

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING

November 19, 2012

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, November 19, 2012, at 2:00 p.m. Commissioners Herb Welch and Terry Willis were present. Donna McCallum, Clerk of the Board, was present to record the meeting. Senior Deputy Prosecuting Attorney, James Baker, was also present.

CALL TO ORDER AND FLAG SALUTE

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

Commissioner Terry Willis announced there are several clarifications of the agenda that will be announced by the Clerk of the Board as they occur.

BIDS:

None

HEARINGS:

1. Vacation of right of way of all of Mathias Ave. between Block 16 and 17, Highland Park Addition to Pacific Beach – Applicants Stephen and Karin Phifer, Lisa and Steven McElliott and Daniel and Kim Van Natta: There was a public hearing on November 19, 2012 to consider vacation of right of way of all of Mathias Ave. between Block 16 and 17, Highland Park Addition to Pacific Beach for applicants Stephen and Karin Phifer, Lisa and Steven McElliott and Daniel and Kim Van Natta. Notice of this hearing was published in *The Montesano Vidette* November 1, 2012 and November 8, 2012. One written correspondence from Stephan and Karin Phifer was received and made part of the record. Commissioner Willis asked for a staff report.

Tom Gray, County Surveyor, read the Engineer's Report into the record: *On Oct. 11, 2012 the Department of Public Works received an application from Stephan Phifer and Karin Malzan, as well as Daniel and Kim VanNatta, and Steven and Lisa McElliot to vacate all of Mathias Avenue lying between Block 16 and Block 17, and westerly of State Route 109, all within the plat of Highland Park Addition to Pacific Beach.*

The Board of County Commissioners initially accepted the right of ways into the county road system on June 3, 1929. Mathias Avenue was dedicated to the public as part of the plat of Highland Park Addition and recorded in Volume 6 of Plats at page 24.

The portion of right of way being considered for vacation is approximately a 40' X 225' area running east to west, abutted on the east by SR 109 and on the west by First Street.

The applicant has remitted all fees in regards to this request as well as the 50% of the assessed value. Notice of the hearing was physically posted on both ends of the platted right of way on Oct. 26, 2012, and posted in the Montesano Vidette on Nov. 8th, and Nov. 15th, 2012. Notice was also mailed to all property owners within a 300' radius.

This road does not lead to a body of water, nor will any properties be landlocked as a result of this vacation. This action will economically protect the county from any potential liability in the future. The Engineering Departments recommends the Order of Vacation be approved.

Commissioner Willis stated all property owners along the right-of-way have signed the petition for vacation.

Commissioner Willis asked if there was any public comment.

Daniel VanNatta, petitioner residing in Silverdale, stated this right of way vacation will ensure no future road connects to the highway and that it will remain a gravel road.

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

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-116 vacating all of Mathias Avenue lying between Block 16 and Block 17, and westerly of State Route 109 in the Plat of Highland Park Addition to Pacific Beach.

2. Supplemental Budget Appropriation – LTGO Bonds 2002 Fund, \$5,955,000: There was a public hearing on November 19, 2012 to consider a Supplemental Budget appropriation in the LTGO Bonds 2002 Fund in the amount of \$5,955,000. Notice of this hearing was published in *The Montesano Vidette* November 8 and 15, 2012. Commissioner Willis asked for a staff report. Brenda Sherman, Budget Director, reported this resolution will record the defeasance of bonds previously issued for Courthouse earthquake repairs.

Commissioner Willis asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-117 authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Bonds 2002 Fund in the amount of \$5,955,000.

3. Supplemental Budget Appropriation – LTGO Bonds 2003 Fund, \$870,000: There was a public hearing on November 19, 2012 to consider a Supplemental Budget appropriation in the LTGO Bonds 2003 Fund in the amount of \$870,000. Notice of this hearing was published in *The Montesano Vidette* November 8 and 15, 2012. Commissioner Willis asked for a staff report. Brenda Sherman, Budget Director, reported this resolution will record the defeasance of bonds previously issued for the waterline.

Commissioner Willis asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-118 authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Bonds 2003 Fund in the amount of \$870,000.

