

MINUTES

BOARD OF COMMISSIONERS – Grays Harbor COUNTY REGULAR MEETING

June 4, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, June 4, 2007, at 2:00 p.m. Commissioners Bob Beerbower, Al Carter and Mike Wilson were present. Jim Baker, Senior Deputy Prosecuting Attorney was present. Also in attendance was Donna Caton, Clerk of the Board.

CALL TO ORDER AND FLAG SALUTE

Chairman Carter called the meeting to order with the pledge of allegiance.

MINUTES

May 21, 2007: A motion was made, seconded and passed to approve the minutes of the regular meeting of May 21, 2007.

PRESENTATION:

None

BIDS

None

HEARINGS

1. Continued from May 14, 2007 – PTH Investments, LLC Application for Long Plat Subdivision: The Clerk of the Board announced that this hearing was continued from May 14, 2007. The public hearing was to consider the following: PTH Investments, LLC has submitted an application for a Long Plat Subdivision permit pursuant to Grays Harbor County Code Title 16.20, to subdivide 5.5-acres of land into 8 lots ranging between 20,000-square feet and 40,000-square feet in size. The project is proposed on the property having Assessor's parcel #170811230100 and 170811230110, within the Northwest Quarter of Section 11, Township 17 N., Range 8 WWM, Grays Harbor County, Washington. Further information on the application was available from Grays Harbor County Planning Division, 100 West Broadway, Suite 31, Montesano, Washington. Notice of this hearing was published in the *Montesano Vidette* on May 3, and May 10, 2007.

Action: A motion was made, seconded and passed to continue this hearing to June 18, 2007.

2. Petition by Steve Andrews to Vacate Right of Way – in Plat of Pacific Beach Highland Heights: There was a public hearing to consider a right of way vacation pursuant to RCW 36.87.010 regarding the following: Vacating those portions of Spruce Avenue lying between Lots 1, 2 and 3 of Block 11 and Lots 7, 8 and 9, of Block 10, and the portion of Spruce Avenue lying between Lots 1, 2 and 3 of Block 16 Lots 7, 8 and 9, of Block 17 all within the Plat of Pacific Beach Highland Heights, Section 17, Township 20 North, Range 12 West, W.M., recorded in Volume 5 of Plats, page 27. This petition was filed by Steve Andrews to vacate the above described right of way. Notice of this hearing was advertised in the *Montesano Vidette* on May 24 and 31, 2007. Chairman Carter asked for a staff report. Thomas Gray, Assistant County Surveyor, reported that on April 12, 2007 the Department of Public Works received an application from Steve Andrews to vacate portions of Spruce Street within the plat of Highland Heights. The applicant specifically seeks to vacate those portions of Spruce Street lying between Block 10, Lots 7, 8, and 9, and Block 11, Lots 1, 2, and 3, and that portion lying between Block 16, Lots 1, 2, and 3 and Block 17, Lots 7, 8, and 9, all within the plat of Highland Heights. The Board of County Commissioners initially accepted Spruce Street into the county road system on September 9, 1922. This road was dedicated to the public as part of the plat of Highland Heights; recorded in Volume 5 of plats, page 27. On May 10, 2007, Mrs. Elsie Nilles sent a letter expressing her concern about drainage issues as a result of any development that might occur on property adjoining the proposed area of vacation and the potential to land lock any properties. Mr. Gray reported that during a telephone conversation that he had with her and her husband, she also mentioned that they thought that Lot 8, of Block 17, which they own, would be landlocked by this vacation. Mr. Gray explained to Mrs. Nilles that if the vacation were approved the Easterly half of Spruce street lying adjacent to Lots 7 and 8 would become their property. Mr. Gray reported that he contacted Mr. Andrews immediately after speaking with the Nilles' and informed him as to their concerns, in an effort to provide both parties with the opportunity to reach a mutual understanding. This road does not lead to a body of water, nor will any properties be landlocked as a result of this vacation. By vacating these portions of Spruce Street the county maintenance costs will be eliminated. Furthermore, this action will economically protect the county from any potential liability in the future. The Department recommended that the Order of Vacation be approved.

Chairman Carter asked for public comment. Steve Andrews, applicant, spoke in support of the right-of-way petition. Jim Hudspeth, Pacific Beach, report that he and his wife own 9 lots in the subdivision. He stated that he is not opposed to the right-of-way vacation but is concerned about fire safety and that fire equipment would be able to access the properties. Mr. Gray responded to concerns and explained that the roads involved in the vacation are unopened County right-of-ways and there is not a road there at this time. It was confirmed that none of the lots would be landlocked. There was no additional public comment and the hearing was closed.

