of \$5,000.

10. **Supplemental Budget – Environmental Health, \$22,862:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in Environmental Health. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported the department received a grant from the Department of Ecology for the Winter Creek TMDL Forensics Project. The project consists of designing and conducting a survey of on-site sewer systems in the unincorporated areas south of the City of Westport.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-123, authorizing a supplemental extension in the budget of the Grays Harbor County General Fund Environmental Health Department in the amount of \$22,862.

11. **Supplemental Budget – Stadium Fund, \$51,527:** There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Stadium Fund. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there was additional funds received for the Hotel/Motel Tax; ending cash will be increased.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-124, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Stadium Fund in the amount of \$51,527.

12. Supplemental Budget – Tourism Fund, \$43,976: There was a public hearing on December 20, 2010 to consider a supplemental budget appropriation in the Tourism Fund. Notice of this hearing was published in *The Montesano Vidette* December 9 and 16, 2010. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported there was additional funds received for the Hotel/Motel Tax; ending cash will be increased.

Commissioner Carter called for public comment, hearing none he closed the hearing.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2010-125, authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Tourism Fund in the amount of \$43,976.

PUBLIC COMMENT

(Chairman Carter announced Public Comment will be held at the end of the meeting)

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

Morning Meeting and Regular Meeting –December 13, 2010
Special Meeting – August, September, October and November, 2010 Union Negotiations

Coroner:

Surplus inventory – Michada computer purchased 07/26/91

Public Services:

Set Bid Date – *January 24, 2011*- Asphalt Oil Distributor

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

COMMISSIONERS

** The following item has been removed from the agenda:

1. **Award Juvenile Guardian Ad Litem Contract.**
2. **Resolution – Amending Resolution No. 2006-94, Suspending Operation of Drainage District 2:** A motion was made, seconded and passed to approve Resolution No. 2010-126, amending Resolution No. 2006-94, finding that the Grays Harbor County Drainage District 2 meets statutory criteria of being inactive and suspending operations of the district in accordance with RCW 85.38.220.
3. **AFSCME Union Contracts 2011-2013 – Public Works Division:** A motion was made, seconded and passed to approve the AFSCME Union Contract for the Public Works Division for 2011-2013.

4. **AFSCME Union Contracts 2011-2013 – Courthouse Division:** A motion was made, seconded and passed to approve the AFSCME Union Contract for the Courthouse Division for 2011-2013.
5. **Teamsters Union Contract 2011-2013 – Criminal Division:** A motion was made, seconded and passed to approve the Teamsters Union Contract for the Criminal Division for 2011-2013.
6. **Resolution – Junior Taxing District Levy for 2011, Fire Protection District No. 8:** A motion was made, seconded and passed to approve **Resolution No. 2010-127, certifying to the County Assessor junior taxing district 2010 tax levy collection for year 2011 collections for Fire Protection District No. 8.**
7. **Stay Request – B&N Investment/ Bob Betcher:** A motion was made, seconded and passed to deny the stay request for B&N Investments/ Bob Betcher. A hearing date was set for January 31, 2011 to hear the shoreline appeal. There was discussion on the violations and permit issues. Ms. Napier stated the County is requested the violations be fixed and B&N Investment and Bob Betcher are appealing that request.

DEPARTMENTS

FAIR, EVENTS AND TOURISM

1. **Request Approval, Resolution and Bylaws – Restructuring the Tourism Advisory Board:** A motion was made, seconded and passed to approve **Resolution No. 2010-128, rescinding Resolutions 94-16, 94-38, 97-53 and 2008-75, establishing a Lodging Tax Advisory Committee and Grays Harbor County Lodging Tax Advisory Committee By-Laws.** Research has indicated the need to update the Tourism Advisory Board's current structure and function in order to better comply with current statutes and interpretations of RCW's related to the collection and use of lodging tax revenues. Existing resolutions and bylaws related to the County Tourism Advisory Board will be repealed. The name of the Board will also be changed to the Grays Harbor County Lodging Tax Advisory Committee and membership requirements will fall in line with those recommended by the State Auditor's Office.

MANAGEMENT SERVICES

1. **Request Approval, Resolution, Budget Transfer – Fair Fund, Pavilion Fund Interim Fund and Recreation and Activities:** A motion was made, seconded and passed to approve **Resolution No. 2010-129, transferring items in the Grays Harbor County Miscellaneous Fund Fair Fund, Pavilion Fund, Interim Fund and Recreation and Activities in the amount of \$13,950.** The transfer is being made from various Fairground funds to advertising, B&O taxes, items for resale, and public utility services to cover expenses for the remainder of the year.

2. **Request Approval, Resolution – Budget Transfer – PB/Moclips Water System:** A motion was made, seconded and passed to approve **Resolution No. 2010-130, transferring items in the Grays Harbor County Miscellaneous Fund PB/Moclips in the amount of \$45,000.** The transfer is being made from utilities to various budget categories to cover expenses for the remainder of the year.
3. **Request Approval, 2011 Municipal Services Agreement with Grays Harbor County EDC:** A motion was made, seconded and passed to approve the 2011 Municipal Services Agreement with Grays Harbor County Economic Development Council (EDC) in the amount of \$13,500. This agreement with EDC provides a comprehensive, cooperative and planned approach to economic development involving government, business, education, labor and others.
4. **Request Approval, E-911 Washington State Military Department Wireline/Wireless Agreement:** A motion was made, seconded and passed to approve the E-911 Washington State Military Department Wireline/Wireless Agreement in the amount of \$67,369. This agreement is for enhanced 911 funds.
5. **Request Approval, Resolution – Budget Transfer – PB/Moclips Water System:** This item is void due to duplication.
6. **Request Approval, Resolution, Budget Transfer – Stadium Fund:** A motion was made, seconded and passed to approve **Resolution No. 2010-132, transferring items in the Grays Harbor County Miscellaneous Funds Stadium Fund in the amount of \$36,000.** The transfer is being made from Stadium Fund ending cash into Transfer Out- ORV Park to cover operations for the remainder of the year.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Designation of a Mental Health Professional – Benjamin Aron Toney:** A motion was made, seconded and passed to designate Benjamin Aron Toney a Mental Health Professional. His application meets the requirements of RCW 71.05.
2. **Request Approval, Contract Time Line Extension for Creative Community Solutions:** A motion was made, seconded and passed to approve the amendment to the statement of work with Creative Community Solutions. The amendment extends the timeline for completion to March 30, 2011.