4. Supplemental Budget Appropriation – LTGO Refunding Bonds 2012 Fund, \$7,251,622: There was a public hearing on November 19, 2012 to consider a Supplemental Budget appropriation in the LTGO Refunding Bonds 2012 Fund in the amount of \$7,251,622. Notice of this hearing was published in *The Montesano Vidette* November 8 and 15, 2012. Commissioner Willis asked for a staff report. Brenda Sherman, Budget Director, reported this resolution will record the issuance of \$6,850,000 in refunding bonds in August as well as a principal and interest payment due December 1, 2012.

Commissioner Willis asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-119 authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Refunding Bonds 2012 Fund in the amount of \$7,251,622.

5. Supplemental Budget Appropriation – Parks and Vegetation Management, \$12,375: There was a public hearing on November 19, 2012 to consider a Supplemental Budget appropriation in the Parks and Vegetation Management Fund in the amount of \$12,375. Notice of this hearing was published in *The Montesano Vidette* November 8 and 15, 2012. Commissioner Willis asked for a staff report. Brenda Sherman, Budget Director, reported this resolution will authorize the transfer in of funds from the Stadium Fund to reimburse the General Fund for the appropriation on Resolution #2012-092, which covered unexpected costs associated with repairs to leaking pipes at Vance Creek Park.

Commissioner Willis asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-120 authorizing a supplemental appropriation in the budget of the Grays Harbor County General Fund Parks and Vegetation Management Fund in the amount of \$12,375.

6. Emergency Budget Appropriation, Prosecutor, \$12,367: There was a public hearing on November 19, 2012 to consider an emergency budget appropriation in the Prosecutor's Office in the amount of \$12,367. Notice of this hearing was published in *The Montesano Vidette* November 8, 2012. Chairman Terry Willis called for a staff report. Brenda Sherman, Budget Director, reported this appropriation has been requested by the Prosecutor to cover increased costs for supplies, professional services and inter-fund rentals.

Stew Menefee, Prosecutor, stated the emergency appropriation is necessary to cover increased professional services costs (a number of serious cases required additional services for transcripts, special prosecutor services and specialists to testify), increases to the cost of legal publications used for legal research, and to cover billing from ER&R for costs related to the assigned vehicle.

Commissioner Willis asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-121 authorizing an emergency appropriation in the budget of the Grays Harbor County General Fund Prosecutor's Office in the amount of \$12,367.

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.

There was no public comment.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

October 29, 2012 and November 19, 2012 morning and afternoon
October 2, 2012 Special meeting

Coroner:

Monthly Report for October 2012

Management Services:

Set Hearing – *December 3, 2012* – Supplemental Budget, Sheriff, \$159,902
Set Hearing – *December 3, 2012* – Emergency Budget, Sheriff, \$246,900
Set Hearing – *December 3, 2012* – Emergency Budget, Clerk, \$5,700
Set Hearing – *December 3, 2012* – Supplemental Budget, PHSS, \$422,668
Set Hearing – *December 10, 2012* – Emergency Commissioners, \$15,000

Public Services:

Set Hearing Date – *December 17, 2012* for 2:00 p.m. and recessed to 6:00 p.m. for additional comments– Ordinance creating a Shellfish Protection District

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

COMMISSIONERS:

1. Set December 3, 2012 as the opening date for Bids and approval of 2013 Indigent Defense Contracts: A motion was made, seconded and passed to set December 3, 2012 at 2:00 p.m. as the date and time to open bids and award contracts for the 2013 Indigent Defense Contracts for District Court and Juvenile Court with a deadline to return the proposals to the

Commissioner's Office by November 30, 2012. District Court contracts will be on a weighted case load basis at \$250 per case, Juvenile Conflict will be set at \$1,000 per month and Juvenile Defense and Guardian Ad Litem will be open bids.