Action: A motion was made, seconded and passed to approve Resolution No. 2007-57 – Order of Vacation -- Steve Andrews.

3. Open Space Land Classification Request – Donald and Enola Stedman:

There was a public hearing to consider an Open Space request by Donald and Enola Stedman for Lots 1-10 including the vacated half of the adjacent streets and alleys, Block 1, Plat of Ocosta First Addition, Lots 1-24, Block 9, Plat of Ocosta First Addition; together with Lots 1-24, Block 10, Plat of Ocosta First Addition; together with Lots 1-24, including the vacated half of the adjacent streets and alleys, Block 11, Plat of Ocosta First Addition, Lots 1-5 including the vacated half of the adjacent streets and alleys, Block 13, Plat of Ocosta First Addition, Lots 6-10, Block 13, Plat of Ocosta First Addition, together with Lots 1-24, Block 14, Plat of Ocosta First Addition; together with Lots 1-24, Block 15, Plat of Ocosta First Addition, together with Lots 1-24 including the vacated half of the adjacent streets and alleys, Block 16, Plat of Ocosta First Addition, and Lots 1-24, Block including the vacated half of the adjacent streets and alleys, Blocks 26, Plat of Ocosta First Addition. Notice of the hearing was advertised in the *Montesano Vidette* on May 24, 2007. Chairman Carter asked for a staff report. Brian Shea, Planning and Building Division Director, reported that the request is for an open space land classification. Mr. Shea reported that the total acreage of parcels included in this request is 22.06-acres. The Grays Harbor County Zoning District for the property is General Development 5-Acre (G-5). The Comprehensive Plan Map Designation is urbanizing. Mr. Shea referenced the Applicable Code and Plans section of the staff report and discussed the Revised Code of Washington (RCW) 84.34.020 Definitions. The United States Department of Agriculture Soil Survey of Grays Harbor County Area, Pacific County, and Wahkiakum County, Washington was used when examining the request. The site contains Calawah Silt Loam Soil with 1-percent to 8-percent slopes and Ocosta Silty Clay Loam Soil. The Soil Survey lists Ocosta Silty Clay Loam Soil as a prime agricultural land soil. Farming is a permitted use in general development 5-acre zoning district. The Grays Harbor County Comprehensive Land Use Map was used in reviewing the application. The proposal is inconsistent with the Grays Harbor County Comprehensive Land Use Plan Map, which indicates that this property is within an area designated as *Urbanizing*. The Plan emphasized transition from undeveloped land development with urban amenities. This property, however, contains wetland areas in sufficient quantity to significantly reduce its potential for residential development. The National Wetland Inventory Maps are intended to provide general information not the presence of wetland areas on a site; the specific location and amount of actual wetland area can only be identified through the preparation of a wetland determination. Upon the completion of the wetland determination, the property owner would then be able to assess the development potential of the site. Mr. Shea outlined the conclusions included in the staff report. The principal issue before the Board of County Commissioners is whether

the application, as presented, demonstrates consistency with the direction provided by the Revised Code of Washington Chapter 84.34.037(2). A County review of the application has resulted in the determination that, while the property does contain wetland areas, it does appear to possess the potential for development consistent with direction provided in the County's General Development 5-Acre Zoning District, the Grays Harbor County Comprehensive Plan, the Grays Harbor Estuary Management Plan, and the United States Department of Agriculture Soil Survey of Grays Harbor County Area, Pacific County, and Wahkaikum County, Washington. This tax reclassification request, based on the information contained in the reclassification application and on the staff conclusions, is not consistent with the reclassification criteria contained in Revised Code of Washington Chapter 84.34.037(2)(b) and Revised Code of Washington Chapter 84.34.037(2)(c). Mr. Shea reported that staff recommendation was to deny the Open Space Land Classification request by Donald and Enola Stedman for property located adjacent to Ocosta Myrtle Street in Grays Harbor County.

Chairman Carter asked for public comment. Bill Kallman, owner of adjacent parcels 30, 35, and 36 and representative of the applicant, discussed the guidance documents, natural state of the property, proximity to a Bottle Beach State Park, salt water flooding of the property, the property tax amount, whether the land is agricultural, and whether the property is needed in open space to protect the shoreline and various species of animals and plants. Ardene Armstrong, Hoquiam, discussed what is allowed to be constructed in open space.

Action: A motion was made, seconded and passed to deny the Open Space classification request by Enola Stedman.

