

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

August 6, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, August 6, 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 Sharon Meier, Deputy Clerk of the Board.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

July 30, 2007: A motion was made, seconded and passed to approve the minutes of the regular meeting of July 30, 2007.

PRESENTATION:

None

BIDS

None

HEARINGS

1. Community Development Block Grant (CDBG), Community Investment Fund Application: There was a public hearing to review community development and housing needs, inform citizens of the availability of funds and eligible uses of the state Community Development Block Grant (CDBG) program, and receive comments on proposed activities, particularly from low and moderate income persons and persons residing in the Grays Harbor area. Questions regarding the CDBG Program could be answered in advance of the public hearing by contacting Lee Napier, Deputy Director of Community Development at 360-249-4222. The draft application for Phase 1 of the Union Gospel Mission's facility renovation proposal was available for review by contacting Lee Napier of the Department of Public Services, 100 West Broadway, Suite 31, Montesano, Washington. Notice of this hearing was published in the *Montesano Vidette* on July 26, 2007.

Chairman Carter asked for a staff report. Lee Napier, of the Department of Public Services reported that the purpose of this hearing is to receive citizen input concerning a

proposed application to the Community Development Block Grant's (CDBG) Community Investment Fund grant program. For the record, Ms. Napier reported that copies of the public hearing handout provided by Washington State Department of Community Trade and Economic Development (CTED) related to Community Development Block Grants were made available to the public at this meeting. The draft application was also available for review upon request.

Ms. Napier reported that the Washington State CDBG grant program provides funds on a competitive basis for housing, infrastructure and community facilities. This program is funded by US Department of Housing and Urban Development (HUD). The purpose of the state CDBG program is to improve and maintain the environment of eligible, non-entitlement cities and counties in order to enhance the quality of life for low and moderate-income (LMI) residents and, as a result, benefit the entire community. The Community Investment Fund distributes resources in support of projects identified through a local prioritization process. Funded projects provide benefits to low- and moderate-income individuals through projects that are also significant on a sub-state, regional or countywide basis in terms of economic diversification and community stability. Project selection is made on a funds available basis, using a collaborative process that includes federal, state and local funding sources.

CDBG is a federal source of funding that is important to Grays Harbor County for projects benefiting low and moderate-income people. To be funded, a Community Investment Fund application must either principally benefit persons with low and moderate-incomes or prevent or eliminate slums or blight. She reported that the proposal presented at this meeting qualifies under elimination of slums and blight.

Ms. Napier commented that each year the county may submit one proposal to the Community Investment Fund grant program. During the month of March, the Board authorized staff to submit a pre-application on behalf of the Union Gospel Mission. This proposal was determined to be eligible and invited to submit a funding application on June 22, 2007. A final application must be submitted by August 21, 2007.

Ms. Napier reported that the County has sponsored a variety of CDBG proposals. The following is a list of projects supplemented by CDBG program dollars: water system improvements for both Water District 7 and 8, renovation of the Crisis Clinic, a weatherization project for CCAP, renovation of Willow Lane Headstart, Pacific Beach/Moclips sewer project, and the construction of the new food bank distribution center in Hoquiam.

Ms. Napier stated that the Union Gospel Mission intends to renovate their current facility through a three phased approach and outlined the following:

Phase I, which is the subject of the Community Investment Fund proposal, includes the 2006 purchase of the lot and building located at 403 East Heron in Aberdeen, demolition of the building, re-contouring the site with fill and paving for a much-needed parking lot for UGM. Removal of this building will also give physical access to the back lots in preparation for Phase II and create space to add an elevator for second-floor shelter service. Purchase of the property was accomplished for \$25,000 in July 2006. Approximate cost of Phase I is \$534,586, and the dollars requested of \$287,006 would be used for this phase.

Phase II: Construction of a 5,000 sq. ft. warehouse on the empty back lot. This warehouse will be used for all of the food storage, as well as the free furniture store, and the clothing-sort and bale area, all which are currently housed in the main facility of UGM at 405 East Heron. The approximate cost of this phase is \$766,672.

Phase III: Complete renovation of the 100-year-old building located at 405 East Heron in Aberdeen. The components of this phase includes a careful balance of: removal of all storage items to the new warehouse, creating vacant space to construct a new kitchen and establish a temporary shelter, maintain operation of the main facility during renovation, keep the existing kitchen open to serve meals, and renovate the current shelter for homeless men. The approximate cost of this phase to date is \$3,720,799.

Ms. Napier summarized and stated that the Board of County Commissioners may open for question and comment from the project proponent and public. Representatives from the Union Gospel Mission were in attendance.

Chairman Carter asked for public comment. Cheryl Campbell asked questions regarding the number of people utilizing the services provided by the UGM. Laurel Willtala, Union Gospel Mission staff member, expressed appreciation to the Board for their support and provided background information. There was no additional public comment and the hearing was closed.