2. Transfer of Tax Title Property from Forestry Department to Public Works Dept. – Parcel No. 201112300000 and 201113400000: A motion was made, seconded and passed to approve **Resolution No. 2012-122 transferring tax title land to the Department of Public Works for public road purposes for parcel numbers 201112300000 and 201113400000.**

DEPARTMENTS

Fair, Events and Tourism:

1. Request Approval, 2013 Tourism Festival and Event Grant Requests as recommended by the Lodging Tax Advisory Committee:

a. Approval of 2013 qualified requests: A motion was made, seconded and passed to approve the following festival and event applications, with the exception of the Lake Quinault Inn Keepers, as follows:

<u>Sponsoring Entity and Event/Festival</u>	<u>Grant Amount</u>
Westport/Grayland Cranberry Harvest Festival	\$2,550.00
Seabrook Foundation Chocolate on the Beach Festival	\$5,000.00
Seabrook Foundation Savor Seabrook Festival	\$5,000.00
City of Hoquiam On Track Art Festival	\$3,000.00
7 th Street Theatre 2013 Classic Movie Series	\$1,500.00
City of Hoquiam Fun Runs	\$4,000.00
City of Aberdeen Splash Festival	\$1,000.00
Bishop Center Beauty and the Beast Musical	\$3,000.00
Lake Quinault Historical Society Brochures and Map Printing	\$5,000.00
Grays Harbor Audubon Society Shorebird Festival	\$3,500.00
Elma Chamber of Commerce Wine & Seafood Festival	\$5,000.00
Elma Chamber of Commerce Buckaroo Days	\$5,000.00
Elma Chamber of Commerce Heat on the Street Car Show	\$5,000.00
McCleary Chamber of Commerce Rods & Rides Car Show	\$3,500.00
McCleary Chamber of Commerce Bear Hunt	\$3,500.00
WSU Extension Grays Harbor Farm Fresh Map	\$ 750.00
Montesano Chamber of Commerce Festival of Lights	\$5,000.00
WSU Extension Grays Harbor Harvest Celebration & Farm Tour	\$ 500.00
Montesano Chamber of Commerce Summerfest	\$5,000.00
Lake Quinault Innkeepers I-5 Discover Lake Quinault Billboard	\$5,000.00
West Coast Jetsports Foundation Grayland Open	\$5,000.00

b. Denial of 2013 requests: A motion was made, seconded and passed to deny the following applications:

<u><i>Sponsoring Entity and Event/Festival</i></u>	<u><i>Grant Amount</i></u>
Ocean Shores Chamber Razor Clam Festival Note: Ocean Shores keeps its 3% funds; event therefore does not contribute to the long-term sustainability of the fund	\$5,000.00
Lions Charitable Foundation Toast the Harbor Note: Held at QBR/Ocean Shores - event therefore does not contribute to the long-term sustainability of the fund	\$5,000.00
Greater Grays Harbor Inc. Chamber/EDC/Visitor Information Center Note: Budget supplied does not match the grant funding requested. Specific request is for VIC expenses but the expenses listed within the application do note separate VIC Expenses from Greater GH Inc. Expenses	\$20,000.00
Lake Quinault Innkeepers Website Note: Websites are a general operations expense and therefore invalid/not an advertising expense	\$4,300.00
Lake Quinault Historical Society Website Note: Websites are a general operations expense and therefore invalid/not an advertising expense	\$3,000.00
Lake Quinault Historical Society Portable Toilets Note: Year-round general operations expense not tied to a festival or event. Located at private businesses and does not contribute to long-term sustainability of the fund	\$2,845.50

On November 8, 2012, the Grays Harbor county Lodging Tax Advisory Committee voted to deny the 2013 Grays Harbor tourism Festival and Event Grant Requests for the amounts listed and requested confirmation of the denial.

c. Denial of 2013 requests that lacked proper qualifications: A motion was made, seconded and passed to deny the following applications for 2013 Tourism Festival and Event Grants:

<u><i>Sponsoring Entity and Event/Festival</i></u>	<u><i>Grant Amount</i></u>	<u><i>Tax Status</i></u>
Rolling Thunder Cost of Freedom Tribute	\$5,000.00	non qualified – 501c4
Our Aberdeen Mural Restoration Project	\$5,000.00	non-qualified – 501c4
McCleary Bear Festival	\$5,000.00	non-qualified – 501c4
Grayland Players – Grayland Community Hall	\$3,000.00	Tax Id Number is invalid/Not a valid nonprofit
Cranberry Heritage Group – Driftwood Show	\$3,000.00	Tax ID Number is invalid/Not a valid nonprofit

The LTAC did not consider these grant applications for funding because they lacked proper nonprofit status. By law, the only nonprofits that are eligible to receive funds from the 3% Hotel Motel Tax Fund are 501c3 nonprofits, 501c6 nonprofits, and qualifying government entities. The

Grays Harbor County Tourism Department staff checked all Grant Applications nonprofit status, and found the above listed applications to be nonqualified for the reasons listed.

