

## MINUTES

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

August 15, 2011

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 15, 2011, at 2:00 p.m. Commissioners Herb Welch and Mike Wilson were present. Donna McCallum, Clerk of the Board, and James Baker, Senior Deputy Prosecuting Attorney, were also present.

#### **CALL TO ORDER AND FLAG SALUTE**

Commissioner Wilson called the meeting to order.

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

#### **BIDS:**

None

#### **HEARINGS:**

1. **Open Space Classification request by Cascade Land Conservancy for parcel #'s 171027120020, 171027130010, 171027320010 and 171027120060:** There was a public hearing on August 15, 2011 to consider a request by Cascade Land Conservancy for classification as open space for the following parcels: 171027120020, 171027130010, 171027320010 and 171027120060. Notice of this hearing was published in *The Montesano Vidette* August 4, 2011. Chair Pro Tem Wilson called for a staff report. Laura Gray, Planner, entered the staff report into the record.

Ms. Gray stated staff submits the following conclusions for the property:

1. The classification of the subject property as Current Use Open Space will result in a tax shift of \$1061.86.
2. The classification of the subject property as Current Use Open Space will conform with the Comprehensive Plan designation of General Development as the property will be used to protect and promote natural resources.
3. The classification of the subject property as Current Use Open Space will to conform with the Grays Harbor County Code General Development Five Zoning District classification as the property will be used to protect and promote natural resources which is a use compatible with rural areas. The use of the property for development is limited and very limited by wetlands, steep slopes, in-ability to perk for septic and poor soil strength. The use of the property for cultivation of crops may be possible but would likely require draining of the soil. With the exception of the WA Stafford Creek Correctional Center, the surrounding area hosts similar landscape characteristics and is largely undeveloped. Using the property for the protection and promotion of natural resources will be compatible with the surrounding undeveloped properties and neighboring scattered residential land uses.

4. The classification of the subject property as Current Use Open Space will be in keeping with the Shoreline Master Program Rural Classification. Although the Rural Environment provides for most forms of human use along the shoreline, it is unlikely that the subject property would be developed due to the aforementioned development constraints.
5. The classification of the subject property as current use open space will conform with Grays Harbor County Code Title 18 .06 Critical Areas Protection Ordinance and Estuary Management Plan through the protection of critical areas including frequently flooded areas, Palustrine and Estuarine System wetlands and fish and eagle habitat.
6. The subject property meets the Revised Code of Washington 84.34.020 definition of Open Space Land because the preservation of the land in its present use would:
  - a) conserve and enhance the natural resources outlined in this report and maintain the scenic values of the property.
  - b) protect the banks of Grays Harbor and associated tidal marshes and wetlands.
  - c) promote the conservation of the aforementioned soils and wetlands.
  - d) enhance the ecological value of the Palustrine and Esuarine System wetlands.
  - e) protect and promote natural resource related recreation opportunities.
  - f) preserve potential historic sites as development would not disturb the location.
  - g) preserve visual quality of the north harbor area.
  - h) Retain 62.73-acres in its natural state.

She stated staff concluded that classifying approximately 62.73-acres of Cascade Land Conservancy property to Current Use open space meets all of the granting authority considerations as required by RCW 84.34.037 (2). The conditions she suggests for approval are as follows:

1. The subject property will be used solely for natural resource and wildlife habitat conservation purposes.
2. Should use of the property change or conditions stated in the taxation agreement be violated, the subject property will be removed from the Current Use Open Space classification.
3. A BEWARE screen will be created for each subject parcel in the Planning and Building Division computer permit coordination system. (*Planning Division*) The notice will indicate the following: *"This parcel is classified Current Use Open Space. Development requests must be coordinated with the Tax Assessor's office."*

Chair Pro Tem Wilson called for public comment.

Elsa Sargent, Cascade Land Conservancy Land Coordinator, discussed the stewardship of the land and the availability of more funding for projects if the property is put into Open Space.

