

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING

September 16, 2013

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, September 16, 2013, at 2:00 p.m. Commissioners Wes Cormier and Frank Gordon were present with Commissioner Herb Welch participating by phone. Donna McCallum, Clerk of the Board, was present to record the meeting. Stew Menefee, Prosecuting Attorney, was also present.

CALL TO ORDER AND FLAG SALUTE

Commissioner Gordon announced a change in the order of the agenda to allow the Timberland Regional Library Presentation to be heard prior to the hearings.

PRESENTATION:

1. **Cheryl Heywood, Timberland Regional Library – Library Card Sign-Up Initiative and TRL Reads Together:** Ms. Heywood had the individual librarians from McCleary, Hoquiam, Elma, Amanda Park, Oakville and Grayland introduce themselves to the Board. She explained library functions, statistics and resources. This is the 45th anniversary of the library system, which is being celebrated with a 45-day contest. Ms. Heywood explained the 2013 Action Plan and the development of a Strategic Plan for 2014-2016. She stated October is "Read Together" month.

BIDS:

None

HEARINGS:

1. **Decision Only – (hearing was closed) Right-of-Way Vacation of Pearson Road #831110:** There was a public hearing held on August 26, 2013 with the decision continued to September 9, 2013 to consider a right-of-way vacation for Pearson Road #831110. At the September 9, 2013 meeting the decision was postponed another week to September 16, 2013 during the 2:00 p.m. Board meeting in order to allow sufficient time for Commissioner Herb Welch to review the materials. Notice of this hearing was published in *The Montesano Vidette* August 8, 2013.

Commissioner Gordon asked if staff could bring forward new information on the vacation request. Stew Menefee, Prosecutor, stated no new information or evidence can be heard without going through a process to re-open the hearing by advertising and posting. There was discussion on whether Commissioners were ready to make a decision. Mr. Menefee stated Commissioners cannot consider any new information or evidence received since the hearing was closed on

August 26, 2013, should note for the record what information was presented outside of the first hearing, and cannot take it in to consideration for their decision today. Commissioner Gordon stated the Board received easements from the Tribe to give access to the other property owners if the vacation were to be approved.

ACTION: A motion was made, seconded and passed to deny the vacation request for Pearson Road. Commissioner Gordon voted against the motion.

2. Decision Only – (hearing was closed) Right-of-Way Vacation of Old Garrard Creek Road #68750: There was a public hearing held on August 26, 2013 with the decision continued to September 9, 2013 to consider a right-of-way vacation for Old Garrard Creek Road #68750. At the September 9, 2013 meeting the decision was postponed another week to September 16, 2013 during the 2:00 p.m. Board meeting in order to allow sufficient time for Commissioner Herb Welch to review the materials. Notice of this hearing was published in *The Montesano Vidette* August 8, 2013.

ACTION: A motion was made, seconded and passed to deny the vacation request for Old Garrard Creek Road. Commissioner Gordon voted against the motion.

3. Decision Only - (hearing was closed) - Road Variance request from Bob Betcher for Parcel 795501901200, Alley to access lot 12 of Block 9: There was a public hearing held on August 26, 2013 that was continued to September 9, 2013 to consider a road variance request from Bob Betcher for Parcel No. 795501901200 for alley to access lot 12 of block 9. On September 9, 2013 the decision was postponed to September 16, 2013 in order to allow Commissioner Herb Welch sufficient time to review the materials. Notice of this hearing was published in *The Montesano Vidette* August 8, 2013.

Commissioner Herb Welch motioned to approve the road variance request from Bob Betcher. There was no seconded, so the motion died.

ACTION: A motion was made, seconded and passed to deny the road variance request from Bob Betcher for Parcel 795501901200, Alley to access lot 12 of Block 9. Commissioner Welch voted against the motion.

Commissioner Cormier stated his reason for denying the request was the applicant owns sufficient property to construct a road.

4. Continued Hearing - Road Variance from Private Roadway Section B - request by Terry Rothell for 675 Mox Chehalis Road: There was a public hearing on September 9, 2013 and continued to September 16, 2013 to consider a road variance application by Terry Rothell for property located at 675 Mox Chehalis Road. Notice of this hearing was published in *The Montesano Vidette* August 29, 2013.

Commissioner Gordon asked for a staff report. Russ Esses, County Engineer, reported Terry Rothell has requested a variance for a reduction in the required minimum private road standards,

which is to be a requirement of his future plans to develop the subject property with a single-family residence. This property is located at 675 Mox Chehalis Road. The request is for the following: Private Roadway Section B. The applicant is requesting a reduction in the minimum requirements for roadway section B which includes reduction on the required 60-ft easement width to the existing 20-foot built roadway; to allow the current roadway to remain at its steepest grade of 14%; and to remove the requirement for a cul-de-sac turnaround.

Mr. Esses went through his review checklist for all variance applications:

1. Public Interest: He stated this request is not in the public's interest.
2. Safety: The requirements for safety based, on sound engineering judgment, are not fully met.
3. Function: The requirements for function based, on sound engineering judgment, are not fully met.
4. Fire Protection: The Fire District provided a letter.
5. Appearance: Appearance is not an issue.
6. Maintainability: The requirements for maintainability, based on sound engineering judgment, are not fully met.

