

## MINUTES

### BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

**December 10, 2007**

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 10, 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.

It was announced that due to the cancellation of the December 3 meeting there are two meeting agendas and they will both be processed at this meeting.

#### **MINUTES**

**November 30, 2007:** A motion was made, seconded and passed to approve the minutes of the special meeting of November 30, 2007.

**RESOLUTION - Declaration of Emergency:** Due to the wind and rain storm on or about December 2, 2007 the following was passed: **Resolution No. 2007-129 – Re: Local Declaration of Emergency in Grays Harbor County.** The Grays Harbor County Division of Emergency Management has reported to the Board of County Commissioners events beginning on or about December 2, 2007, a series of wind and rain storms caused damage to public property/roadways, damage to private property, downed trees, slides and power outages in Grays Harbor County. Damage is still occurring to public property/roads and private property. There is an emergency present which necessitates activation of the Grays Harbor County Emergency Management Plan and utilization of emergency powers granted pursuant to 36.40.180 RCW. This resolution declares that there is an emergency due to excessive rainfall and high winds in Grays Harbor County and designated departments are authorized to enter into contracts and incur obligations necessary to combat such emergency to protect the health and safety of persons and property and provide emergency assistance to the victims of such disasters.

#### **DECEMBER 3, 2007 MEETING AGENDA:** (DELAYED DUE TO DISASTER)

The Clerk of the Board announced that due to the storm, the December 3, 2007 meeting was canceled under Emergency Resolution 2007-129 and that agenda would be processed at this meeting as follows:

## **MINUTES**

**November 19, 2007:** A motion was made, seconded and passed to approve the minutes of the meeting of November 19, 2007.

## **HEARINGS:**

**1. 2008 Budget, Resolutions authorizing increases in General Expense Fund, Miscellaneous Funds, and Road Limit Factors:** There was a public hearing to consider adoption of the Grays Harbor County 2008 Budget, and also consideration of Resolutions authorizing increases in General Expense Fund, Miscellaneous Funds, and Road Limit Factors for Grays Harbor County, per the requirements of RCW 84.55. Copies of the Proposed 2008 Budget were available for study in the County Commissioner's office. Notice of this hearing was published in the *Montesano Vidette* on November 15 and 22, 2007. Chairman Carter asked for a staff report. Rose Elway, Budget Director presented a balanced 2008 budget and reported the budget shows an increase in all funds by \$600,000 to 101% of the 2007 budget. The General Fund 2008 budget totals \$28,854,235 with operations at 95% of the 2007 budget. Revenue decreased \$1.8 million below the 2007 level due to the transfer of the Health Department to the Miscellaneous Fund groups with fund balance adopted usage at \$2,116,567, which retains an operation reserve of \$2,883,433. The Law and Justice Program consume 80 cents of each General Fund non-dedicated dollar. Unfunded state mandates increase criminal justice program costs with indigent defense, indigent burial, and court assigned interpreter fees comprising over 4% of General Fund budgets. The County contributes 20% match to Public Health requirements in addition to providing health care to incarcerated juveniles and adults, as well as countywide monitoring and treatment of infectious disease. Of the General Fund 2008 budget, salary and benefit costs are 71% or \$18,524,043. Goods and services are 28% or \$7,277,317. Capital outlay costs are 1% or \$169,442. This results in \$2,883,433 in ending cash. Penalties, interest and taxes on assessed property represent 40% of the General Fund revenue base. Licenses, permits and fees generated the second largest revenue source at 12% or \$2,839,634. The third largest revenue is court fines, fees, and criminal justice tax at 12% or \$2,794,229. Sales tax is the fourth largest revenue at 10% or \$2,400,000. Forest harvest and yield taxes are fifth at 7% and investment earnings are sixth at 6%. Ms. Elway explained that due to the decision by the County to convert to the cash basis of accounting which will close the system records December 31, 2007, there will be a higher beginning cash balance in the 2008 budget year as compared to the 2007 budget year, which ends a month earlier. The net effect to the General Fund expenditures is a reduction to 95% of the 2007 budget while Miscellaneous Funds increased 7% in the amount of \$4,047,757. Miscellaneous funds total \$63,040,409 in budgeted funds. The Road Fund has the largest operating budget at 24% of the total for a \$15,054,300 annual road program. The road property tax levy of \$2.12 per \$1000 of assessed property value generates 36% of available road revenue at \$4,300,000 with increases in added new construction and valuation base only. The road program includes \$4,679,000 in road construction projects and \$7,860,000 in road

