

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING

December 31, 2012

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 31, 2012, at 9:00 a.m. Commissioners Herb Welch, Mike Wilson and Terry Willis were present. Donna McCallum, Clerk of the Board, was present to record the meeting.

CALL TO ORDER AND FLAG SALUTE

BIDS:

None

HEARINGS:

1. **Ordinance – Right-to Farm:** There was a public hearing on December 31, 2012 to consider an Ordinance regarding the Right-to- Farm. The following summary provides a brief description of the ordinance: An ordinance amending Title 8 of the Grays Harbor County Code to add a new chapter implementing Grays Harbor County policy that agricultural, forestry, and aquaculture activities conducted on agriculture, forest lands, and in the waters as defined in this new chapter and other provisions in the code be protected from nuisance lawsuits in accordance with RCW 7.48.305, defining certain words or phrases used therein, and requiring specific real property disclosures that use of real property for agricultural, forestry and aquaculture operations is a high priority and protected use in the County, and those conditions arising from agricultural, forestry and aquaculture operations, if such operations are consistent with commonly accepted good management practices shall not be considered a nuisance unless the activity or practice has a substantial adverse effect on public health and safety. Notice of this hearing was published in *The Montesano Vidette* December 20, 2012. Chairman Welch asked for a staff report.

Commissioner Willis explained she has worked with Lee Napier on this project over her term. She stated there are numerous groups and people that are interested in this topic. She described the efforts made between groups and the meetings held leading up to this Ordinance. Commissioner Willis stated real estate agents were involved with the discussions. The Ordinance does not require paperwork to be filed on property sales, unlike the original design, but provides a mechanism for potential buyers to know what kind of activities are being done around them. She explained the importance of people being aware of the activities that surround them when preparing to buy property.

Commissioner Willis explained the new state law requirements and the two mile radius declaration of agricultural activities. She stated the Planning Department will be able to assist the public with the Ordinance.

Commissioner Welch asked if there was any public comment.

Brady Engvall, from the Shellfish Growers Association, discussed shellfish growing and the protected lands. He explained the history and that shellfishgrowers have been impacted by activities affecting their growing areas. He discussed the importance of aquaculture.

Owen Shaffner, Shaffner Farms, discussed agricultural activities and problems with a new neighbor who may not be tolerant of farming activities. He recommended approval.

Cheryl Campbell, Wishkah, made comments regarding the language in the Ordinance being framed more towards commercial activities and not the private citizen. She stated this is a good start.

Commissioner Willis discussed past lawsuits and stated Bill Stewart, Attorney, was involved with drafting the Ordinance, as well as County staff. Commissioner Willis stated this Ordinance does not stop legitimate lawsuits. Cheryl Campbell withdrew her objection after hearing Commissioner Willis' explanation.

JoAnn Shaffner, President of the Farm Bureau, urged the Board to pass the Ordinance and stated this will help avoid nuisance lawsuits.

Al Smith, Wishkah Valley, encouraged passage of the Ordinance.

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

ACTION: A motion was made, seconded and passed to approve Ordinance No. 403 an Ordinance Amending The Grays Harbor County Code to add a new chapter to Title 8 of The Grays Harbor County Code Regarding Right To Farm and Practice Forestry.

2. **Supplemental Budget Appropriation – General Fund, \$715,944:** There was a public hearing on December 31, 2012 to consider a Supplemental Budget appropriation in the General Fund in the amount of \$715,944. Notice of this hearing was published in *The Montesano Vidette* December 20 and 27, 2012. Commissioner Welch asked for a staff report. Brenda Sherman, Budget Director, reported General Fund budgeted revenues are being adjusted to reflect the most recent estimates through the end of the year. County private harvest tax, state board purchase land/timber sale revenue, as well as interest and penalties on property taxes are being increased a total of \$1,147,944. Local sales and use tax and sale of county timber revenues are being decreased \$432,000 based upon actual receipts year-to-date. The ending cash balance will be increased by the difference of \$715,944.

Commissioner Welch 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. 2012-160 authorizing a supplemental appropriation in the budget of the Grays Harbor County General Fund in the amount of \$715,944.