2. Request Approval, Authorization for spending and for the Fair, Events and Tourism Manager to sign an advertising agreement for the 2013 Washington State Visitor's Guide Publication in the amount of \$7,129: A motion was made, seconded and passed to authorize the spending and for the Fair, Events and Tourism Manager to sign an advertising agreement for the 2013 Washington State Visitor's Guide Publication in the amount of \$7,129. The purchase of print advertising in this publication automatically qualifies Grays Harbor Tourism for an integrated email marketing campaign and website advertising campaign at no additional cost. Grays Harbor Tourism also was able to negotiate a lower advertising package price. A \$1,838.00 discount was applied to the standard 2013 advertising rates, bringing the total cost of advertising to \$7,129.00.

3. Request Approval, Authorization for spending and for the Fair, Events and Tourism Manager to sign an advertising agreement for the 2013 Scenic Washington State Travel Planner in the amount of \$7,235: A motion was made, seconded and passed to authorize the spending and the Fair, Events and Tourism Manager to sign an advertising agreement for the 2013 Scenic Washington State Travel Planner in the amount of \$7,235.

The purchase of print advertising in this publication automatically qualifies Grays Harbor Tourism for an integrated email marketing campaign and website advertising campaign at no additional cost. Grays Harbor Tourism also was able to negotiate a lower advertising package price. A \$1,590.00 discount was applied to the standard 2013 advertising rates.

Management Services:

1. Request Approval, Resolution – Budget Transfer, Equipment Rental and Revolving Replacement Fund, \$200,000: A motion was made, seconded and passed to approve **Resolution No. 2012-123 transferring items in the Grays Harbor County Equipment Rental and Revolving Replacement Fund in the amount of \$200,000.** This resolution will authorize an additional \$200,000 in transfers to the ER&R fund for modifications and additions to vehicles purchased.

2. Request Approval Resolution – Budget Transfer, Equipment Rental and Revolving Fund, \$500,000: A motion was made, seconded and passed to approve **Resolution No. 2012-124 transferring items in the Grays Harbor County Equipment Rental and Revolving Fund in the amount of \$500,000.** This resolution will authorize an additional \$500,000 in expenditures for this fund.

Public Health and Social Services:

1. Request Approval, Affiliation Agreement with Washington State University for placement of nursing students for practicum work: A motion was made, seconded and passed to approve an Affiliation Agreement with Washington State University to allow placement of nursing students for practicum work, if requested. No funding is involved.

2. Request Approval, Contract Amendment No. 3 with DSHS/DBHR for rollover of unspent Substance Abuse Community Prevention Training Funds from 2012 to 2013 in the amount of \$1,687 – June 1, 2012 through June 30, 2013: A motion was made, seconded and passed to approve contract amendment 3 with DSHS/DBHR. The amendment rolls forward unspent Substance Abuse Community Prevention Training funds from state fiscal year 2012 into state fiscal year 2013 in the amount of \$ 1,687. The amendment covers the period of time of June 1, 2012 through June 30, 2013.

3. Request Approval, Contract with Thrive by Five Washington to provide intensive home visiting services for low-income, first-time mothers with risk factors for the Steps to Enjoyable Effective Parenting program – Oct. 1, 2012- Sept. 2013 in the amount of \$176,928: A motion was made, seconded and passed to approve a contract with *Thrive by Five Washington*. The purpose of this contract is to provide intensive home visiting services for low-income, first-time mothers with risk factors beginning in pregnancy and extending to the child's 2nd birthday. The program is called Steps to Enjoyable, Effective Parenting, and teaches young mothers how to be good parents despite the difficult challenges they face in their lives. The contract period is October 1, 2012 through September 30, 2013. The contract is in the amount of \$176,928.00 and there is a 10% match requirement.