maintenance and operations countywide. Social Services, Mental Health, Developmental Disabilities, and Substance Abuse pass-through grant programs deliver services totaling \$9,194,000 with 2.5 cents of the General Fund levy, \$112,346 dedicated as mental health matching. Grants and fees fund 80% of the Public Health and Social Service programs funds, totaling \$3,843,465 with General Fund match at 20%. The Aberdeen Landfill Post Closure fund budget totals \$3,438,940 and the commitment to implement the Solid Waste Plan is funded at \$4,323,000, continuing hazardous waste and recycling programs for Grays Harbor citizens. The Commissioners have earmarked \$150,000 for abatement procedures for 2008. Grays Harbor County provides forest harvest revenues to county funds, schools, and junior taxing districts with its active Forestry Department budgeted at \$3,806,074. The County continues to solicit grants for countywide infrastructure, utilities development with Special Projects funds totaling \$2,501,571. Projects include \$250,000 for Pacific Beach/Moclips sewer and water development, \$167,000 in U.S. Homeland Security grants for Grays Harbor County Emergency Services and \$450,000 in grants assisting coastal erosion. Various community projects are grant-funded, including E-911 grants of \$195,000 through the Washington State Military Department to enhance wireless and wire line operations. Low to moderate-income programs funded through the community block grant total \$484,125 and include \$315,000 for the Union Gospel Mission and \$169,125 for the Coastal Community Action Program. The County Straddleline ORV Park continues to operate with \$235,576 in grants from the Washington State Recreation and Conservation Office for maintenance and operations of the ORV Park. Highlights in the 2008 Capital Construction Programs include a Facilities Capital budget of \$372,344 with HVAC planning and minor repairs budgeted for the Juvenile, Pearsall and the County Campus buildings. The Pavilion roof replacement at the fairgrounds and raceway park improvements are budgeted at \$435,307. The Capital Improvement fund has created a Capital Facilities long-range plan and County needs assessment budgeted at 779,000. The County supports efforts to maximize economic development with the Distressed Capital Fund budget of \$1,500,000 for infrastructure improvement needs as prioritized in the Overall Economic Development Plan (OEDP) countywide ranking list. The 2008 budget uses some cash balance but leaves adequate funded reserves for the future. Ms. Elway reported that past economic investments in infrastructure has created construction growth revitalizing the County revenue base. The 2008 budget will continue current public safety and health levels within Grays Harbor communities. A commitment remains for economic development projects so quality jobs are available for present and future generations. Services were maintained in planning, building, utility development, and economic growth areas to emphasize possible future project developments in the community. Investments have been made to sustain necessary capital buildings and infrastructures providing direct services for Grays Harbor citizens. Chairman Carter asked for public comment. Steven Friederich with the *Daily World* asked for additional information regarding the addition of new employees or new programs. Commissioner Wilson explained that staffing decreased 1.4 FTE due to deletion of vacant Road Fund positions so that matching funds are available for grants. He reported that after years of holding the line on employee's salaries as a result of tight budgets, the Commissioners have approved a salary package that has been ratified by two

of three bargaining units and reflects the Commissioners' intent to compensate employees at a rate they deserve. There was no additional public comment and the hearing was closed.