Commissioner Mike Wilson made comment that reducing taxes for one person shifts the burden to others in the county. Chairman Carter made comment on a survey by Commissioner Beerbower that shows statistics on who pays property taxes and those that don't pay or have reduced payments. Brian Shea noted that this application is a tax application and also noted that the zoning is one residence per five acres. He explained the process to build and mitigate the wetlands on the property for development.

PROCLAMATION

1. **National Clean Beaches Week.** A motion was made, seconded, and passed to proclaim the seven-day period ending on July 5th of each year as National Clean Beaches Week.

COMMISSIONERS

1. **Appointment to Human Services Advisory Board – Mary Martinson.** A motion was made, seconded and passed to approve the appointment of Mary Martinson to the Human Services Advisory Board for a three-year term.

2. Designation of Associate Development Organization – to coordinate economic development services. A motion was made, seconded and passed to affirm/designate the Grays Harbor Economic Development Council as the Associate Development Organization to coordinate economic development services for the county under contract with the Washington State Department of Community, Trade, and Economic Development.

The Clerk of the Board announced the following item that was added to the agenda after publication:

3. Set Hearing Date – Ordinance Amending Grays Harbor County Ordinances 97-237 and 99-256 to implement additional sales and use tax authorized by Chapter 478, Laws of 2007. June 25, 2007 at 2:00 p.m. is the date and time set for a hearing on the proposed Ordinance Amending Grays Harbor County Ordinances 97-237 and 99-256 to implement additional sales and use tax authorized by Chapter 478, Laws of 2007.

DEPARTMENTS

Fair & Tourism:

1. Request Approval – Contract with Lazy HK Bar Rodeo Company for Bull Riders Only event. Grays Harbor County Fair Entertainment Committee requests authorization to sign a contract with Lazy HK Bar Rodeo Company to provide a Bull Riders Only event. The Bull Riders Only event will take place during the fair in the pavilion Indoor Arena on Saturday, August 11, at 6:00 p.m. The Bull Riders Only event is sponsored by Del's Feed & Farm Supply and Olympic Eagle Distributor. Bull Riders Only is free with fair admission. A limited number of VIP seating tickets will be available beginning June 2. A motion was made, seconded and passed to authorize the Fair Director to sign a contract with Lazy HK Bar Rodeo Company to provide a Bull Riders Only event.

Forestry:

1. Request Approval – Set bid date for Pre-commercial Thinning Project. June 25, 2007 at 2:00 p.m. is the date and time for the opening of sealed bids on a Pre-Commercial Thinning Project. The project is approximately 320 acres on portions of County property.

Management Services:

1. Request Approval – ORV Park Operation Agreement – Centralia Mudslingers. A motion was made, seconded and passed to approve an agreement with Centralia Mudslingers for events on June 9 and 10 and October 6 and 7, 2007.

2. **Request Approval – Budget Hearing – Special Projects Fund.** June 18, 2007 at 2:00 p.m. is the date and time set for a hearing on a Supplemental Budget in the Special Projects Fund for a grant received through the Washington State Military Department in the amount of \$42,757. Funding will be used to support local jurisdictions and tribes that have emergency management programs.

Public Health & Social Services:

1. **Request Approval – Data Sharing Agreement – State Dept. of Health.** A motion was made, seconded and passed to approve an agreement with the State Department of Health. This Agreement will allow department assessment staff to access Healthy Youth Survey data in original form in order to better analyze the responses in a locally useful way. Currently we receive only aggregated information in pre-determined reports. The additional analysis will assist in planning strategies to reduce the use of alcohol, tobacco and other drugs by youth.

2. **Request Approval – Agreement with Grays Harbor College – nursing student program.** A motion was made, seconded and passed to approve an agreement with Grays Harbor College to allow nursing program students to receive training through our department. Nursing students generally spend time with community health nurses seeing clients in WIC and First Steps. The college provides liability insurance for these students. Students act only under close supervision of our staff and perform no invasive procedures.

Public Services:

1. **Request Approval – Declare Vehicles/Equipment Surplus.** A motion was made, seconded and passed to declare the following vehicles and equipment surplus: One (1) 1997 Ford Crown Victoria, one (1) 1999 Ford Crown Victoria, three (3) 2001 Ford Crown Victoria, two (2) 2003 Ford Crown Victoria, one (1) 1998 Dodge ½ ton pickup, one (1) 1993 John Deere grounds mower, and one (1) 1991 John Deer shoulder mower.

2. **Request Approval – Amend contract with Puget Sound Meeting Management Services.** A motion was made, seconded and passed to approve the first amendment to the contract with Puget Sound Meeting Management Services. This amendment will extend the duration of the contract from April 1, 2007 to June 30, 2008 and allow for an increase in the billing rate for 2008. This amendment is eligible for reimbursement through a Department of Ecology grant administered by Grays Harbor County to facilitate the work of the Chehalis Basin partnership.