Public Services:

1. Request Approval, Amendment #1 to the Contract with Appraisal Solutions Northwest for the Wishkah Road Realignment Curve Revision, not to exceed \$7,950 to be completed within 45 days from contract approval: A motion was made, seconded and passed to approve Amendment #1 to the Contract with Appraisal Solutions Northwest for the Wishkah Road Realignment Curve Revision. The contract is not to exceed \$7,950 and is to be completed within 45 days from contract approval. The amendment covers additional cost of providing one appraisal for a wetland mitigation easement that will be required as a result of the project.

2. Request Approval, Professional Services Contract with Christina A. Fagernes of Appraisal Solution Northwest for the Wynoochee Road Realignment Project to provide an administrative offer summary report on one parcel, \$3,900: A motion was made, seconded and passed to approve a Professional Services Contract with Christina A. Fagernes of Appraisal Solution Northwest for the Wynoochee Road Realignment Project. The contract is to provide an administrative offer summary report on one parcel with a maximum contract amount of \$3,900.

3. Request Approval, Authorization for the Engineering Department to negotiation a contract with Watershed Science and Engineering for the Satsop River Floodplain Restoration Project: A motion was made, seconded and passed to authorize the Engineering Department to negotiation a contract with Watershed Science and Engineering for the Satsop River Floodplain Restoration Project. Three letters of interest were received for this project and the Engineering Department found Watershed Science and Engineering to have qualified personnel who can complete the work within the desired timeline.

4. Request Approval, Pine St. Road Closure for Road Construction during selected dates in the next year, expected to be a total of 15 days: A motion was made, seconded and passed to approve Pine St. Road Closure for road construction during selected dates in the next year, expected to be a total of 15 days.

ANNOUNCEMENTS

Donna McCallum announced County Buildings will be closed on November 22 and 23, 2012 for the Thanksgiving Holiday. There will be no Commissioners Meeting on November 26, 2012; however, office will be open. The next regular scheduled meeting will be held on December 3, 2012.

CORRESPONDENCE

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, November 19, 2012, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Herb Welch and Terry Willis and Clerk of the Board Donna McCallum reviewed agendas, calendars and pending daily office issues. The Board met with Brenda Sherman, Budget Director, for a budget update; Mike Bruner, Fair, Events and Tourism Manager, regarding agenda items; Stew Menefee, Prosecutor, regarding agenda items; and the following Public Services individuals regarding agenda items and department updates: Environmental Health Director Jeff Nelson; County Engineer Russ Esses; County Surveyor Tom Gray; Engineering Departments Employees Brandon Ainsworth and Rob Wilson; Utility and Development Director Kevin Varness.

RECAP OF APPROVED RESOLUTIONS, ORDINANCES, AND INTERGOVERNMENTAL AGREEMENTS:

RESOLUTIONS:

No. 2012-116

Vacating all of Mathias Avenue lying between Block 16 and Block 17, and westerly of State Route 109 in the Plat of Highland Park Addition to Pacific Beach

No. 2012-117

Authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Bonds 2002 Fund in the amount of \$5,955,000

- No. 2012-118** Authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Bonds 2003 Fund in the amount of \$870,000
- No. 2012-119** Authorizing a supplemental appropriation in the budget of the Grays Harbor County Miscellaneous Fund LTGO Refunding Bonds 2012 Fund in the amount of \$7,251,622
- No. 2012-120** Authorizing a supplemental appropriation in the budget of the Grays Harbor County General Fund Parks and Vegetation Management Fund in the amount of \$12,375
- No. 2012-121** Authorizing an emergency appropriation in the budget of the Grays Harbor County General Fund Prosecutor's Office in the amount of \$12,367
- No. 2012-122** Transferring tax title land to public use for parcel numbers 201112300000 and 201113400000
- No. 2012-123** Transferring items in the Grays Harbor County Equipment Rental and Revolving Replacement Fund in the amount of \$200,000
- No. 2012-124** Transferring items in the Grays Harbor County Equipment Rental and Revolving Fund in the amount of \$500,000

ORDINANCES:

None

INTERGOVERNMENTAL AGREEMENTS:

None

The meeting adjourned at 2:56 p.m.

BOARD OF COMMISSIONERS

For Grays Harbor County

This _____ day of _____, 2012

HERB WELCH, Chairman, District 3

TERRY L. WILLIS, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna McCallum, Clerk of the Board