

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING

March 3, 2014

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, March 3, 2014, at 2:00 p.m. Commissioners present were Frank Gordon and Herb Welch. Donna McCallum, Clerk of the Board, was present to record the meeting. James Baker, Senior Deputy Prosecuting Attorney, was also present.

CALL TO ORDER AND FLAG SALUTE

BIDS:

None

HEARINGS:

1. Ordinance – amending Ordinances 241, 242, 252, 264, 265, 291, 293, 299, 306, 333, 336, 373 and Chapters 17.04, 17.08, 17.12, 17.16, 17.20, 17.24, 17.42, 17.44, 14.48, 17.52, and 17.57 of the Grays Harbor County Code (GHCC) to implement Initiative 502 and Chapter 314-55 of the Washington Administrative Code pertaining to use of land for the production, processing or dispensing of cannabis or cannabis products on unincorporated land in Grays Harbor County: A hearing was held on March 3, 2014 to consider an Ordinance amending Ordinances 241, 242, 252, 264, 265, 291, 293, 299, 306, 333, 336, 373 and Chapters 17.04, 17.08, 17.12, 17.16, 17.20, 17.24, 17.42, 17.44, 14.48, 17.52, and 17.57 of the Grays Harbor County Code (GHCC) to implement Initiative 502 and Chapter 314-55 of the Washington Administrative Code pertaining to use of land for the production, processing or dispensing of cannabis or cannabis products on unincorporated land in Grays Harbor County. Notice of this hearing was published in *The Vidette* on February 20, 2014. Commissioner Gordon called for a staff report.

John Kliem, Creative Community Solutions, stated he was the consultant that worked with the County to form this Ordinance. He explained a task force was created in 2013 to look at the issues involved in implementation of I-502. He stated land use issues were discussed in the meetings and the draft Ordinance is a result of these meetings. He stated WAC's are in place and the Washington State Liquor Control Board is regulating recreational marijuana. He stated the number of retail sites has been set by the state and there are no limits to production or processing plants. The Planning Commission considered the Ordinance at the February meeting and has approved the draft.

Mr. Kliem stated the key concepts included in the draft Ordinance are as follows:

- Zoning areas of R1, R2 and R3 were eliminated from consideration for sites for any purpose

- Businesses must have a Washington State Liquor Control Board License.
- Locations for producer, processor and retail will fall under commercial and agriculture zoning.
- Conditional use requests will go to the Board of Adjustment for consideration.

Commissioner Welch asked for clarification on the sequence of events that would lead up to someone being licensed. John Kliem explained the state process and explained local control. James Baker, Senior Deputy Prosecuting Attorney, stated this hearing is to consider the zoning aspects of the process. He stated there are six retailers allowed in the county.

Commissioner Gordon stated there needs to be revenue to support the additional mandates that will come with this implementation.

John Kliem stated some bigger cities are looking into how they can use this as a revenue source. He stated the County may want to wait and see what others are doing and may be able to tax in the future.

Commissioner Gordon called for public comment.

Caroline Perry, Hoquiam, stated she was on the task force and worked to make it non-impactful. She encouraged the County to research a B&O tax and other local revenue from this source. She supported passage.

Jackie Farra, Ocean Shores, stated she cares about the potential of local revenues.

James Baker stated cities can assess a B&O tax, but the County does not have that ability.

There were no further comments and the hearing was closed.

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

ACTION: A motion was made, seconded and passed to postpone a decision on the ordinance for one week in order to include Commissioner Cormier.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

February 24, 2014 Regular and Morning Meeting

Commissioners:

Reappointment of Luanne Stricevich to the Housing Authority for a term ending April 2019

Set Hearing Date – *March 17, 2014* – Open Space Timber, applicants Robert and Annette Tometich for parcel no. 190935240010

Set Hearing Date – *April 7, 2014* – Open Space Timber, applicant Kari Eaton for parcel no. 160816210010

Set Hearing Date – *April 21, 2014* – Open Space Timber, applicant Gail Tornquist

Public Services:

Request for Qualifications for professional services to assist in the planning for Criminal Justice Facilities – approx. cost of \$20,000, Facility Capital Fund

Set Bid Date – ~~*May 5, 2014*~~ *April 7, 2014* – Two police utility vehicles one police 4x4 vehicle and two $\frac{3}{4}$ ton 4x4 extended cab pick-ups

Correspondence:

PUD #1, Grays Harbor County gross revenue report for 2013

PUD #2, Pacific County gross revenue report for 2013

ACTION: A motion was made, seconded and passed to approve the Consent Agenda with the change to the date of the Bid opening as noted.