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

**ACTION: A motion was made, seconded and passed to approve the classification of parcel numbers 171027120020, 171027130010, 171027320010 and 171027120060as Open Space as requested by Cascade Land Conservancy with the conditions set forth by the Planning**

**Department in the staff report.**

**2. Open Space Classification request by Cascade Land Conservancy for parcel #'s 181213310010, 181213340010, 181213430010, 181223110000 and 181224000000:** There was a public hearing on August 15, 2011 to consider a request by Cascade Land Conservancy for classification as open space for the following parcels located at 2035 State Route 109, Hogan's Corner: 181213310010, 181213340010, 181213430010, 181223110000 and 181224000000. Notice of this hearing was published in *The Montesano Vidette* August 4, 2011. Chair Pro Tem Wilson called for a staff report. Laura Gray, Planner, entered the staff report into the record.

Ms. Gray stated staff submits the following conclusions for the property:

1. The classification of the subject property as Current Use Open Space will result in a tax shift of \$637.63.
2. The subject property has two Comprehensive Plan designations: General Development and Recreational Residential. The classification of the subject property to Current Use Open Space will conform with the Comprehensive Plan designations as the property will be used to protect and promote natural resource based recreation.
3. The classification of the subject property to Current Use Open Space will conform with the Grays Harbor County Code General Development Five Zoning District classification as the property will be used to protect and promote natural resources which is a use compatible with rural areas. The use of the property for development is limited by the waterlogged soils and shoreline restrictions. The Calawah silt loam has minimal limitations for dwelling construction and the Ocosta and Orcus soils are limited due to hydric conditions and subsidence. The use of the property for cultivation of crops may be possible but would likely require draining of the soil in a frequently flooded area. The development potential of the subject property is restricted by extensive wetlands, moderate soil subsidence, poor shrink-swell ratings and annual flooding. The surrounding area hosts similar landscape characteristics and is largely undeveloped. Using the property for the protection and promotion of natural resources will be compatible with the surrounding undeveloped properties and neighboring scattered residential land uses.
4. The subject property has three Shoreline Master Program designations: Conservancy Environment, Natural Environment and Rural Environment. The classification of the subject property to Current Use Open Space will conform with all three of the designations as the property will be used to protect and promote natural resources which is in keeping with the Shoreline Master Program direction to protect lands, wetlands, and waters of economic recreational and natural value. Although the Rural Environment provides for most forms of human use along the shoreline, it is unlikely that the subject property would be developed due to the aforementioned development constraints.
5. The classification of the subject property as current use open space will conform with Grays Harbor County Code Title 18 .06 Critical Areas Protection Ordinance and Estuary

Management Plan considering critical areas including frequently flooded areas, Palustrine and Estuarine System wetlands and waterfowl habitat will be undisturbed.

6. The subject property meets the Revised Code of Washington 84.34.020 definition of Open Space Land because the preservation of the land in its present use would:
  - a) conserve and enhance the natural resources outlined in this report and maintain the scenic values of the property.
  - b) protect the banks of Grays Harbor and associated tidal marshes and wetland.
  - c) promote the conservation of the Calawah, Ocosta and Orcus Peat soil types, Palustrine and Estuarine System wetlands.
  - d) enhance the ecological value of the Palustrine and Esuarine System wetlands.
  - e) protect and promote waterfowl related recreation opportunities.
  - f) preserve potential historic sites as development would not disturb the location.
  - g) preserve visual quality of the north harbor area.
  - h) Retain 268.68-acres in its natural state.

She stated staff concluded that classifying approximately 62.73-acres of Cascade Land Conservancy property to Current Use open space meets all of the granting authority considerations as required by RCW 84.34.037 (2). The conditions she suggests for approval are as follows:

1. The subject property will be used solely for natural resource and wildlife habitat conservation purposes.
2. Should use of the property change or conditions stated in the taxation agreement be violated, the subject property will be removed from the Current Use Open Space classification.
3. A BEWARE screen will be created for each subject parcel in the Planning and Building Division computer permit coordination system. (*Planning Division*) The notice will indicate the following: *“This parcel is classified Current Use Open Space. Development requests must be coordinated with the Tax Assessor’s office.”*

Chair Pro Tem Wilson called for public comment.

Elsa Sargent, Cascade Land Conservancy Land Coordinator, discussed the abundance of wildlife in the area and assets for preservation.