Action: A motion was made, seconded and passed to approve Resolution No. 2007-84 – Resolution with Certifications of Compliance and Resolution No. 2007-85 – Grays Harbor County CDBG Program Grievance Procedure. Authorization was granted for the Chairman to sign the accompanying documents.

2. 58 Lot Cluster Subdivision/Planned Unit Development (PUD), Seabrook Land Company: There was a public hearing to consider an application submitted by Seabrook Land Company. The applicant has made a request for a project that would allow for an establishment of approximately 14.71-acre Planned Unit Development

(PUD), 6.61-acres of which will be divided into two cluster subdivision phases with two specific regulating zones resulting in an entitlement of 58 lots. Of the total project area, 2.84-acres will remain in open space. The project will consist of mixed uses ranging from residential, retail, commercial and civic. Residential uses include apartment houses, townhouses, double house(s), cottages and large homes. Retail commercial uses can include small stores, work shops, restaurants, place of worship, swim center, equestrian center, day-care center and other community related functions. The project is located south of Pacific Beach and contiguous with the eastern portion of the existing Plat of Seabrook Division 2. Notice of this hearing was advertised in the *Montesano Vidette* on July 26 and August 2, 2007.

Chairman Carter asked for a staff report. Curt Crites, Planning and Building Division representative provided a staff report. Mr. Crites reported that the applicant and Board of County Commissioners received a packet of information containing the following items and requested that they be entered into the record by reference:

1. The Record of Action containing the Grays Harbor County Planning Commission's Findings of Fact, Conclusions, Conditions of Approval.
2. Attachments 1 through 21.

Attachment List:

- | | |
|---------------|---|
| Attachment 1: | Application for Long Plat Cluster Subdivision with Planned Unit Development. |
| Attachment 2: | Preliminary Plat Map, Preliminary Storm Drainage and Grading Plan, Preliminary Composite Utility Plan, Plan Sheet, Road Profiles and Typical Road Cross-sections. |
| Attachment 3: | State Environmental Policy Act (SEPA) Environmental Checklist. |
| Attachment 4: | Seabrook Division 5 Technical Memorandum for Storm Drainage. |
| Attachment 5: | Seabrook Division 5 Technical Memorandum for Wetlands and Streams. |
| Attachment 6: | Seabrook Division 5 Limited Geotechnical Engineering Evaluation. |
| Attachment 7: | 2007 Regulating Plan. |
| Attachment 8: | 2007 Pedestrian Paths and Open Spaces Overall Plan. |
| Attachment 9: | SEPA Adoption Notice of previous MDNS, dated May 31, 2007 and list of parties and agencies receiving the MDNS. |

- Attachment 10: SEPA Revised Mitigated Determination of Non-Significance (MDNS), dated August 1, 2003 and list of parties and agencies receiving the Revised MDNS.
- Attachment 11: Notice of public hearing and list of adjacent property owners and agencies receiving the notice.
- Attachment 12: An Affidavit of Publication from *The Vidette* for the Notice of Public Hearing and Adoption Notice.
- Attachment 13: An Affidavit of Publication from *The North Coast News* for the Notice of Public Hearing and Adoption Notice.
- Attachment 14: Washington State Department of Ecology Letter dated June 15, 2007.
- Attachment 15: Comments from the GHC Public Works Division.
- Attachment 16: Comments from the GHC Road Supervisor for Area #3.
- Attachment 17: Comments from the GHC Environmental Health Division.
- Attachment 18: Comments from the GHC Assessor's Office.
- Attachment 19: Comments from the GHC Treasurer's Office.
- Attachment 20: Comments from the GHC Fire Marshal.
- Attachment 21: Comments from the GHC Community Development & Utility Division.

Mr. Crites reported that staff recommended approval by the Grays Harbor County Planning Commission of Preliminary Cluster Subdivision with Planned Unit Development Case #2007-0242 based on the findings of fact and conclusions. The Grays Harbor County Planning Commission voted unanimously to accept the Preliminary Cluster Subdivision with Planned Unit Development Case #2007-0242 based upon the findings of fact and conclusions contained in the record of action on pages 32 – 41.

Chairman Carter asked for public comment. Casey Roloff, the developer, provided an overview of the development and project accomplishments over the past few years. Mr. Roloff complimented the Grays Harbor County Planning and Building Division staff for their professionalism and willingness to work with those involved in the development project. There was no additional public comment and the hearing was closed.

Action: A motion was made, seconded and passed to approve the Clustered Long-subdivision with Planned Unit Development, Case #2007—0242.

