

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

June 11, 2012

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, June 11, 2012, at 2:00 p.m. Commissioners Terry Willis, Herb Welch and Mike Wilson (arriving at 2:04 p.m.) were present. Donna McCallum, Clerk of the Board, was also present.

CALL TO ORDER AND FLAG SALUTE

A motion was made, seconded and passed to excuse Commissioner Wilson until he arrives.

BIDS:

None

HEARINGS:

1. Ordinance amending Ordinances 392, 393 and 400, Grays Harbor County Code Titles 17 and 18, adding a new chapter to Title 18 (Critical Protection Areas): There was a public hearing on June 11, 2012 to consider an Ordinance amending Ordinances 392, 393 and 400, Grays Harbor County Code Titles 17 and 18, adding a new chapter to Title 18 (Critical Protection Areas). Notice of this hearing was published in *The Montesano Vidette* May 31, 2012. Chairman Terry Willis asked for a staff report. Lee Napier, Planning and Building Director, reported there are legal proceedings with Futurewise and Friends of Grays Harbor and a stipulated order that requires continued work. She stated comment letters were received from Architect Alan Gozart, and JoAnn Schaffner. Ms. Napier read the letter from Ms. Schaffner aloud. Ms. Napier introduced John Kliem from Creative Community Solutions, who worked on the Ordinance changes.

John Kliem, Creative Community Solutions, provided a history and overview of the Ordinance while explaining the public meetings and input. He explained the work on the ordinance changes were stipulated as a result of a legal challenge and are as follows:

Section 1: Deletes the definition to the terms “major and minor development,” which means that the new ordinance will not differentiate between the two types of development.

Section 2: Adds or modifies the definitions for “erosion hazard area,” “essential public facilities,” “geologically hazardous areas,” “landslide hazard areas,” “project permit,” “public facilities,” “seismic hazard areas,” “tsunami hazard areas,” “water dependent use,” and “water enjoyment use.”

Section 3: Deletes the definitions under Section 17.60.100 for “agricultural lands of long-term significance,” “forest lands of long-term significance,” and “mineral lands of long-term significance.”

Section 4: Changes the title of Chapter 17.60, Article II from “Natural Resource Lands of Long-Term Significance” to “Surface Excavations and Extractions.”

Section 5: Amends the purpose statement of Section 17.60.090 to delete references to agricultural forest, and mineral lands of long-term significance.

Section 6: Adds a new chapter to Title 18 entitled “Natural Resource Lands” adding definitions and designating agricultural, forest, and mineral lands of long-term commercial significance. This section also sets procedures for adding properties to county maps designating natural resource lands.

Section 7: Amends Section 18.06.095, geologically hazardous areas, by: updating and clarifying where geologically hazardous areas exist in the county; identifying issues a critical areas special study must to address; describes when the alteration of a geologically hazardous may happen; establishes development standards in geologically hazardous areas; and limits the location of public facilities and essential public facilities in geologically hazardous areas.

Section 8: Amends Section 18.06.140, fish and wildlife habitat conservation areas, by: eliminating lesser buffer widths for the minor development; exempting uses and structures within buffers that the current Shoreline Master Programs allow; clarifying the buffer averaging provisions; and adopting provisions for buffer reductions in situations that result in buffer enhancement, non-conforming lots, and division by roads.

Commissioner Willis inquired as to the administration and appeal process. Mr. Kliem explained the decision is made by the Planning and Building Director and appealed to the Board of Adjustment. There was discussion on protection of forest and agricultural lands. Discussion on development in areas where there a mineral deposits was reviewed.

Commissioner Welch asked for a comparison showing the proposed changes and restrictions of property use. John Kliem discussed working with all interested parties to find common areas. He stated there were concessions made by both sides to come to an agreement. Commissioner Welch asked if the buffers for streams could be reduced and Mr. Kliem stated they could not be reduced.

Commissioner Wilson stated he was happy that both sides were at the table to come to an agreement.

Commissioner Willis asked if there was any public comment.

Teri Franklin, Elma, stated the Ordinance doesn't go far enough to protect forests. Commissioner Welch asked for clarification. She stated she did not want developments built on forestland.

Steven Friederich, Daily World reporter, asked for more clarification on Section No. 8, including buffer changes.

Steve Halstrom, Oakville, stated he was pleased with the process and thoughtful discussions. He explained his personal experiences with land use development and urged the Commissioners to adopt the Ordinance.

Teri Franklin, Elma, made comments regarding the McCleary Aquifer and minerals.

Commissioner Willis invited John Kliem back to discuss page 15 of the Ordinance. He explained the best science available was used to create the document. He explained the buffers and the process used.

Commissioner Welch asked when a decision must be made. Lee Napier stated the Board has until June 29, 2012, per stipulated order.

Linda Oracle, Aberdeen, explained why science should be used when making land use decisions and why lands need protection. She stated this is a compromise that can be revisited in the future.

After an inquiry from Commissioner Willis, Lee Napier explained the planning process and public outreach.

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

Commissioner Welch stated he appreciated the amount of work done on the process, but he could not agree with the 150 foot buffers for rivers and streams. He said on his property with all the restrictions he would be restricted from numerous things, such as giving some property to his kids. He suggested going to the legislature to find new science to determine buffers.

Commissioner Willis agreed that new science is needed. She stated she appreciated the public process used to create the document.

ACTION: A motion was made, seconded and passed by Commissioners Willis and Wilson to approve Ordinance 401, amending Ordinances 392, 393, and 400 Grays Harbor County Code Title 17 and 18, adding a new title to chapter 18 for designating natural resource lands, and adding new sections relating to geologically hazardous and fish and wildlife habitat conservation critical areas. Commissioner Herb Welch voted in opposition of adoption of the amendment.