PUBLIC COMMENT

Commissioner Welch called for public comment on county-related items. He 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:

December 17, 2012 morning and afternoon
Special Meetings: Oct. 11 & 12, 2012, Oct. 30, Nov. 20, 2012, Nov. 26, 2012 and Nov. 30, 2012

Commissioners:

Official Bond – Ron Strabbing, Treasurer
Reappointments to the Fair Board all positions ending December 31, 2015: Position #1, Lillie Savage; Position #2 William Wolfenbarger; Position #3 Teresa Olson
Reappoint Bill Wickwire & Steve Markham to the Veteran’s Advisory Board for terms ending December 31, 2014, as approved by the Veteran’s Adv. Board
Travel request for Robert King, Environmental Health to attend the BEACH Program annual Meeting in Tacoma
Letter to Assessor re: Spending Authority

Coroner:

Monthly Report for November 2012

Correspondence:

Letter from E-911 in recognition of Eric Jackson’s work at the Radio Shop

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

COMMISSIONERS:

- 1. Superior Court Indigent Defense Contracts – Kyle Imler and Amanda Kleespie:** A motion was made, seconded and passed to approve Superior Court Indigent Defense Contracts with Kyle Imler and Amanda Kleespie.
- 2. WSU Extension 2013 Memorandum of Agreement for Budget Appropriations – Appendix A and B:** A motion was made, seconded and passed to approve the 2013 Memorandum of Agreement Appendix A and Appendix B with the Washington State University Extension for the 2013 budget appropriations.
- 3. Washington Coast Sustainable Salmon Partnership – Cost Change Amendment for RCO Grant 11-1550:** A motion was made, seconded and passed to approve a cost change amendment with the Washington Coast Sustainable Salmon Partnership (WCSSP) and the

Recreation and Conservation Office (RCO) for Grant 11-1550. The reduction is in the amount of \$52,646.25. After the reduction, the funds will be directly contracted by the Recreation and Conservation Office with the University of Washington's Olympic Natural Resources Center (ONRC) through existing contract RCO #12-1782 to carry out the work for which they were intended under the grant RCO #11-1550. The personnel who will be completing these tasks are all located at UW/ONRC in Forks, and it will facilitate their payment to have the contract directly with UW/ONRC. RCO has approved this movement of funds and change in contracts. The tasks for which this funding was provided and which will be completed by ONRC are regional participation of the two northern Lead Entities of WCSSP, facilitation of WCSSP's Regional Technical Committee, NetMap/GIS work for the WCSSP Plan, input into the Habitat Work Schedule for the region and all Lead Entities, and travel for all of these tasks.

DEPARTMENTS

Fair, Events and Tourism:

1. Request Approval, Authorization for the Fair, Events and Tourism Manager to sign a Personal Appearance Agreement with Nick Mundt from the Outdoor Channel for the 2013 Outdoor Adventure and Travel Show, \$3,500:

A motion was made, seconded and passed to authorize the Fair, Events and Tourism Manager to sign a contract with Nick Mundt from TV's Outdoor Channel for the Grays Harbor Outdoor Adventure & Travel Show in the amount of \$3,500. The Outdoor Adventure and Travel Show will be held at the fairgrounds on April 20th & 21st 2013. Mr. Mundt will be attending the show on Saturday, April 20th from 11:00 a.m. to 5:00 p.m. to do a *Meet and Greet* for the public and a one hour seminar.

2. Request Approval, Authorization for spending and contract execution for 2013 Tourism Festival and Event Service Contracts: City of Hoquiam/2013 On Track Art Festival, \$3,000; City of Hoquiam/2013 Fun Runs & Hoquiam Half Marathon, \$4,000; Seabrook Community Foundation/2013 Chocolate on the Beach Festival, \$5,000; Seabrook Community Foundation/2013 Savor Seabrook, \$5,000; Lake Quinault Historical Society/2013 Maps & Brochures, \$5,000; McCleary Chamber of Commerce/2013 Rods & Rides Car Show, \$3,500; McCleary Chamber of Commerce/ 2013 McCleary Bear Hunt, \$3,500; Grays Harbor Mounted Posse & Elma Chamber/2013 Pro Rodeo, \$5,000; WSU Extension Office/2013 Harvest Celebration, \$500; WSU Extension Office/2013 Farm Fresh Guide, \$750:

A motion was made, seconded and passed to authorize spending and contract execution for 2013 Tourism Festival and Event Service Contracts, as approved by the Lodging Tax Advisory Board, for the following events:

<u>Contractor/Service Provided</u>	<u>Contract Amount</u>
City of Hoquiam/2013 On Track Art Festival	\$3,000.00
City of Hoquiam/2013 Fun Runs & Hoquiam Half Marathon	\$4,000.00
Seabrook Community Foundation/2013 Chocolate on the Beach Festival	\$5,000.00
Seabrook Community Foundation/2013 Savor Seabrook	\$5,000.00
Lake Quinault Historical Society/2013 Maps & Brochures	\$5,000.00
McCleary Chamber of Commerce/2013 Rods & Rides Car Show	\$3,500.00
McCleary Chamber of Commerce/2013 McCleary Bear Hunt	\$3,500.00

