

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING
August 29, 2016

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 29, 2016, at 2:00 p.m. Commissioners present were Vickie Raines, Wes Cormier and Frank Gordon. Jenna Amsbury, Clerk of the Board, was present to record the meeting. Deputy Prosecutor, Norma Tillotson, was also present.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

BIDS:

1. 2016 Traffic Control Devices Supply Contract: Notice was published in The Montesano Vidette that sealed bids would be received on August 29, 2016 for the 2016 Traffic Control Devices Supply Contract. The Clerk of the Board announced the following bids were received with bond attached as follows:

Bidder	Location	Bid Amount
Traffic Safety Supply	Portland, OR	\$41,470.60
Zumar	Tacoma, WA	\$39,334.07

The bids will be forwarded to the Public Services Department for review and recommendation.

HEARINGS:

1. Supplemental Budget - Illahee/Oyehut Sewer System, \$100,000: There was a public hearing on August 29, 2016 to consider a Supplemental Budget in the Illahee/Oyehut Sewer System in the amount of \$100,000. Notice of this hearing was published in *The Montesano Vidette* August 18, 2016 and August 25, 2016. Commissioner Raines called for a staff report. Brenda Sherman, Budget Director stated this resolution establishes an operating budget for this new fund.

Commissioner Raines called for public comment.

There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2016-101 authorizing a Supplemental Extension in the budget of the Grays Harbor County Miscellaneous Fund Illahee/Oyehut Sewer System in the amount of \$100,000.

PUBLIC COMMENT:

None

CONSENT AGENDA:

Minutes:

Morning/Regular Meetings: August 22, 2016

Management Services:

Set Hearing Date: *September 12, 2016* – Supplemental Budget Request Substance Abuse Fund, \$38,768

Public Services:

Set Hearing Date – *September 12, 2016* – Variance from County Road Standards (C), Big Lodge Ridge LLC, Central Park

Sheriff:

Sheriff Scott's Public Official Bond, October 1, 2016 through October 1, 2017

Correspondence:

Appointments to the Voluntary Stewardship Program Committee for term ending August 2018: District 1, Terry Willis and Kyle Deerkop

WSLCB: Seabrook Community Foundation, 10/1/16

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

COMMISSIONERS:

1. Acceptance of the 2016 Salmon Recovery Project Funding List for the Chehalis

Lead Entity: A motion was made, seconded and passed to approve the 2016 Salmon Recovery Project Funding list for the Chehalis Lead Entity Program. This list recommends habitat restoration projects for funding by the Salmon Recovery Funding Board, in rank order. The list was produced by the Local Review Team, following procedures outlined in the Chehalis Basin Salmon Habitat Restoration and Preservation Strategy for WRIA 22 and 23 (2011). Grays Harbor County, as Lead Entity for Salmon Recovery for the Chehalis Basin watershed, is responsible for submitting the list to the Salmon Recovery Funding Board.

2. Resolution – rescinding Resolution No. 88-08 and establishing a franchise rate for television, cable wireless and internet services:

A motion was made, seconded and passed to approve **Resolution No. 2016-102 rescinding Resolution 88-08 and establishing a franchise fee rate for television cable, wireless and internet services.** Since establishment of Resolution 88-08, franchises for wireless and internet services have been granted; these franchises were not common at the time and, therefore, they were not included in the resolution. The Commissioners' find that there is a need to add wireless and internet to the list of services for which franchise fees must be charged. There is also a need to increase the franchise fees pursuant to federal regulations, which currently limit the fees that may be charged by governmental entities for issuance of franchises to five percent of the franchisee's gross revenue.

**The Clerk of the Board announced the following item was added to the agenda:

3. Interlocal Agreement with the Confederated Tribes of the Chehalis for recognition of Chehalis Tribal Police Officers as General Authority Peace Officers under the Tribal Police Officers Act: A motion was made, seconded and passed to approve the Interlocal Agreement with the Confederated Tribes of the Chehalis for recognition of Chehalis Tribal Police Officers as General Authority Peace Officers under the Tribal Police Officers Act under RCW Chapter 10.92. The Sheriff and Deputy Prosecuting Attorney have reviewed and approved the agreement.