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

**ACTION: A motion was made, seconded and passed to approve the classification of parcel numbers 181213310010, 181213340010, 181213430010, 181223110000 and 181224000000 as Open Space as requested by Cascade Land Conservancy with the conditions set forth by the Planning Department in the staff report.**

### **PUBLIC COMMENT**

Commissioner Wilson called for public comment on county-related items. She 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 and Morning Meetings - August 8, 2011  
Special Meetings – August 4, 2011 and August 9, 2011

#### **Public Health and Social Services:**

Room Rental Agreement – Rotary Log Pavilion, September 7, 2011 immunization update

#### **Public Services:**

Appointment to the Washington Coast Sustainable Salmon Partnership – Mark White  
Nomination to the Washington Department of Fish and Wildlife Salmon Advisory Group – Mark Swartout  
Set Bid Date – *September 12, 2011*- (1) used 54GVW Dump Truck and approval to purchase from the Solid Waste Fund

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

### **COMMISSIONERS**

1. **Resolution Authorizing Abatement at 1668 SR 105 in Grayland:** A motion was made, seconded and passed to approve **Resolution No. 2011-065, authorizing the Prosecuting Attorney to commence an action in Superior Court to abate a public nuisance maintained by on-going violations of the County Code at 1668 SR 105 in Grayland.** The violations include unlawful occupancy of multiple recreational vehicles and accumulations of junk, debris and trash on the property.

2. **Quit Claim Deed transferring title of building located at 400 West Curtis Street in Aberdeen to Timberland Opportunities:** A motion was made, seconded and passed to approve the quit claim deed and transfer of the title for the building located at 400 West Curtis, Aberdeen Washington to Timberland Opportunities. Consideration of this transfer is the completion of the 25 year lease agreement with Timberland Opportunities that expired several years ago.

3. **Resolution to receive and National Forest Related Safety Net Payments and Designating Allocations:** A motion was made, seconded and passed to approve **Resolution No. 2011-066, in the matter of the election to receive national forest related safety-net payments under P.L. 106-393 and reauthorized under P.L. 110-343.** The County has elected to receive full payment and the allocation is as follows: 80 percent to Title I, 20 percent to Title II and 0 percent to Title III.

**4. Resolution Adopting Policy and Procedures for the Veteran’s Relief Fund:** A motion was made, seconded and passed to approve **Resolution No. 2011-067, amending Resolutions 2005-65, 2007-82 and 2009-95 and adopting revised policies and procedures for the Grays Harbor County Veteran’s Relief Fund.**

**5. Notice of Cancellation of Purchase Order and Forfeiture of Bid Bond – Whitney’s Value Ford:** A motion was made, seconded and passed to approve a notice of cancellation of purchase order and forfeiture of bid bond to Whitney’s Value Ford. On January 31, 2011, Whitney’s Value Ford submitted a bid for the sale of one (1) 2011 Ford Fusion motor vehicle for the bid amount of \$16,285.60, which was accepted by Grays Harbor County on February 3, 2011. Value Ford executed the General Bid Conditions and Specifications on January 29, 2011, which was submitted with its bid. Purchase order #ER007600 for purchase of this vehicle was submitted on February 8, 2011 to Value Ford. Section 12 of the Conditions and Specifications requires delivery of this vehicle within 120 days of receipt of the purchase order by Value Ford. To date, the vehicle described in Purchase order #ER007600 has not been delivered to the County, and more than 120 days has elapsed without delivery.

## **DEPARTMENTS**

### **FAIR, EVENTS AND TOURISM**

**1. Request Approval, Authorization for the Fair, Events and Tourism Manager to sign 2011 event agreements:** A motion was made, seconded and passed to authorize the Fair, Events and Tourism Manager to sign the 2011 Fair commercial exhibitor’s contracts and fair parking crew and ticket taker/seller service contracts. The contracts are with the following companies:

A-1 ROOFING, INC.	CONIFER SPECIALTY
ACLU	CORNS A POPPIN
ACLU OF GRAYS HARBOR	COTTON CANDY ONE
ADAMS TAXIDERMY	COUNTRY TRACTOR AND GARDEN
AJ CONCESSIONS	COWGIRLS UNLIMITED 4-H CLUB
ALL THAT GLITTERS	CREATIVE CONCEPTS INC.
AMERICAN CANCER SOC.	CRYSTAL SPRINGS/DS WATERS
ANYTIME FITNESS	CUSTOM SECURITY SYSTEMS
APEX 2, INC.	DADDY’S FAMOUS FOODS
ARIES ENTERTAINMENT	DIAMOND FINISH CONSTRUCTION, LLC
B&M ITALIAN CONCESSIONS	
BATH FITTERS	DOW CHEMICAL
BERRYHILLS CONCESSIONS	DS JOHNSON ENTERPRISES, INC.
BLING-BLING	GARLIC EXPRESS
CELEBRATING HOME	GH CHAMBER OF COMMERCE
CHILD EVANGELISM FELLOWSHIP	GH COUNTY FAIR BOARDS
CIRCULATION GROWTH & RETENTION	GH COUNTY PUBLIC HEALTH DEPARTMENT
COFFEE CARAVAN INC.	GH FIRE DIST. # 5
COLUMBIA EXTERIORS	GH HOME & COMMUNITY EDUCATORS
COMCAST	
COMMUNITY YOUTH SERVICES	

GH HOME & COMMUNITY EDUCATORS  
GH PELLET HEAT  
GH REPUBLICAN PARTY  
GH SHERIFF DEPARTMENT  
GHC EMERGENCY MANAGEMENT  
GIDEONS INTERNATIONAL  
GRAYS HARBOR 4-H COUNCIL  
GRAYS HARBOR DAIRY WOMEN  
GRAYS HARBOR DEMOCRATS  
GRAYS HARBOR DEMOCRATS  
GRAYS HARBOR FIRE DIST. # 5  
GRAYS HARBOR PUD  
GUTTERGLOVE USA  
HABITAT FOR HUMANITY OF GH  
HAPPY MEADOWS PONY RIDES  
HARBOR SAW AND SUPPLY  
HARRISONS COLLECTABLES  
HEART & HANDS PREGNANCY  
CENTER  
HIGHLAND WOOD PRODUCTS  
HOW CHARMING DBA MICHE BAG  
HUNGARIAN KITCHEN  
HURLEY'S BUFFALO  
INDIAN ARTS  
IRISHMAN ENTERPRISES  
IT'S PARTY TIME  
J & C ENTERPRISES  
JACKNUT APPAREL  
KOLOSSUS GYROS  
KORNMAN OF WA  
LACEY JEAN ENTERPRISES  
LARRY HARRISON CERAMIC TILE  
LARRY'S PHOTOGRAPHY/WORM FARM  
LIND'S CONCESSIONS  
LUTHERAN COMMUNITY SERVICES  
NW  
MARTI MEDIA  
MJG ENTERTAINMENT  
MONTESANO FARM AND HOME  
MOORE 4 U JEWELRY  
NORTH RIDGE CONCESSIONS  
NORTHWEST INDIAN CRAFTS  
NW INDIAN CRAFTS

NW WHOLESALER  
OLYMPIC NOVELTIES  
OLYMPIC REGION CLEAN AIR AGENCY  
OREGON HAT COMPANY  
P.S. HENNA BODY ART  
P.S. HENNA BODY ART  
PARADISE GETAWAYS  
PB&J'S  
PERSONALIZED BEAD KITS  
PINNACLE SPINE CENTER  
PRO COMFORT MEDICAL  
PUGET SOUND & PACIFIC RAILROAD  
PURSE-ONALITY ATTRACTS  
RENARD'S  
RENT A CENTER  
S & A GIFTS  
S & R PRODUCTS  
SAMTOONS  
SCENTSY WICKLESS CANDLES  
SLIM PICKENS BBQ  
SOLAR GEM GREENHOUSES  
TACOS LA OXAQUENA  
TASTEFULLY SIMPLE  
THE ARC OF GRAYS HARBOR  
THE PAMPERED CHEF  
THE PONY ESPRESSO  
THE ROOF DOCTOR INC.  
THE SUNDOC  
TOURISM  
TUPPERWARE  
TWIN HARBORS WESTERN STAR  
U.S. CELLULAR  
UNIQUE BEADS  
VFW-DEPARTMENT OF WA DIST. 5  
WASHINGTON TRACTOR  
WATER DR. KINETICO HOME SYSTEMS  
WEST COAST VINYL

## **JUVENILE COURT**

**1. Request Approval, Consolidated Contract continuation with Department of Social and Health Services providing funds for SSODA, CDDA, FFT and CJS At-Risk Programs:** A motion was made, seconded and passed to approve the Consolidate Contract continuation with Department of Social and Health Services. This contract provides funding for SSODA, CDDA, FFT and CJS At-Risk Programs.