Grays Harbor Mounted Posse & Elma Chamber/2013 Pro Rodeo	\$5,000.00
WSU Extension Office/2013 Harvest Celebration	\$ 500.00
WSU Extension Office/2013 Farm Fresh Guide	\$ 750.00

3. Request Approval, Authorization for spending and contract execution for 2013 Tourism Festival and Event Service Contracts: Elma Chamber of Commerce/2013 Buckaroo Days, \$5,000; Elma Chamber of Commerce/2013 Heat on the Street Car Show, \$5,000; Elma Chamber of Commerce/2013 Wine & Seafood Festival, \$5,000; City of Aberdeen/2013 Splash Festival, \$1,500: A motion was made, seconded and passed to authorize spending and contract execution for 2013 Tourism Festival and Event Service Contracts, as approved by the Lodging Tax Advisory Committee, for the following events:

<u>Contractor/Service Provided</u>	<u>Contract Amount</u>
Elma Chamber of Commerce/2013 Buckaroo Days	\$5,000.00
Elma Chamber of Commerce/2013 Heat on the Street Car Show	\$5,000.00
Elma Chamber of Commerce/2013 Wine & Seafood Festival	\$5,000.00
City of Aberdeen/2013 Splash Festival	\$1,500.00

4. Request Approval, Resolution – 2013 Fee and Rental Schedule: A motion was made, seconded and passed to approve **Resolution No. 2012-152 setting the 2013 Grays Harbor County Fair and Event Center Suggested Fee and Rental Schedule**. The majority of the changes are simply language detail. The only notable increase in rates is in regards to utility fees. The hourly utility rate will increase from \$20 to \$25 per hour.

5. Request Approval, Hire Request – Fairgrounds and Tourism Facilities Maintenance I: A motion was made, seconded and passed to approve the hiring of a Fairgrounds and Tourism Maintenance I Position. This position is budgeted in 2013 and will begin at Range 8 Step 1.

Management Services:

1. Request Approval, Two Resolutions – Implementing Governmental Standard Board Statement 54: A motion was made, seconded and passed to approve **Resolution No. 2012-153 implementing Governmental Accounting Standard Statement 54** and **Resolution No. 2012-154 defining all County Funds for accounting standards GASB #54**. The Resolutions are necessary to establish how Grays Harbor County will implement Governmental Standard Board Statement 54. The first resolution states the County's spending prioritization policy and process of committing revenues. The second resolution defines all County funds and describes the nature of their revenues.

2. Request Approval, Five Resolutions – Restricting Revenue on the Solid Waste Plan Fund, Hogan's Coroner Water System Fund, Pacific Beach Sewer Fund, Pacific Beach/Moclips Water System Fund and North Beach Water System Fund: A motion was made, seconded and passed to approve the following Resolutions restricting revenues on county enterprise funds:

Resolution No. 2012-155 Restricting Revenue and Fund Uses for the Grays Harbor County Solid Waste Plan Fund.

Resolution No. 2012-156 Restricting Revenue and Fund Uses for the Grays Harbor County Hogan's Corner Water System Fund.

Resolution No. 2012-157 Restricting Revenue and Fund Uses for the Grays Harbor County Pacific Beach Sewer System Fund.

Resolution No. 2012-158 Restricting Revenue and Fund Uses for the Grays Harbor County Pacific Beach/Moclips Water System Fund.

Resolution No. 2012-159 Restricting Revenue and Fund Uses for the Grays Harbor County North Beach Water System Fund.

Public Health and Social Services:

1. Request Approval, Contract with Dream Team Dental for on-site school based sealants for 2nd graders – September 1, 2012 through June 30, 2013 in an amount not to exceed

\$10,000: A motion was made, seconded and passed to approve a contract with Dream Team Dental. The purpose of this contract is to use funding received from the Washington State Department of Health to subcontract with Dream Team Dental, a company that provides onsite school-based sealants. The funding will be used to pay Dream Team for sealants for children who have no source of dental coverage and to assist with travel expenses to eligible schools in Grays Harbor County. The hygienist is authorized to apply dental sealants to 2nd graders in schools that are eligible by having more than 50% of students receiving free and reduced lunches. This subcontract is in effect September 1, 2012 through June 30, 2013 and is not to exceed \$10,000.