Convene as - BOARD OF HEALTH:

Commissioner Raines moved out of the Regular Meeting and into a Meeting of the Board of Health to consider the following agenda item:

1. Hearing – Appeal of a Notice of Violation and Order to Correct Concerning Occupancy of a Recreational Vehicle Without Sanitary Facilities, Case 2016-0046: A public hearing was held on August 29, 2016 to consider an appeal under Grays Harbor County Code Section 8.20.080 for an order to correct requirements associated with living in a recreational vehicle without sanitary facilities approved by the Health Officer at 18 Kirkpatrick Road, Hoquiam, Washington, Parcel No. 191129140100 – Case No. 2016-0046. Notice of this hearing was published in the Montesano Vidette on August 18, 2016. Commissioner Raines asked for a staff report.

Jeff Nelson, Environmental Health Director, read the staff report as follows:

A complaint was received by the Environmental Health Division that the property at 18 Kirkpatrick Road, tax parcel No. 191129140100, was discharging waste on to the ground from multiple Recreational Vehicles (RVs) that are occupied on a full time bases. After verifying that at least one of the RVs was occupied on a full-time basis without proper connections to approved sanitary facilities, a Notice of Violation (NOV) letter was sent via certified mail on May 20, 2016 and returned unclaimed on June 16 2016. A copy of the NOV and order to correct was then physically posted on the property on July 01, 2016. Subsequently the property owner, Ben Taylor, sent a letter via certified mail to our office which was received on July 8, 2016, requesting a hearing before the board so that the requirements outlined in the NOV could be appealed. In that letter Mr. Taylor notes that he will reduce the number of RVs on site to two or less but will be requesting that he be allowed to continue full-time occupancy in at least one RV. In his letter he requested an inspection of the on-board sanitary facilities noting that both his and his neighbor's water system sources are less than the required 100-feet away from his neighbor's septic system. Mr. Taylor in his letter notes that he has limited financial ability to evaluate and connect to the mills old water and septic system.

FINDINGS OF FACT

A site visit conducted on May 17, 2016 by Mike Bernheine in our office confirmed the occupancy of at least one of four RVs that were on site at the time. He also confirmed that the

RV was not connected to an On-site Sewage System (OSS). A review of existing permit documentation related to this property failed to show evidence that an OSS was ever permitted.

This is in violation of Grays Harbor County Code Chapter 8.20 relating to Recreational Vehicles and Camping. In the Notice of Violation it is noted that Mr. Taylor needs a connection to both an adequate potable water supply and OSS in order to comply with code requirements.

CONCLUSIONS

The occupancy of RVs continues to be a commonly reported nuisance in many areas of the county but can be considered compliant with code so long that occupancy does not pose a risk to the public health via the improper disposal of black and grey water, which is likely to occur anytime an RV, which is designed for short-term occupancy only, is occupied on a full time basis. Traditionally, the health officer has only considered an OSS as approved sanitary facilities when considering waste disposal under full time occupancy. Whether or not a given on-site sewage system is permitted or not does not necessarily negate its use so long as the functioning status of the system can be verified.

RECOMMENDATIONS

The property owner be given a reasonable amount of time (no more than 6 months for example) to develop both a connection to an adequate water supply and OSS under the condition that he agrees to manage ALL wastewater (including grey water) by ensuring its proper disposal; i.e., by contracted use of a sani-can and greywater holding tank that are pumped at whatever frequency is needed so as not to exceed holding capacity.

- a. Until a newly permitted OSS is designed, approved and installed OR;
 - b. An existing OSS can be located, evaluated and if functional connected to the RV.
- Alternatively – that the property be vacated completely until such time that, in addition to establishing a connection to a potable water supply, items (a) or (b) above can be achieved.

Commissioner Raines called for public comment.

Duane McDougan, advocate for the applicant, stated the applicant is trying to get power on site. There is a well and septic on the site that could be used, once found and reviewed. He is also trying to get grants or other funding for connections, but has not been successful. He now has a sani-can on the site. He is in contact with the Quinault Nation to ask for assistance. Mr. McDougan stated the applicant is trying to do what he can with the money he has to correct the issue. He noted that he has removed excess RVs and is down to the one he lives in and the one he has storage in.

David Bishop, neighbor, stated he filed the complaint due to drainage of sewage within feet of his well. He asks that at least a sani-can be required, but he would rather have the applicant vacate the property. He does not think there is a septic system on the property that is functional and the well may also have issues. His main concern is his own well and the problem with black water near it.

Action: A motion was made, seconded and passed to approve a three-month extension to Notice of Violation to the applicant time to determine how to connect to on site-sewage. There will be a three-month status report, where the applicant will need to show progress and a direction for the future. Commissioner Gordon asked Environmental Health to help the applicant through the process, as needed.

