

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

February 27, 2012

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, February 27, 2012, at 2:00 p.m. Commissioners Terry Willis, Mike Wilson and Herb Welch 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 Willis called the meeting to order with the pledge of allegiance.

BIDS:

1. Vehicle Purchases: Four Police Pursuit Vehicles, Two Police Pursuit Utility Vehicles, One HD ¾ ton Extended Cab 4x4 Pickup and One 1 Ton Cab and Chassis Truck : It was advertised February 2 and 9, 2012, in the *Montesano Vidette*, that bids would be accepted for the delivery of four (4) or more police pursuit vehicles, two (2) or more police pursuit utility vehicles, one (1) or more heavy duty ¾ ton extended cab 4x4 pickup and one (1) or more one ton cab and chassis truck.

Bid specifications were available at the Grays Harbor County Public Services Department at 100 W. Broadway Suite 31, Montesano, WA 98563. It was announced that the Grays Harbor County Commissioners reserves 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:

Company	Location	Bid Item	Bid Amounts
Five Star	Aberdeen, WA	Four Police Pursuit Vehicles	(1) \$26,065.06 or (4)\$104,260.24
		One HD ¾ ton Extended Cab 4x4 Pickup	\$26,801.39
Whitney's Inc.	Montesano, WA	One HD ¾ ton Extended Cab 4x4 Pickup	\$28,001.94
		One 1 ton Cab and Chassis Truck	\$24,429.24

The bids were referred to the ER&R Department for review and recommendation.

2. Pacific Beach/Moclips Area Wastewater Treatment Plant Expansion: It was advertised January 26, 2012, in the *Montesano Vidette*, that bids would be accepted for the Pacific Beach/Moclips Area Wastewater Treatment Plant Expansion. The project contemplated consists of an expansion to the existing wastewater treatment plant including a 273,000 gallon concrete oxidation ditch; a 22 foot diameter secondary clarifier; modifications to the spitter box; modifications to the headworks including an additional parshall flume; installation of new UV equipment, modifications to the existing oxidation ditch to give provisions for dewatering; associated piping connections to the existing structures; yard piping; dewatering; wetland work; a new outfall; mitigation construction in Joe Creek per HPA requirements; and other related work. There are specific requirements relating to sequence of construction to ensure continuous operation of existing facilities.

Bid specifications were available at the Grays Harbor County Public Services Department at 100 W. Broadway Suite 31, Montesano, WA 98563. It was announced that the Grays Harbor County Commissioners reserved 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:

Company	Location	Bid Amounts
Rognlin's Inc.	Aberdeen, WA	\$2,753,360
Stan Palmer Construction Inc.	Bremerton, WA	\$3,372,324
Harbor Pacific Contractors Inc.	Woodinville, WA	\$3,284,520
Quigg Bros. Inc.	Aberdeen, WA	\$3,685,600
TEK Construction Inc.	Bellingham, WA	\$3,091,506.21
Award Construction Inc.	Ferndale, WA	\$3,295,360
McClure and Sons Inc.	Mill Creek, WA	\$2,784,324
Stellar J. Corporation	Woodland, WA	\$3,351,055.92
Pease and Sons Inc.	Tacoma, WA	\$2,764,084

The bids were referred to the Public Services Department for review and recommendation.

HEARINGS:

1. Reclassification as Current Use Open Space for 6.75 acres of 21 Contiguous Parcels located off State Route 109 in Ocean Shores– Applicant Nancy Little: There was a public hearing on February 27, 2012 to consider a request for reclassification of 6.75 acres of 21 contiguous parcels to current use open space by applicant Nancy Little. The property is located off of State Route 109 in Ocean Shores. Notice of this hearing was published in *The Montesano Vidette* February 16, 2012. Chairman Willis asked for a staff report.

Laura Gray, Planner, entered the staff report into the record. Ms. Gray explained the findings of fact for the applicant and drew the following conclusions.