## **PUBLIC HEALTH AND SOCIAL SERVICES**

1. **Request Approval, SeaMar Chemical Dependency Contract July 1, 2011 through June 30, 2012:** A motion was made, seconded and passed to approve the contract with Sea Mar to provide chemical dependency treatment services from July 1, 2011 through June 30, 2012. The amount of the contract is \$114,753.

## **PUBLIC SERVICES**

1. **Request Approval, Letter of Agreement with Grays Harbor College for a Watershed Facilitator for the Chehalis Basin Partnership:** A motion was made, seconded and passed to approve a Letter of Agreement with Grays Harbor College for the purpose of maintaining the position of 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.

2. **Request Approval, Sewer Facilities Agreement with the City of Montesano for services to the County Facilities:** A motion was made, seconded and passed to approve the sewer facilities agreement with the City of Montesano for services to the county facilities. The agreement has been prepared to document the responsibilities of both the County and the City of Montesano in regards to the sewer system serving the County facilities. The City of Montesano sewer collection system is a STEP system. STEP stands for Septic Tank Effluent Pumping. The Courthouse campus is served by several septic tanks; two in front of the Administration Building and three behind the jail. These tanks also include pumps that deliver the effluent to the City collection system. Since the early 1990's when the system was installed, we have had various informal agreements between staffs on how to manage the maintenance needs of the sewer facilities. As of January 2011, the City has required the County to provide all maintenance of the tanks and pumps. This maintenance includes pumping of solids from the septic tanks. The solids are a particular problem for the system as the jail sewage contains a lot of garbage. We have worked with the jail to minimize this issue, but it remains an ongoing problem. The agreement formalizes the current practice.

3. **Request Approval, Letter of Agreement with Creative Community Solutions for facilitation services to handle funding requests for the Document Recording Fee Program:** A motion was made, seconded and passed to approve the letter of Agreement for Creative Community Solutions to provide Grays Harbor County with facilitation services related to requests for funding through the Document Recording Fees programs.

## **ANNOUNCEMENTS**

None

## **CORRESPONDENCE**

None

## **STAFF MEETINGS**

The Board held a regular morning meeting on Monday, August 15, 2011, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Willis, Wilson and Welch and the Clerk of the Board, Donna McCallum reviewed calendars and pending daily office issues. The Board met with Andrew Hooper, Life Insurance Representative, to discuss support of September as Life Insurance Awareness Month; Public Services individuals regarding agenda items and department updates: Kevin Varness, Public Services; Laura Gray, Planning Department; Lee Napier, Planning Department; Milt Hagedorn, ER&R; Jeff Nelson, Environmental Health. Bill Brown, Assessor's Office, was present for a portion of the meeting to discuss the Open Space Applications. Notes of these meetings are available upon request.

The Board approved the following:

## **RESOLUTIONS**

- |                     |   |
|---------------------|---|
| <b>No. 2011-065</b> | <b>Authorizing the Prosecuting Attorney to commence an action in Superior Court to abate a public nuisance maintained by on-going violations of the County Code</b> |
| <b>No. 2011-066</b> | <b>In the matter of the election to receive national forest related safety-net payments under P.L. 106-393 and reauthorized under P.L. 110-343</b>                  |
| <b>No. 2011-067</b> | <b>Amending Resolutions 2005-65, 2007-82 and 2009-95 and adopting revised policies and procedures for the Grays Harbor County Veteran's Relief Fund</b>             |

## **ORDINANCES**

None

## **INTERGOVERNMENTAL AGREEMENTS**

- Sewer system agreement with the City of Montesano for county facilities

The meeting adjourned at 2:25 p.m.

BOARD OF COMMISSIONERS

For Grays Harbor County

This \_\_\_\_\_ day of \_\_\_\_\_, 2011

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TERRY L. WILLIS, Chairman, District 1

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MIKE WILSON, Commissioner, District 2

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HERB WELCH, Commissioner, District 3

ATTEST:

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Donna McCallum, Clerk of the Board