**ACTION: A motion was made, seconded and passed to approve the following:**

**Resolution No. 2007-130 – Adopting the Budget for Grays Harbor County for 2008**

**Resolution No. 2007-131 – Adopting the Grays Harbor County Annual Road Construction Program for 2008**

2. **Supplemental Budget – Juvenile Court Services:** There was a public hearing to consider Supplemental Budget in the Juvenile Department #001-000-026 in the amount of \$65,953. Notice of this hearing was advertised in the *Montesano Vidette* on November 22 and 29, 2007. Chairman Carter asked for a staff report. Rose Elway reported that this request for a Supplemental Budget for \$65,953 in the General Fund Juvenile Department is due to state funding received through the Office of Administrator of Courts and DSHS. \$39,378 in grant money will be used in professional services for the CASA program and \$26,575 from DSHS will be used to provide functional family therapy and aggression replacement training to juveniles. Chairman Carter asked for public comment. There was no public comment and the hearing was closed.

**ACTION: A motion was made, seconded and passed to approve the following:**

**Resolution No. 2007-132 – Authorizing a Supplemental Extension in the Grays Harbor County General Fund Juvenile Department Fund #001-000-026**

**CONVENE AS DRAINAGE DISTRICT 2 – HEARING: 2008 Budget**

The Board of County Commissioners recessed from their regular meeting and convened as Drainage District 2 to consider adoption of the Grays Harbor County Drainage District 2 2008 Budget pursuant to RCW 84.55. Copies of the Proposed 2008 Budget were available for study in the office of the Grays Harbor County Commissioners, 100 West Broadway, Suite 1, Montesano, Washington. Notice of this hearing was advertised in the *Montesano Vidette* on November 15 and 22, 2007. Chairman Carter asked for a staff report. The Board of Commissioners of Grays Harbor County Drainage District 2 has fixed and determined the budget for Grays Harbor County Drainage District 2 for the calendar year of 2008. A copy of the budget was provided to the public and was incorporated as part of the proposed resolution. The proposed budget was outlined as follows: beginning cash is \$1000 with an assessment of \$2000, generating \$1800 for a total of \$2800. Expenditures are reported as \$200 for advertising and \$2600 for repairs and maintenance for the year. The assessment hearing will be held on December 17, 2007 to determine the actual assessment for Grays Harbor County Drainage District 2. The total budget for 2008 is presented at \$2800. Chairman Carter asked for public

comment. There was no public comment and the hearing was closed.

**ACTION: A motion was made, seconded and passed to approve the following:**

**2008 Budget for Grays Harbor County Drainage District 2.**

The Board of Commissioners for Grays Harbor Drainage District 2, closed the meeting and reconvened as Board of County Commissioners.

**PRESENTATION**

None

**COMMISSIONERS:**

**1. Appointment to Building Code Advisory Council – Marvin Prince:** A motion was made, seconded and passed to appoint Marvin Prince to fill a four-year term on the Building Codes Advisory Board of Grays Harbor County. The term expires February, 2011.

**DEPARTMENTS:**

**FORESTRY:**

**1. Award Oil and Gas Exploration Leases:** St. Helens Energy, LLC of Denver, Colorado was the successful bidder on four separate oil and gas exploration leases offered by the County at public auction on November 16, 2007. The Department of Forestry recommended that the bids received from St. Helens Energy, LLC be accepted and the lease agreements be signed. A motion was made, seconded and passed to accept and sign the lease agreements submitted by St. Helens Energy, LLC of Denver, Colorado.

**MANAGEMENT SERVICES:**

**1. Request Approval, CDBG Public Services Grant Application/CTED:** A motion was made, seconded and passed to approve the grant application documents required for the Washington State Department of Community, Trade and Economic Development Public Services Block Grant. This CDBG Public Services grant will fund \$169,125 to Coastal Community Action Program to provide core administrative support for necessary community projects benefiting low and moderate-income persons and households.

**2. Request Approval, Resolution – Budget Transfer in Clerk’s Office:** A motion was made, seconded and passed to approve **Resolution No. 2007-133 – Transferring items in the Grays Harbor County General Fund Clerk’s Office #001-000-014.** This

resolution authorizes the transfer to move \$4,357 from Overtime Meth to Office Supplies to replace funds used for purchase of materials related to the meth funding grant.