Commissioner Raines moved out of the Board of Health meeting and back into the Regular meeting of the Board of County Commissioners.

Convene as – DRAINAGE DISTRICT 2:

Commissioner Raines moved out of the Regular Meeting and into a meeting of the Drainage District No. 2 Commissioners to consider the following agenda item:

1. **Award Contract for Ditch Maintenance to Gordy Bagnell Trucking Inc. - \$14,169.02:** A motion was made, seconded and passed to award the contract for ditch maintenance to Gordy Bagnell Trucking Inc., of Olympia, Washington, for \$14,169.02. Three proposals were received for the project, and Mr. Bagnell was the lowest offer.

Commissioner Raines moved out of the Drainage District No. 2 Commissioners meeting and back into the Regular meeting of the Board of County Commissioners.

DEPARTMENTS:

Management Services:

1. **Request Approval, Staffing Agreement with Express Employment Professionals for assistance in seeking a temporary Clerk Typist in Public Works:** A motion was made, seconded and passed to approve a Staffing Agreement with Express Employment Professionals for assistance in seeking a temporary Clerk Typist in Public Works from September 2016 through December 2016.

2. **Request Approval, Resolution establishing Miscellaneous Public Safety Sales Tax Fund for revenue received from public safety sales tax and designating the use of the fund:** A motion was made, seconded and passed to approve **Resolution No. 2016-103 establishing a special revenue fund named Public Safety Sales Tax.** This fund will be used to account for revenue and expenditures of the 3/10 of 1% sales tax effective January 1, 2017.

3. **Request Approval, Budget Transfer – Aberdeen Landfill Post-Closure, \$300,000:** A motion was made, seconded and passed to approve **Resolution No. 2016-104 transferring items in the Aberdeen Landfill Post-Closure Fund in the amount of \$300,000.** This resolution will authorize budget for a loan to the Fair Building Construction Fund for repairs to the pavilion roof. Adequate funds are available in the ending cash balance to allow this transfer.

Public Health and Social Services:

- 1. Request Approval, Rural Housing Community Development Initiative Grant Agreement with USDA for capacity building to develop permanent supportive housing and employment, term of September 2, 2016 through September 1, 2019, \$249,100:** A motion was made, seconded and passed to approve the USDA Rural Housing Community Development Initiative Grant Agreement and EFT/ACH in the amount of \$249,100. This grant will provide capacity building to develop permanent supportive housing, supported employment and affordable training. A match rate of \$249,100 was approved at the August 1, 2016 Commissioner meeting. The match will be made with document recording fee reserves.
- 2. Request Approval, Interagency Agreement with Grays Harbor County Sheriff's Office for medications prescribed by jail medical personnel to treat behavioral health problems including mental disorders and substance use disorders, term of contract July 1, 2016 through December 31, 2016, \$33,183:** A motion was made, seconded and passed to approve an Interagency Agreement with Grays Harbor County Sheriff's Office. This agreement pays for medications prescribed by jail medical personnel to treat behavioral health problems including mental illness and substance use disorders. When untreated, these conditions are a primary driver of recidivism in the justice system. Term of contract is July 1, 2016 through December 31, 2016. The total amount of this agreement is \$33,183 and is funded by Treatment Sales Tax dollars.
- 3. Request Approval, Interagency Agreement with Grays Harbor County Sheriff's Office for GHCSO Deputy specializing in the needs of persons with behavioral health problems, term of contract July 1, 2016 through December 31, 2016, \$43,717.50:** A motion was made, seconded and passed to approve an Interagency Agreement with Grays Harbor County Sheriff's Office. This agreement provides a GSCO Deputy specializing in the needs of persons with behavioral health problems. Delivers non-medical services directly related to recovery from mental illness or substance use disorders. These include but are not limited to assistance with application for healthcare benefits, development of a care plan to address mental illness and/or substance use disorders upon discharge from jail, care coordination services as appointment scheduling, transportation to appointments, education for inmates on behavioral health problems and treatments available, administering urinalysis, assisting medical staff with arrangements to receive referrals and safely interact with inmates for treatment services. Term of contract is July 1, 2016 through December 31, 2016 in the amount of \$43,717.50.
- 4. Request Approval, Interagency Agreement with Grays Harbor County Sheriff's Office for medical treatment to address mental illness, substance use disorders or the complications arising from them, term of contract July 1, 2016 through December 31, 2016, \$85,458:** A motion was made, seconded and passed to approve an Interagency Agreement with Grays Harbor County Sheriff's Office. This agreement pays for Medical treatment to address mental illness, substance use disorders or the complications arising from them. This includes the services of a physician or registered nurse. Term of contract is July 1, 2016 through December 31, 2016 in the amount of \$85,458.