3. **Ordinance Extending Wildcat Creek Aquifer Area Development Moratorium:** There was a public hearing to consider an ordinance extending the

Wildcat Creek Aquifer Area Development Moratorium adopted by Ordinance 357, as amended by Ordinance 363, for an additional six months to February 12, 2008. The following summary provides a brief description of the ordinance presented to the Board of Commissioners for consideration and published in the Montesano Vidette on July 26, 2007:

An ordinance finding that additional time is required to adequately study, prepare and review recommendations for management and protection of the Wildcat Creek Aquifer area and extending the present moratorium on specified land use development to February 12, 2008 pursuant to the authority of RCW 36.70.795. A full text of the proposed ordinance was available at the County Commissioners office, Montesano, Washington. Notice of the hearing was advertised in the *Montesano Vidette* on July 26, 2007.

Chairman Carter asked for a staff report. James Arthur reported that he is working as staff on this project for the City of McCleary and the Grays Harbor County Commissioners. The objective is to protect and manage the groundwater into the Wildcat Creek Aquifer system. Mr. Arthur provided background information regarding the project. He announced that reports and recommendations should be completed by October or November. Busse Nutley, City Administrator for McCleary submitted a letter from Mayor Bentley supporting the continuation of the moratorium on development in the Wildcat Creek Aquifer area. Ms. Nutley reported that the City of McCleary has been working with the County to learn more about the characteristics of the ground water and what measures may be appropriate to preserve the quantity and quality of the resource. Ms. Nutley stated that in addition to the work that will be done by consultants for the state Department of Health, the City has started the required update of its Water System Plan and completion is expected in October. It is expected that both the consultant's report and the updated Plan will produce the information necessary to make good decisions regarding how to protect the water in the aquifer. Ms. Nutley summarized that the moratorium is necessary to allow this work to be completed.

Chairman Carter asked for public comment. Terry Franklin, resident of East Grays Harbor County expressed appreciation to the Board of County Commissioners for their commitment to preserving the aquifer and spoke in support of extending the moratorium to allow necessary time to complete the study. Kim Anensen, 1167 Mox Chehalis Road, McCleary commented on why some builders are allowed to build since the aquifer affects all of McCleary. Ms. Anderson reported that after the study is complete she hopes that additional money will be spent on more studies. There was no additional public comment and the hearing was closed.

Action: A motion was made, seconded and passed to approve Ordinance No. 366 – A Grays Harbor County Ordinance Approving a Six-Month Extension of the Moratorium on Implementing New Zoning Controls, Short Plats, Subdivisions, Well

and On-Site Sewage Disposal System Permits on Land Located on the Wildcat Aquifer in Unincorporated Grays Harbor County to February 12, 2008.

COMMISSIONERS

None

DEPARTMENTS

AUDITOR

1. **Request Approval, July Expenditures:** A motion was made, seconded and passed to approve expenditures for July 2007 as follows: Claims \$4,990,768.78 and Salary \$2,257,816.25 for a total of \$7,248,585.03.

FORESTRY

1. **Request Approval, Accept Timber Contract – Quinault Logging Corporation:** Quinault Logging Corporation has satisfactorily completed all the terms and conditions of the contract for the Hatchery Creek No. 2 timber sale. The department recommended that the County accept the contract as complete and release the performance bond as posted by Quinault Logging Corporation for this sale. A motion was made, seconded and passed to accept the contract for the Hatchery Creek No. 2 timber sale as complete and release the performance bond as posted by Quinault Logging Corporation for this sale.

MANAGEMENT SERVICES

1. **Request Approval, Resolution Authorizing Application for Development Grant, Straddleline ORV Park:** A motion was made, seconded and passed to approve **Resolution No. 2007-86 – Nonhighway Off-road Vehicle Activities Nonhighway Road, Nonmotorized or Off-Road Vehicles Authorizing Resolution.** This authorizing resolution is for the Recreation and Conservation Funding Board (RCFB) authorizing Grays Harbor County to apply for a grant for the Straddleline ORV Park. This grant is a development grant in the amount of \$123,576 for the renovation of the grandstand area to provide seating for spectators, the addition of bleachers to the motocross area, replacement of picnic tables, installation of additional fire rings, replacement of the main entrance sign with an electronic reader board and additional signage throughout the park.