**3. Request Approval, Set hearing date, Supplemental Budget request, District Court:** December 17, 2007 at 2:00 p.m. is the date and time set for a supplemental budget request in the amount of \$2,000 in the District Court Office. Revenue generated from the surcharges on civil filings fees will be used for the increase in the Dispute Resolution Contract for the Mediation and Settlement Center.

**4. Request Approval, Set hearing date, Emergency Budget request, Superior Court:** December 17, 2007 at 2:00 p.m. is the date and time set for an emergency budget request in the amount of \$101,550 in the Superior Court Office. This emergency budget request is due to a shortfall in attorney fees for representation of indigent defendants and to cover the judges' salaries and Court Commissioner salaries for the remainder of the year. The Washington Citizens' Commission on Salaries granted raises to the judges which was effective September 1, 2007.

**5. Request Approval, Set hearing date, Emergency Budget request, Civil Service:** December 17, 2007 at 2:00 p.m. is the date and time set for an emergency budget request, Civil Service Commission #001-000-013. This emergency budget request for the Civil Service Office in the amount of \$2,720 in Professional Services is to cover expenses needed to perform testing of civil service positions for the remainder of the year.

## **PUBLIC HEALTH & SOCIAL SERVICES**

**1. Request Approval, Contract extension with Grays Harbor College to continue childbirth education classes:** A motion was made, seconded and passed to approve an addendum to the current contract between Grays Harbor College and the County. This contract continues an existing agreement between Grays Harbor College and Grays Harbor Public Health and Social Services Department to provide childbirth education classes to residents of the County.

**2. Request Approval, Designate Mental Health Professional:** A motion was made, seconded and passed to recognize Angela Crowley as a County Designated Mental Health Professional within the provisions of RCW 71.05. Joan Brewster, Director of Public Health and Social Services for the County, attests to the fact that this application meets the requirements of RCW 71.05. This designation shall terminate when the employee leaves employment with Behavioral Health Resources.

## **PUBLIC SERVICES**

**1. Request Approval, Personal Services contract with David J. Harman – Middle Satsop Rd. Realignment Project, Wynoochee-Wishkah Road Realignment**

**and other projects as needed:** A motion was made, seconded and passed to approve two (2) Personal Services Contracts for David J. Harman to provide assistance with engineering and geotechnical evaluations for the Middle Satsop Road Realignment Project, Wynooche-Wishkah Road Realignment and other projects as needed. Mr. Harman is a former Grays Harbor County employee who is familiar with County procedures and is very familiar with these particular projects.

**2. Request Approval, Resolution Acknowledging Vacation of Right of Way – Larry & Cindy Greear:** The Department received a petition from Larry and Cindy Greear to acknowledge vacation of right of ways surrounding property they own in the Plat of South Arbor 1<sup>st</sup> Addition. The Department found no record of any of these rights of way ever being opened within the applicable time period and has no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-134 – Resolution Acknowledging Vacation of Right of Way as petitioned by Larry and Cindy Greear.**

**3. Request Approval, Resolution Acknowledging Vacation of Right of Way – Herbert Henning:** The Department received a petition from Herbert Henning to acknowledge vacation of right of ways surrounding property he owns in Grays Harbor City Southside. The Department found no record of any of these rights of way ever being opened within the applicable time period and has no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-135 – Resolution Acknowledging Vacation of Right of Way as petitioned by Herbert Henning.**

**4. Request Approval, Resolution Acknowledging Vacation of Right of Way – George Henning:** The Department received a petition from George Henning to acknowledge vacation of right of ways surrounding property he owns in Grays Harbor City Southside. The Department found no record of any of these rights of way ever being opened within the applicable time period and has no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-136 – Resolution Acknowledging Vacation of Right of Way as petitioned by George Henning.**

**5. Request Approval, Lease Agreement with Economic Development Council:** A motion was made, seconded and passed to approve the 2008 lease agreement with the Economic Development Council located at 506 Duffy Street, Aberdeen, Washington. The amount of the lease remains the same at \$550 per month plus leasehold taxes. This is a renewal of the existing lease agreement.