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.

Teri Franklin, Elma, stated she attended a meeting regarding coal trains moving through the harbor. She stated the Commissioners should look at the presentation.

Alan Shores, Aberdeen, made comments regarding FEMA map designations, coal mining and the county budget.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

Regular and Morning Meetings –June 4, 2012
Special Meeting – December 13, 2011

Auditor:

Month-End Expenditures for May - Claims: \$3,989,109.23 Salary: \$2,254,366.49

Management Services:

Set Hearing Date - *June 25, 2012*– Supplemental Budget, Sheriff \$172,156

Public Services:

Set Bid Date – *July 2, 2012* – 2010 Road Safety Program road and bridge construction project and approval of CRP Resolution C-01045-11
Final Plat approval for Hoage Estates located west of the City of Elma

Correspondence:

Use Request – South Sound Velo Bike Race at Vance Creek Park and surrounding area July 28-29, 2012

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

COMMISSIONERS

1. **Indigent Defense Contract with Zach Edwards:** A motion was made, seconded and passed to approve a Superior Court Indigent Defense Contract with Zach Edwards.

DEPARTMENTS

FAIR, EVENTS AND TOURISM

1. **Request Approval, Resolution - Fair Admission Pricing for the 2012 Fair:** A motion was made, seconded and passed to approve **Resolution No. 2012-041 establishing the County Fair admission rates**. The Commissioners stated free events are provided once inside the Fair. Commissioner Welch stated his reluctance to raise rates. The increase is necessary due to the instability of the Department of Agriculture Fair Fund, a reduction in other fair revenue sources, and rising operational costs. This increase would put the county in line with other fair admission rates in the state. Admission cost increases are as follows:

<u>Ticket Type</u>	<u>Proposed Pricing (2012)</u>	<u>Existing Price (2011)</u>
Daily Exhibitor	\$3.00	\$2.00
Weekly Exhibitor	\$13.00	\$8.00
Daily Adult Admission	\$10.00	\$8.00
Daily Child Admission	\$6.00	\$5.00
Daily Senior Admission	\$6.00 (remains the same)	\$6.00

JUVENILE COURT

1. **Request Approval, Contract with Dr. Sean White for Medical Services and Sick Calls:** A motion was made, seconded and passed to approve the contract with Dr. Sean White for medical services and sick calls at the Juvenile Court Facility.

MANAGEMENT SERVICES

1. **Request Approval, Risk Management Self-Assessment:** A motion was made, seconded and passed to approve the 2012 Risk Management Self Assessment. Per the WCRP Membership Compact, Grays Harbor County is required to perform and present to the Board of County Commissioners for approval a risk management self-assessment. This year the WCRP requested that the self-assessment be based on a risk assessment report that was performed by Author J. Gallagher Risk Management Services in 2010.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Contract with Elma Home Care for enhanced support for people with serious mental illness - July 2012 through June 2013:** A motion was made, seconded and passed to approve a contract with Elma Home Care for enhanced support for people with serious mental illness for July 2012 through June 2013. The Social Services Department budgeted \$27,747 for these services. The contract serves four people at a time and no matching funds are needed.
2. **Request Approval, Personal Services Contract with Sherri Maywald for Regional Support Network Database Administration - July 2012 through June 2013:** A motion was made, seconded and passed to approve a personal services contract with Sherri Maywald. Ms. Maywald is the Grays Harbor Regional Support Network database administrator. She ensures compliance with electronic health information requirements, data reporting and data security for the County's Medicaid mental health program. The contract includes \$79,992.00 for the period July 1, 2012 through June 30, 2013. These services are required by the Medicaid Mental Health grant and the State Fund Mental Health Grant. There is no County matching requirement.

PUBLIC SERVICES

1. **Request Approval, Accept Contract as Complete and Release Retainage to Quigg Bros. Inc. for the 2012 Countywide Aggregate Stockpiling Contract:** A motion was made, seconded and passed to accept the contract as complete for the 2012 Aggregate Stockpiling Contract and to release the retainage to Quigg Bros. Inc. in the amount of \$1,635.38 as per Section 60.28 Revised Code of Washington.

SHERIFF

1. **Request Approval, Award contract for unarmed screeners to Pacific County Security Inc.:** A motion was made, seconded and passed to award the contract for unarmed security screeners to Pacific County Security Inc.

ANNOUNCEMENTS

The Clerk of the Board announced The Administration Building will be closed on Friday, June 15, 2012 as part of a monthly closure necessary to reduce expenditures in the General Fund.

CORRESPONDENCE

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, June 11, 2012, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Wilson, Welch and Willis and Clerk of the Board, Donna McCallum reviewed calendars and pending daily office issues. The Board met with Mike Bruner, Fair, Events and Tourism, and Marsha Whitaker, Chair of the Fair Board, regarding an agenda item, Dale Gowan, Director of Central Services and Risk Management, regarding an agenda item and the following Public Services individuals regarding agenda items and department updates: Planning and Building Director Lee Napier; Utility and Development Director Kevin Varness; Environmental Health Director Jeff Nelson; Road Engineer Russ Esses.

RECAP OF APPROVED RESOLUTIONS, ORDINANCES, AND INTERGOVERNMENTAL AGREEMENTS:

RESOLUTIONS

2012-041	Establishing the County Fair admission rates
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ORDINANCES

401	Amending Ordinances 392, 393, and 400 Grays Harbor County Code Title 17 and 18, adding a new title to chapter 18 for designating natural resource lands, and adding new sections relating to geologically hazardous and fish and wildlife habitat conservation critical areas
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INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 3:50 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