- 2. Request Approval, Resolution Authorizing Application for 2-year Maintenance Grant, Straddleline ORV Park:** A motion was made, seconded and passed to approve **Resolution No. 2007-87 – Nonhighway Off-road Vehicle Activities Nonhighway Road, Nonmotorized or Off-Road Vehicles Authorizing Resolution.** This authorizing resolution is for the Recreation and Conservation Funding Board (RCFB) authorizing Grays Harbor County to apply for a grant for the Straddleline ORV Park. This grant is a 2-year maintenance grant in the amount of \$200,000 with a County match of \$208,813 and will fund the maintenance and operations of the park for the 2008 and 2009 seasons.
- 3. Agreement Grays Harbor Vision 2020 Committee:** A motion was made, seconded and passed to approve an Agreement between Grays Harbor Vision 2020 Committee and Grays Harbor County. Grays Harbor County has agreed to fund \$50,000 for the purpose of developing a Grays Harbor County 2020 Vision and Action Plan to deal with future challenges and quality of life improvements for the people and communities in Grays Harbor County over the next 20 to 30 years.
- 4. Request Approval, Resolution for Budget Transfer, General Fund Non-Departmental #001-000-038:** A motion was made, seconded and passed to approve **Resolution No. 2007-88 – Transferring Items in the Grays Harbor County General Fund Non-Departmental #001-000-038.** This resolution allows a transfer be made within the budget of the Grays Harbor County General Fund, Non-Departmental #001-000-038. \$5,250 is available from the CDBG Aberdeen Neighborhood General Purpose Grant to Miscellaneous Special Projects to fund the personal service contract for the Wildcat Creek Aquifer Guidance Report between the City of McCleary and the County.
- 5. Request Approval, Resolution for Budget Transfer, Miscellaneous Fund Special Projects #101-000-000:** A motion was made, seconded and passed to approve **Resolution No. 2007-89 – Transferring Items in the Grays Harbor County Miscellaneous Fund Special Projects #101-000-000.** This resolution allows a transfer to be made within the budget of the Grays Harbor County Miscellaneous Funds, Special Projects #101-000.
- 6. Set Hearing Date, Supplemental Budget District Court #001-024:** August 20, 2007 at 2:00 p.m. is the date and time set for a hearing to consider a supplemental budget request in the amount of \$101,522 in the District Court Office. An increase in funding from traffic infractions will be used to cover the State Salary Commission's increase in judge's salaries effective September 1, 2007 and the additional need for indigent defense contracts due to unanticipated caseload levels.

7. **Set Hearing Date, Emergency Budget, Coroner's Office #001-000-017:**
August 27, 2007 at 2:00 p.m. is the date and time set for a hearing to consider an emergency budget request in the amount of \$7,870 for the Coroner's Office as a result of an increase in the office space rent at the East Campus of Grays Harbor Community Hospital and for the need of an additional rental vehicle from ER&R.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Appointment, Merlin D. Greenfield, Designated Mental Health Professional:** A motion was made, seconded and passed to appoint Merlin D. Greenfield as a Designated Mental Health Professional. His application meets the requirement of RCW 71.05.

PUBLIC SERVICES

None

ANNOUNCEMENTS

None

CORRESPONDENCE

The Deputy Clerk of the Board announced the following correspondence:

1. A Claim for Damages (#C-537-07) against Grays Harbor County was received from James B. and Betty Ellis. The claim was referred to the appropriate department.

PUBLIC COMMENT:

Chairman Carter asked for public comment. He announced that comments and statements only would be accepted and would be limited to five minutes. Questions should be submitted in writing.

Casey Roloff provided a slide presentation and information regarding the development of Seabrook.

Stan Blunt, Aberdeen, Washington commented regarding salal harvesting and contracts. Mr. Blunt provided a handout regarding employment rules for social security verification. Larry Smith, Director of Grays Harbor County Forestry Department reported that the contract with the salal picking company is still in effect and is a valid contract.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, August 6, 2007, starting at 9:00 a.m. These staff meetings are advertised public meetings, held in the Commissioners' Conference Room. The Commissioners and staff member Kelly Gardner reviewed calendars and pending daily office issues. The Board met with Paul Easter Department of Public Services.

The Board approved the following:

RESOLUTIONS

- | | |
|--------------------|---|
| No. 2007-84 | Resolution with Certifications of Compliance |
| No. 2007-85 | Grays Harbor County CDBG Program Grievance Procedure |
| No. 2007-86 | Nonhighway Off-road Vehicle Activities Nonhighway Road, Nonmotorized or Off-Road Vehicles Authorizing Resolution |
| No. 2007-87 | Nonhighway Off-road Vehicle Activities Nonhighway Road, Nonmotorized or Off-Road Vehicles Authorizing Resolution |
| No. 2007-88 | Transferring Items in the Grays Harbor County General Fund Non-Departmental #001-000-038 |
| No. 2007-89 | Transferring Items in the Grays Harbor County Miscellaneous Fund Special Projects #101-000-000 |

ORDINANCES

- No. 366** **A Grays Harbor County Ordinance Approving a Six-Month Extension of the Moratorium on Implementing New Zoning Controls, Short Plats, Subdivisions, Well and On-Site Sewage Disposal System Permits on Land Located on the Wildcat Aquifer in Unincorporated Grays Harbor County to February 12, 2008.**

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 3:15 p.m. to Monday, August 13, 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