- The applicant submitted the appropriate Washington State Department of Revenue application Form 64 0038e (w) along with a processing fee of \$450 to the County Assessor's Office requesting the County Board of Commissioners authorize the reclassification of 6.75-acres of land from designated forest land RCW 84.33 to open space land (RCW 84.34).
RCW Section 84.34.037(1)
- Approval of Case 2011-1289 will result in a tax shift of \$1,105.06.
RCW Section 84.34.037 (2)(a)
- Approval of Case 2011-1289 will conserve the visual quality along that portion of the Hidden Coast Scenic Byway (Highway 109) which fronts the northern portion of the subject property. The preservation of open space and natural scenery will be in keeping with the Washington State Scenic and Recreational Highways Strategic Plan 2010-2030 which emphasizes coordinated conservation efforts along scenic and recreational highways, such as Highway 109, to protect working farms, forests, conservation lands and open space.

84.34.037 (2)(b) (i) and (viii),

- Approval of Case 2011-1289 will prohibit development of the subject property therefore adding additional protection to the Iron Springs Park Group "A" wellhead. No streams, stream corridors, wetlands or natural shorelines were identified with the site.
84.34.037 (2)(b) (ii),
- Approval of Case 2011-1289 will conserve the Mopang silt loam soils on site as no development would disturb or erode the soil. No unique or critical wildlife were mapped on site. No native plant habitat was mapped on the subject property.
(RCW 84.34.037 (2)(b)(iii).
- Approval of Case 2011-1289 is unlikely to offer educational opportunities due to the limited access, rugged terrain and heavy vegetation impairing foot traffic.
(RCW 84.34.037 (2)(b)(iv)
- Approval of Case 2011-1289 is unlikely to enhance the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries as none were found. Approval will enhance the natural scenic value of the undeveloped land surrounding Iron Springs Resort complex and area adjacent to the Hidden Coast Scenic Byway.
(RCW 84.34.037 (2)(b)(v)
- Approval of Case 2011-1289 is may enhance the remote recreational experience by maintaining a natural landscape as viewed from Highway 109 and the Iron Springs Resort. Onsite recreational opportunities may be restricted due to the limited access, rugged terrain and heavy vegetation impairing foot traffic.
(RCW 84.34.037 (2)(b)(vi)
- Approval of Case 2011-1289 may preserve unknown historic and archaeological sites as cultural resources will be left un-disturbed. No known cultural resources were mapped on location or viewed during field reconnaissance.
(RCW 84.34.037 (2)(b)(vii)
- No other benefits to the general welfare of preserving the current use of the property were identified by staff during field visits and records review.
(RCW 84.34.037 (2)(b)(ix)

She made the following suggestions for conditions of approval:

1. The subject property will be used solely for open space scenic preservation 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.”

Ms. Gray stated staff recommends the County Board of Commissioners make the following motions:

- Make a Motion to ACCEPT both the Findings of Fact and Conclusions for Case 2011-1289 as presented in the staff report.
- Make a Motion to APPROVE Case 2011-1289, as conditioned, based on the findings of fact, conclusions and conditions as presented in the staff report.

Commissioner Willis called for public comment.

Nancy Little, applicant, stated she agreed with the conditions set forth and the correction in the total number of acres in the 21 parcels.

Charlotte Chalker made comments in favor of the application.

Mary Jane Edmonson, made comments in favor of the application, stating she understood the regulations and supported approval of the application.

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

ACTION: A motion was made, seconded and passed to approve the reclassification to Current Use Open Space for 21 contiguous parcels located off State Route 109 in Ocean Shores totaling 6.75 acres with the following conditions:

1. The subject property will be used solely for open space scenic preservation 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.”

PUBLIC COMMENT

Commissioner Willis called for public comment on county-related items. She announced comments and statements would be accepted and limited to three minutes. Questions should be submitted in writing.