2. Request Approval, Contract Amendment 4 with DSHS/DBHR for Medicaid Fund Mental Health Treatment Programs – January 1, 2013 through December 31, 2013:

A motion was made, seconded and passed to approve contract amendment 4 with DSHS/DBHR for Medicaid fund mental health treatment programs. This amendment contains language improvements, clarifications and additional detail about grievance procedures. All exhibits remain the same except for Exhibit D (rates) which has been extended through June, 2013. The effective date of the amendment is January 1, 2013 and covers the period January 1, 2013 through December 31, 2013. No changes were made to the dollar amount of contract and no match is required.

3. Request Approval, Contract with Insightinformation Inc. for purchase of software for performance management in Public Health:

A motion was made, seconded and passed to approve a contract with Insightinformation, Inc. This contract is in collaboration with Mason, Pacific & Lewis Counties to purchase software for performance management in public health. Each county will have independent use of the software but Mason County will take the lead in procuring the product and will develop inter-local agreements as needed for each county to receive six licenses. The approval to participate in software acquisition was granted by the Board on December 3, 2012.

Public Services:

1. **Request Approval, Authorization for the Engineer to proceed with a consultant selection process for a personal services contract to provide environmental services for the 2012 County Curve Safety Project:** A motion was made, seconded and passed to authorize the County Engineer to proceed with a consultant selection process for a personal services contract to provide environmental services for the 2012 County Curve Safety Project. The 2012 County Curve Safety Project is located at four curve sites throughout the county: Brooklyn Road MP 1.6, North River Road MP 12.6, Wynoochee Wishkah Road MP 4.0 and Youmans Road MP 3.2. This project is federally funded.

2. **Request Approval, FEMA Agreement Amendment C for the January 2009 Severe Winter Storm Event – changing grant expiration date from January 29, 2013 to January 29, 2015:** A motion was made, seconded and passed to approve FEMA Agreement Amendment C for the January 2009 Severe Winter Storm Event. This amendment changes the grant expiration date from January 29, 2013 to January 29, 2015.

3. **Request Approval, Personal Services Contract with Ecolution to complete environmental permitting requirements for the 2013 County Road Guardrail Project:** A motion was made, seconded and passed to approve a Personal Services Contract with Ecolution to complete environmental permitting requirements for the 2013 County Road Guardrail Project. Ecolution was selected after reviewing proposals received from them and Herrera Environmental Consultants. The selection was made based on their expertise in performing the work and their cost estimate. The scope of work to be performed under this contract includes completing an Environmental Classification Summary and fulfilling the requirements of Section 106 of the National Historic Preservation Act. The estimated cost for this work is \$2,644. This contract assumes that an archaeological survey will not be required for this project. If at a later date it is determined that a survey needs to be performed this contract will be amended.

ANNOUNCEMENTS

None

CORRESPONDENCE

None

STAFF MEETINGS

There was no staff meeting.

**RECAP OF APPROVED RESOLUTIONS, ORDINANCES, AND
INTERGOVERNMENTAL AGREEMENTS:**

RESOLUTIONS:

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| No. 2012-152 | Setting the 2013 Grays Harbor County Fair and Event Center Suggested Fee and Rental Schedule |
| No. 2012-153 | Implementing Governmental Accounting Standard Statement 54 |
| No. 2012-154 | Defining all County Funds for accounting standards GASB #54 |
| No. 2012-155 | Restricting Revenue and Fund Uses for the Grays Harbor County Solid Waste Plan Fund |
| No. 2012-156 | Restricting Revenue and Fund Uses for the Grays Harbor County Hogan’s Corner Water System Fund |
| No. 2012-157 | Restricting Revenue and Fund Uses for the Grays Harbor County Pacific Beach Sewer System Fund |
| No. 2012-158 | Restricting Revenue and Fund Uses for the Grays Harbor County Pacific Beach/Moclips Water System Fund |
| No. 2012-159 | Restricting Revenue and Fund Uses for the Grays Harbor County North Beach Water System Fund |
| No. 2012-160 | Authorizing a supplemental appropriation in the budget of the Grays Harbor County General Fund in the amount of \$715,944 |

ORDINANCES:

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| 403 | An Ordinance Amending The Grays Harbor County Code to add a new chapter to Title 8 of the Grays Harbor County Code Regarding Right To Farm and Practice Forestry |
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INTERGOVERNMENTAL AGREEMENTS:

- Contract with Insightinformation, Inc. with Mason, Pacific & Lewis Counties to purchase software for performance management in public health

The meeting adjourned at 10:10 a.m.

BOARD OF COMMISSIONERS

For Grays Harbor County

This _____ day of _____, 2013

HERB WELCH, Chairman, District 3

WES CORMIER, Commissioner, District 1

FRANK GORDON, Commissioner, District 2

ATTEST:

Donna McCallum, Clerk of the Board