COMMISSIONERS:

1. **Superior Court Indigent Defense Contract with James Foley:** A motion was made, seconded and passed to approve the Superior Court Indigent Defense Contract with James Foley.

DEPARTMENTS:

Management Services:

1. **Request Approval, Resolution – Budget Transfer – Central Services Replacement Fund, \$75,000:** A motion has been made, seconded and passed to approve **Resolution No. 2014-030 transferring items in the Grays Harbor County Miscellaneous Fund Central Services Replacement Fund in the amount of \$75,000.** This resolution will authorize \$75,000 in capital outlay appropriations for a software upgrade and a data backup/disaster recovery solution.

2. **Request Approval, Resolution – Budget Transfer - Homeless Housing, \$84,000:** A motion has been made, seconded and passed to approve **Resolution No. 2014-031 transferring items in the Miscellaneous Fund Homeless Housing in the amount of \$84,000.** This resolution increases professional services for rental assistance to Emerson Manor tenants made homeless or at risk of homelessness and in need of immediate short term shelter services due to an emergency evacuation.

Public Health and Social Services:

- 1. Request Approval, Amendment 2 to the Behavioral Health Resources Outpatient Services Contract – amending the hourly rate paid for publicly funded mental health services for April 2014 through September 2014 to \$185 for the blended rate and \$33 for the group rate:** A motion was made, seconded and passed to approve Amendment 2 to the current outpatient service contract with Behavioral Health Resources. This contract provides publicly funded mental health treatment services including counseling, psychiatry and residential supports, amending the hourly rate paid for publicly funded mental health services for April 2014 through September 2014 to \$185 for the blended rate and \$33 for the group rate
- 2. Request Approval, On the Job Training Contract with the Employment Security Department through the WIA Program – contract period of March 3, 2014 through April 25, 2014 for partial reimbursement of an employees’ wage:** A motion was made, seconded and passed to approve the On the Job Training (OJT) Contract with Employment Security Department through the WIA Program. The purpose of this contract is to provide on-the-job training to a qualified displaced worker, for which we will receive partial reimbursement for the employees’ wages. This contract is from March 3, 2014 to April 25, 2014. The union has signed off on this agreement.

Public Services:

- 1. Request Approval, Authorization for the County Engineer to negotiate a contract with Watershed Science and Engineering for the Elma-Porter Flood Mitigation Project:** A motion has been made, seconded and passed to authorize the County Engineer to negotiate a contract with Watershed Science and Engineering for the Elma-Porter Flood Mitigation Project. The Engineering Department evaluated the letter of interest and statement of qualifications for this project, submitted by six consulting firms. The selection was Watershed Science and Engineering. The firm has assembled a team that the department feels is most qualified for this floodplain mitigation project work. They are adequately staffed with qualified personnel who can complete the work within the desired time.

ANNOUNCEMENTS

None

CORRESPONDENCE

None

STAFF MEETINGS

The Board held a regular morning meeting on Monday, March 3, 2014, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners’ Conference Room 1. Commissioners Frank Gordon and Herb Welch, along with Clerk of the Board Donna McCallum

reviewed agendas, calendars and pending daily office issues. The Board met with Chuck Wallace, Deputy Director of Emergency Management, regarding an update of evacuation and repairs of the Emerson Manor and the following Public Services representatives for departmental updates: Environmental Health Director Jeff Nelson, Public Services Director Kevin Varness, ER&R Director Jerry Benedict and County Engineer Russ Esses.

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

RESOLUTIONS:

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|---------------------|---|
| No. 2014-030 | Transferring items in the Grays Harbor County Miscellaneous Fund Central Services Replacement Fund in the amount of \$75,000 |
| No. 2014-031 | Transferring items in the Miscellaneous Fund Homeless Housing in the amount of \$84,000 |

ORDINANCES:

None

INTERGOVERNMENTAL AGREEMENTS:

None

The meeting adjourned at 2:43 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2014

FRANK GORDON, Chairman, District 2

WES CORMIER, Commissioner, District 1

HERB WELCH, Commissioner, District 3

ATTEST:

Donna McCallum, Clerk of the Board