Craig Heiller, Pacific Beach, made comments regarding dilapidated buildings in the Pacific Beach area and supplies photographs.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

- Regular and Morning Meetings – February 13, 2012
- Special Meetings – October 13, 2011, October 17, 2011, October 18, 2011 and November 8, 2011

Commissioners':

- Set Bid Date – March 26, 2012 – Official County Publication Newspaper

Public Services:

- Set Hearing Date – March 19, 2012 -Vacation of a Portion of Oyster Place Right-of-Way and approval of **Resolution No. 2012-012, intent to vacate a portion of Oyster Place Right-of -Way**
- Set Bid Date – April 16, 2012 -2012 Traffic Control Devices Stockpiling Contract
- Facility Use Agreements for Public Meetings – Formation of a Shellfish District: Ocean Shores Lion Club and Pacific Beach Elementary
- Authorization to Dispose of Scrap Metal
- Appointment of Shad Kears and Brady Engvall to the Marine Resources Committee
- Set Bid Date - April 9, 2012 - 2012 Pavement Striping Contract and approval of **Resolution No. 2012-013 adopting the 2012 Pavement Striping program**
- Request for Qualifications – Engineering Services, Sanitary Sewer Projects

Correspondence:

- Use Request – Elma Game Club Fishing Derby, April 28, 2012 Vance Creek Park

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

COMMISSIONERS

None

DEPARTMENTS

FAIR, EVENTS AND TOURISM

1. **Request Approval, Authorization for the Fair, Events and Tourism Manager to sign 2012 Entertainment Contracts with NW Big Game Inc. for the Sportsman's Show and Charlie Daniels Band for the 2012 Fair:** A motion was made, seconded and passed to authorize the Fair, Events and Tourism Manager to sign the 2012 entertainment contract with NW Big Game Inc. for the Sportsman's Show in the amount of \$2,000 and Charlie Daniels Band in the amount of \$40,000 for the 2012 Fair.

JUVENILE COURT

1. **Request Approval, Personal Services Contract with Robert W. Parham for evaluation services ordered by the court:** A motion was made, seconded and passed to approve a personal

services contract with Robert W. Parham for evaluation services ordered by the court.

MANAGEMENT SERVICES

1. Request Approval, Funding Agreement with the Copalis Community Church Food Bank - \$2,500: A motion was made, seconded and passed to approve the interlocal funding agreement with the Copalis Community Church Food Bank in the amount of \$2,500 for the development of a summer free lunch program in the North Beach area.

PUBLIC HEALTH AND SOCIAL SERVICES

1. Request Approval, Contract Amendment to the 2011-2012 Mental Health Federal Block Grant - Department of Social and Health Services, Division of Behavioral Health and Recovery: A motion was made, seconded and passed to approve the contract amendment with State of Washington Department of Social and Health Services (DSHS) Division of Behavioral Health and Recovery. This is an amendment to the 2011-2012 Mental Health Federal Block Grant, the purpose of which is to expand mental health and recovery support services to individuals in the Grays Harbor community. This amendment is not a change in the amount of the original allocation of \$70,748, but in the service categories in which the allocations were distributed. This amendment begins February 1, 2012 and is valid through 9/30/2012.

2. Request Approval, Amendment to the Chemical Dependency Contract with Sea Mar Behavioral Health: A motion was made, seconded and passed to approve the contract amendment to Sea Mar Behavioral Health's current Chemical Dependency contract that will allow for the continuation of services currently provided by Sea Mar in the Aberdeen office. This contract will serve to extend resources through June 2012. The amendment is in the amount of \$38,698 for a new contract total of \$162,075 for a period beginning July 1, 2011 through June 30, 2012.

3. Request Approval, Amendment to the ABCD Local Activities Contract with WA State Health Care Authority, Division of Health Care Services: A motion was made, seconded and passed to approve an amendment to the ABCD Local Activities Contract with WA State Health Care Authority, Division of Health Care Services. The purpose of this amendment is to change the amount of reimbursement for two local activities. There is no change to the total value of the Agreement, which shall not exceed \$50,000. The timeframe is January 15, 2012 June 30, 2013.

PUBLIC SERVICES

1. Request Approval, Letter of Agreement with Creative Community Solutions- Critical Protection Code: A motion was made, seconded and passed to approve a letter of agreement with Creative Community Solutions to provide professional services related to the on-going update to the County's Growth Management Act planning requirements. This service includes tasks associated with the update to Title 18 (Critical Protection Code) and settlement of the lawsuit. The agreement is for up to 15,000 on an hourly rate.