- 5. Request Approval, Interagency Agreement with Grays Harbor County Sheriff's Office for urinalysis kits and processing and operating expenses, term of contract July 1, 2016 through December 31, 2016, \$23,850:** A motion was made, seconded and passed to approve an Interagency Agreement with Grays Harbor County Sheriff's Office. This agreement pays for urinalysis kits, lab costs for urinalysis, cell phone for communications, travel expenses, mileage and training for GHSCO staff performing behavioral health intervention duties and GHSCO behavioral health program administration expenses. Term of contract is July 1, 2016 through December 31, 2016 in the amount of \$23,850 and is funded by Treatment Sales Tax Dollars.
- 6. Request Approval, Workshop Agreement with Educational Services District No. 112 for ESD 112 to provide SMART Team training professional, training will be held on September 20-21, 2016, \$3,000:** A motion was made, seconded and passed to approve a Workshop Agreement with Educational Service District No. 112 for SMART Team Training professional development for crisis response team. This training will be paid for by the Suicide Prevention Grant and will be held on September 20-21, 2016.
- 7. Request Approval, Vendor Services Agreement with the Trauma Stewardship Institute for consultation, development and preparation curriculum, training will be held on September 16, 2016, \$6,200 - funds for training from Maternal Child Health Block Grant:** A motion was made, seconded and passed to approve a Vendor Services Agreement with the Trauma Stewardship Institute. This vendor will provide consultation, development and preparation of curriculum and training will be provided for Health Department employees on September 16, 2016. The cost for this training and consultation is approved for up to \$6,200 and funds for this training will come from the Maternal Child Health Block Grant.
- 8. Request Approval, Vendor Services Agreement with Linda Gwin as a replacement for the My TOWN Coalition to provide updates and maintain the content of the Coalition's Facebook page, term of contract August 23, 2016 through June 30, 2016, \$2,310:** A motion was made, seconded and passed to approve a Vendor Services Agreement with Linda Gwin for a replacement person for the My TOWN Coalition. This vendor will provide updates and maintain the content of the Coalition's Facebook page and help develop the "My TOWN" website. Funding is not to exceed \$2,310 and comes from the Substance Abuse Block grant and the Partnership for Success Grant.

ANNOUNCEMENTS:

No Meeting on Monday, September 5, 2016 due to the Holiday.

PUBLIC COMMENT:

Helen Sanders, 53 Howanut Rd., Oakville, stated there is a problem with dirt on the road from trucks coming onto the road from logging and there was a water line installed under Elma-Gate Road, that she does not think was permitted.

Commissioner Raines announced a recess at 2:33 p.m. to move to Conference Room No. 1 for the Media Session.

Media Session:

Commissioner Raines reopened the meeting at 2:35 p.m. in Conference Room No. 1. Commissioners present were Vickie Raines, Frank Gordon and Wes Cormier. The media and Commissioners exchanged comments and questions on County business.

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

RESOLUTIONS:

No. 2016-101	Authorizing a Supplemental Budget in the Illahee/Oyehut Sewer System in the amount of \$100,000
No. 2016-102	Establishing a franchise fee rate for television cable, wireless and internet services
No. 2016-103	Establishing a special revenue fund named Public Safety Sales Tax
No. 2016-104	Transferring items in the Aberdeen Landfill Post-Closure Fund in the amount of \$300,000

INTERGOVERNMENTAL AGREEMENTS:

- Interlocal Agreement with the Confederated Tribes of the Chehalis for recognition of Chehalis Tribal Police Officers as General Authority Peace Officers
- Workshop Agreement with Educational Services District No. 112

At 2:44 p.m. Commissioner Raines adjourned the meeting.

BOARD OF COMMISSIONERS
For Grays Harbor County

This _____ day of _____, 2016

VICKIE L. RAINES, Chairman, District 3

WES CORMIER Commissioner, District 1

FRANK GORDON, Commissioner, District 2

ATTEST:

Jenna Amsbury, Clerk of the Board