3. **Request Approval – Award bid – East Aberdeen Sewer project.** On May 21, 2007, the Board received four bids for the East Aberdeen sewer project. Trenchless

Construction Services, LLC of Arlington, Washington is the low bidder. The department conducted review of the bids and checked references. Based on this review, the department recommends that the bid for the project be awarded to Trenchless Construction Services in the amount of \$112,139.24. A motion was made, seconded and passed to award the bid for the East Aberdeen Sewer project to Trenchless Construction Services in the amount of \$112,139.24.

4. Request Approval – Agreement with Washington State Department of Community, Trade, and Economic Development for Coastal Communities Grant. This agreement will provide \$50,000.00 to the Coastal Communities for continued work on coastal issues prior to the end of the biennium (June 30). The supplemental funds were appropriated in the recent Legislative session. A motion was made, seconded and passed to approve an agreement with Washington State Department of Community, Trade, and Economic Development to provide \$50,000.00 to the Coastal Communities for continued work on coastal issues.

5. Request Approval, Emergency Support Function 5 – Emergency Management Plan: A motion was made, seconded and passed to approve Emergency Support Function 5 – Emergency Management Plan. This plan is a part of the County's Comprehensive Emergency Management Plan (CEMP). It was developed and reviewed by jurisdictions and agencies within the County including but not limited to law and fire agencies, E911, public Health and Social Services, and Environmental Health. It will be reviewed and updated on a regular basis. After approval the plan will be posted to the Emergency Management website and a copy will be maintained by the Washington State Emergency Management Division.

6. Request Approval – Local Agency Agreement Supplement #2 – Middle Satsop Road Boat launch Curve Project: A motion was made, seconded and passed to approve the Local Agency Agreement Supplement #2 – Middle Satsop Road Boat launch Curve Project. This agreement requests additional federal funds for this work.

The Clerk of the Board announced the following item that was added to the agenda after publication:

7. Request Approval – Contract for Inter-local Agreement with the Superintendent of Public Instruction: A motion was made, seconded and passed to approve a contract with the Superintendent of Public Instruction to provide reimbursement for health and sanitation evaluations of food service management summer feeding sites in Grays Harbor County. The total dollar amount of this contract is \$2,175.

Annual Engineers Report of Bridge Inspection: The Clerk of the Board announced that Public Services Engineering distributed the annual Engineers Report of Bridge Inspection. During the past year, June 1, 2006 to May 31, 2007, all county bridges requiring inspection had routine and special inspections performed on them.

Treasurer:

1. Sale of Tax Title Property to City of Aberdeen: A motion was made, seconded and passed to approve **Resolution 2007-58** and the Sale Agreement for Tax Title Property for the sale of seven parcels of tax title property to the City of Aberdeen. The county has little use for these parcels, has maintained several of the properties for a number of years, and would benefit from the sale of these parcels to the City of Aberdeen. These parcels are all within the city limits of Aberdeen. Three of these parcels have substantial abatements charged against them which exceed the value of the property. The City has agreed to waive any collection action on our part for their abatements as noted in the agreement and, in exchange, the county will allow the City a credit towards the purchase price in the amount of the certified abatement liens.

ANNOUNCEMENTS

None

CORRESPONDENCE

Grays Harbor Council of Governments distributed the Transit Development Plan for Grays Harbor Transit. The plan was formally adopted by the Transit Board during a public hearing held on May 1, 2007.

PUBLIC COMMENT

Ron Armstrong, Hoquiam, commented on the denied open space application and it's relation to protection of shorelines.

STAFF MEETINGS

The Board held staff meetings on Monday, June 4, 2007, starting at 9:00 a.m. These staff meetings are advertised public meetings, held in the Commissioners' Conference Room. The Commissioners and Clerk of the Board reviewed calendars and pending daily office issues. The Board met with Vern Spatz/Auditor; Maryann Welch, Public Health & Social Services; Jim Baker, Prosecutor's office; Paul Easter, Kevin Varness, Russ Esses, Lee Napier, and Jeff Nelson, Department of Public Services.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|--|
| No. 2007-57 | Order of Vacation (applicant Steve Andrews) |
| No. 2007-58 | Declaration of Tax Title Surplus Property, Order of Sale (City of Aberdeen) |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 2:51 p.m. to Monday, June 11, 2007 at 2:00 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2007

ALBERT A. CARTER, Chairman
Commissioner, District 3

BOB BEERBOWER, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna Caton
Clerk of the Board