Mr. Esses stated he recommends denial of the variance request.

Commissioner Gordon asked if there was any public comment.

Terry Rothell, applicant, corrected the publicized address of the request to 675 Mox Chehalis Road and introduced his daughter, Amy Barris, to explain the request.

Amy Barris, stated the road will lead to a temporary dwelling for care-giving purposes. She stated the Fire Department had no problems with the variance.

Russ Esses stated he does not deal with conditional uses; he uses road standard codes.

Curt Crites, Planner III, stated as part of the application for conditional use for care-giving, the road access is reviewed, which resulted in this application for a road variance. When temporary permits are issued for a dwelling, it is monitored annually.

Acting Chair Frank Gordon called for additional public comment. There was none. Commissioner Gordon expressed an interest to go look at the property. Commissioner Welch wanted more time to read the information.

ACTION: A motion was made, seconded and passed to continue the hearing to September 23, 2013 and to allow the hearing to be left open.

PUBLIC COMMENT

Commissioner Gordon 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.

Linda Webb, Hoquiam, commented that there were no more agendas available.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

September 16, 2013 Regular & Morning Meeting

Coroner:

Monthly Report for August 2013

Public Health:

Application for grant – Thrive by Five for the PAT Program

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

COMMISSIONERS:

None

DEPARTMENTS

Management Services:

- 1. Request Approval, Resolution – Budget Transfer, Special Projects \$10,000:** A motion was made, seconded and passed to approve **Resolution No. 2013-093 authorizing a transfer in the Grays Harbor County Miscellaneous Fund Special Projects in the amount of \$10,000.** This transfer will cover the County's dedicated funding for the Satsop Flood Plain and Kersh Wishkah River projects not covered by the OFM grant. Adequate funds are available in the ending cash balance to allow this transfer.
- 2. Request Approval, Resolution – Budget Transfer, Stadium Fund \$10,000:** A motion was made, seconded and passed to approve **Resolution No. 2013-094 authorizing a transfer in the Grays Harbor County Miscellaneous Fund Stadium Fund in the amount of \$10,000.** This resolution will authorize additional budget for expenditures associated with the construction of the Agriculture Building at the fairgrounds. Adequate funds are available in the ending cash balance to allow this transfer.
- 3. Request Approval, Chehalis Basin Lead Entity Grant with the Recreation and Conservation Office – July 1, 2013 through June 30, 2014 in the amount of \$52,250:** A motion was made, seconded and passed to approve the Recreation and Conservation Office Grant for the Chehalis Basin Lead Entity for the period of July 1, 2013 through June 30, 2014 in the amount of \$52,250.

Public Services:

1. Request Approval, Resolution – Local Declaration of Emergency for Stevens Creek Bridge and Caldwell Creek Bridge: A motion was made, seconded and passed to approve **Resolution No. 2013-095 declaring a local emergency in Grays Harbor County for Stevens Creek Bridge M.P. 10.7 on Kirkpatrick Road and Caldwell Creek Bridge M.P. 4.07 on Wynoochee Road.** The Stevens Creek Bridge at M.P. 10.7 on Kirkpatrick Road was damaged by a vehicle accident on September 16, 2013. Commissioner Gordon stated twenty-one bridge railing posts were damaged and the repairs are covered by insurance. The Caldwell Creek Bridge at M.P. 4.07 on the Wynoochee Road has a crushed cap that needs to be replaced.

ANNOUNCEMENTS

Commissioner Gordon announced the following events for Saturday September 21, 2013:

- Discover Lake Sylvia Fall Festival in Montesano
- Chehalis Watershed Festival at Morrison Riverfront Park and the Log Pavilion in Aberdeen

CORRESPONDENCE

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, September 16, 2013, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room 1. Commissioners Wes Cormier and Frank Gordon and Clerk of the Board Donna McCallum reviewed agendas, calendars and pending daily office issues. Commissioner Herb Welch was present by phone. The Board met with Joan Brewster, Public Health and Social Services Director, regarding agenda items and the Mental Health Sales Tax 2014 Budget; Public Services Representatives regarding requests, agenda items and department updates: Road Engineer Russ Esses, Public Services Director Kevin Varness, and County Surveyor Tom Gray.

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

RESOLUTIONS:

No. 2013-093

**Authorizing a transfer in the Grays
Harbor County Miscellaneous Fund
Special Projects in the amount of \$10,000**

No. 2013-094

**Authorizing a transfer in the Grays
Harbor County Miscellaneous Fund
Stadium Fund in the amount of \$10,000**

No. 2013-095

Declaring a local emergency in Grays Harbor County for Stevens Creek Bridge M.P. 10.7 on Kirkpatrick Road and Caldwell Creek Bridge M.P. 4.07 on Wynoochee Road

ORDINANCES:

None

INTERGOVERNMENTAL AGREEMENTS:

None

The meeting adjourned at 2:38 p.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