2. Request Approval, Letter of Agreement with Creative Community Solutions – Chehalis Basin Lead Entity: A motion was made, seconded and passed to approve an agreement with Creative Community Solutions. The scope of work includes facilitation and staff support to the Grays Harbor County Lead Entity Program. All work associated with this agreement is reimbursable through a grant with the Washington State Resource and Conservation Office. The agreement is for up to \$39,000 based on an hourly rate.

3. Request Approval, Personal Services Contracts with Herrera Environmental Consultants –Ocean Beach Road and North River Road: A motion was made, seconded and passed to approve a Personal Services Contract with Herrera Environmental Consultants to monitor the effectiveness of the County’s wetland mitigation sites on Ocean Beach Road and North River Road. Wetland monitoring is required by the Army Corps of Engineers as part of the County’s Nationwide Permit for these two projects that were constructed in 2005. The consultant’s fee for this two year contract is \$15,000.

4. Request Approval, Digital Submittal Certification – CRAB Reports for 2011: A motion was made, seconded and passed to authorize the Chairman to sign the Digital Submittal Certification for 2011 for the County Road Administration Board.

5. Request Approval, Fish Passage Barrier Removal Program – Culvert Replacement Cedar Creek Road: A motion was made, seconded and passed to approve a “Land Owner Agreement” for the Fish Passage Barrier Removal Project on Cedar Creek Road. The “Land Owner Agreement” is needed as part of the application for State funding through the Salmon Recovery Funding Board (SRFB).

6. Request Approval, Award 2012 Emulsified Asphalt Contract Paramount Petroleum Corporation: A motion was made, seconded and passed to award the bid for the 2012 Emulsified Asphalt Supply Contract to Paramount Petroleum Corporation. Paramount Petroleum provided the low bid of \$1,024,651.

SHERIFF

1. Request Approval, Federal Equitable Sharing Funds Certification for 2011: A motion was made, seconded and passed to authorize the Chairman to sign the federal equitable sharing funds certification for 2011 to report to the United States Treasury and Department of Justice. These funds are received when the Grays Harbor County Drug Task Force assists a federal agency on cases where assets are seized and forfeited.

ANNOUNCEMENTS

The Clerk of the Board announced the following item:

Governor Chris Gregoire has directed flags at all Washington State agency facilities be lowered to half-staff Thursday, March 1, 2012, in memory of Washington State Patrol Trooper Tony Radulescu who was killed in the line of duty early on February 23, 2012.

Flags should remain at half-staff until close of business Thursday, or first thing Friday morning, March 2, 2012. Other government entities, citizens and businesses are encouraged to join this recognition.

CORRESPONDENCE

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, February 27, 2012, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Welch, Wilson and Willis and Clerk of the Board, Donna McCallum reviewed calendars and pending daily office issues. The Board met with the following persons: Brenda Sherman, Budget Director, regarding a budget update; Vern Spatz, Auditor; Julie Colacurcio, Elections; Dale Gowan, Central Services; Russ Esses, Engineering; Tom Gray, Engineering, regarding precinct redistricting and the following Public Services individuals regarding agenda items and department updates: Kevin Varness, Public Services; Lee Napier, Planning Department; Russ Esses, Engineering; Laura Gray, Planning and Building; Tom Gray, Engineering; Jeff Nelson, Environmental Health Department.

RECAP OF APPROVED RESOLUTIONS, ORDINANCES, AND INTERGOVERNMENTAL AGREEMENTS:

RESOLUTIONS

- | | |
|---------------------|--|
| No. 2012-012 | Intent to vacate a portion of Oyster Place Right-of-Way |
| No. 2012-013 | Adopting the 2012 Pavement Striping program |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 2:50 p.m.

BOARD OF COMMISSIONERS

For Grays Harbor County

This _____ day of _____, 2012

TERRY L. WILLIS, Chairman, District 1

MIKE WILSON, Commissioner, District 2

HERB WELCH, Commissioner, District 3

ATTEST:

Donna McCallum, Clerk of the Board