PUBLIC SERVICES

1. **Request Approval, CRP Resolution authorizing a new culvert installation on West Satsop Road:** A motion was made, seconded and passed to approve CRP Resolution 73230-06, authorizing a new culvert installation on the West Satsop Road. This culvert will eliminate water from flowing on the roadway surface during moderate flood events.

2. Request Approval, Supplemental Agreement 8 with Sargent Engineers – Bridge Load Rating Contract: A motion was made, seconded and passed to authorize the chairman to sign Supplemental Agreement Number 8 with Sargent Engineers of Olympia, WA for designing various replacement bridges, and to update the load ratings for existing bridges. Load ratings stamped by a professional engineer are required for all of the County's bridges. Two of the bridges need stamped load ratings. Stamped load ratings need to be updated when changes have occurred or are proposed, which is the case for the third bridge. One of the bridges is in the City of Elma and the County will be reimbursed for those costs.

3. Request Approval, Rate Resolution – Hogan's Corner Regional Water System: A motion was made, seconded and passed to approve **Resolution No. 2010-133, imposing rates and charges for certain water services in Grays Harbor County, amending Resolutions 2008-152 and 2009-20**. The Resolution adjusts the amount of water usage allowed in the base rate of the Hogan's Corner Regional Water System from 400 cubic feet of water to 600 cubic feet, and is consistent with the base rate allowed for the Pacific Beach Water System.

WSU EXTENSION

1. Request Approval, 2011 Memorandum of Agreement for Funding – Appendix A and B: A motion was made, seconded and passed to approve the 2011 Appendix A and B of the Memorandum of Agreement for funding with the WSU Extension Office. Appendix A provides salaries and benefits for the extension staff and Appendix B provides for office operating expenses.

ANNOUNCEMENTS

The Clerk of the Board announced there would be no meeting on December 27, 2010. The Next regular meeting will be held on January 3, 2011.

PUBLIC COMMENT

Commissioner 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.

Clerk of the Board Donna McCallum stated an email was received from Stanley Trohimovich titled "Motion to Vacate Judgment", which he requests be placed on file.

Numerous individuals thanked Commissioner Carter for his service as County Commissioner. Remarks were recorded from the following individuals:

Al Smith

John Mortenson

Molly Copeland and Kelly Gardner

Commissioners Willis and Wilson

Commissioner Carter stated the last eight years have been some of the best times of his life and it was a great pleasure to serve the citizens of Grays Harbor. He stated he is proud of his accomplishments and projects that have been completed while he was in office. He stated he is proud of the employees of the county and the strides they made during the bad economy.

STAFF MEETINGS

The Board held a regular morning meeting on Monday, December 20, 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 Clerk of the Board, Donna McCallum reviewed calendars and pending daily office issues. The Board met with the following individuals regarding agenda items and department updates: Mike Bruner and Rod Easton, Fair, Event and Tourism; Rose Elway, Budget Director; Joan Brewster, Public Health and Social Services; Kevin Varness, Public Services; Russ Esses, Engineering and Roads; Jeff Nelson, Environmental Health; Lee Napier, Public Service. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

- | | |
|---------------------|--|
| No. 2010-114 | Authorizing an emergency appropriation in the budget of the Grays Harbor County General Fund Civil Service Commission in the amount of \$700 |
| No. 2010-115 | Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Mental Health/Developmental Disability Levy Tax in the amount of \$617,477 |
| No. 2010-116 | Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Trial Court Improvement in the amount of \$22,540 |
| No. 2010-117 | Authorizing a supplemental extension in the budget of the Grays Harbor County Homeless Housing Fund the amount of \$178,000 |

- No. 2010-118** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Tax Title Management in the amount of \$320,000
- No. 2010-119** Authorizing a supplemental extension in the budget of the Grays Harbor County General Fund Sheriff's Department in the amount of \$239,392
- No. 2010-120** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund PB/ Moclips Water System M&O in the amount of \$47,000
- No. 2010-121** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Pacific Beach Sewer M&O in the amount of \$32,000
- No. 2010-122** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund North Beach Water System in the amount of \$5,000
- No. 2010-123** Authorizing a supplemental extension in the budget of the Grays Harbor County General Fund Environmental Health Department in the amount of \$22,862
- No. 2010-124** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Stadium Fund in the amount of \$51,527
- No. 2010-125** Authorizing a supplemental extension in the budget of the Grays Harbor County Miscellaneous Fund Tourism Fund in the amount of \$43,976

The meeting adjourned 3:02 p.m.

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

TERRY L. WILLIS, Chairman, District 1

MIKE WILSON, Commissioner, District 2

HERB WELCH, Commissioner, District 3

ATTEST:

Donna McCallum, Clerk of the Board