**6. Request Approval, Accept contract as complete for North River Road Emergency Repair Project:** The contractor, Rognlin's Inc., has completed the North River Road Emergency Repair Project, M.P. 3.6 to M.P. 4.0 contract. The total amount of the contract is \$262,542.52, which is 2.17% above the original bid. The Department recommended acceptance of the contract, which would allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington. A motion was made, seconded and passed to accept the contract as completed and allow release of the retainage bond.

**7. Request Approval, Accept contract as complete for North River Culvert Replacement Project:** The contractor, Rognlin's Inc., has completed the North River Road Culvert Replacement, M.P. 8.2, C-96130-33 contract. The total amount of the contract is \$537,879.83, which is 0.01% above the original bid. The Department recommended acceptance of the contract, which would allow release of the Retainage Bond as per Section 60.28, Revised Code of Washington. A copy of the Comparison of Quantities Sheet was provided. A motion was made, seconded and passed to accept the contract as completed and allow release of the retainage bond.

**8. Request Approval, 2008 Radio Maintenance Contract with Grays Harbor Communication E9-1-1:** A motion was made, seconded and passed to approve the 2008 Agreement with Grays Harbor Communication E9-1-1 with 2008 Deliverables. The Department recommended approval of this agreement.

**9. Request Approval, 2008 Radio Maintenance Contract with Grays Harbor Transit Authority:** A motion was made, seconded and passed to approve the 2008 Agreement with Grays Harbor Transit Authority for providing maintenance on radio equipment. This agreement is the same as the previous year, which includes payment of \$500 per month and covers a one-year period. The Department recommended approval of this agreement.

**10. Request Approval, Set Hearing Date for closeout of the 2004 CDBG General Purpose Grant:** December 17, 2007 at 2:00 p.m. is the date and time set for a public hearing to closeout the 2004 Community Development Block Grant (CDBG) General Purpose Grant for housing rehabilitation and financial counseling. The CDBG funds secured from this grant allowed NeighborWorks of Grays Harbor County to continue their current housing rehabilitation program and financial counseling services to benefit owner-occupied, low and moderate income households countywide.

The following item was added to the agenda:

**11. Update – Emergency Services – Storm:** Anne Sullivan, Manager of Emergency and Risk Management provided an update regarding the December 3<sup>rd</sup> storm and related issues.

## **SHERIFF**

**1. Request Approval, Surplus Vehicles:** A motion was made, seconded and passed to surplus the following vehicles by the Sheriff's Department:

1998 Ford	Crown Victoria
1995 Ford	Crown Victoria
1999 Ford	Crown Victoria
1984 Kawasaki	Motorcycle

All three Fords began life as patrol vehicles and have been used in recent years as spare patrol vehicles and/or for the Volunteers in Policework group. They have all reached the end of their service life and are no longer of use to the Department. The motorcycle was used for traffic safety publicity and is no longer operational. These vehicles will be surplus and sold at auction.

**2. Request Approval, Agreement with City of Ocean Shores for Law Enforcement Services:** A motion was made, seconded and passed to approve an Agreement for Law Enforcement Services between Grays Harbor County and the City of Ocean Shores. This is a renewal of a contract the Department has with them for patrol services on beaches in their jurisdiction as part of the Department's contract with the State Parks for beach patrol. This contract has been reviewed by Jim Baker and has now been reviewed and signed by the City of Ocean Shores.

The Clerk of the Board announced that this concludes the December 3, 2007 agenda that was postponed due to the storm. The Board returned to the regular agenda for December 10, 2007.

## **BIDS**

**1. Tree planting on county lands:** There was a bid opening for tree planting on Grays Harbor County Lands containing 290 acres more or less. A sample contract containing all specifications and requirements together with all the forms necessary to submit a sealed bid were available for inspection at the office of the County Forester, 310 W. Spruce, Suite 100, Montesano, WA 98563, (360) 249-5071. Notice of the invitation to bid was advertised in *The Montesano Vidette* on November 15, 22, and 29, 2007. The Clerk of the Board opened and read the following bids received with bid bond attached:

Ramon Coronel Reforestation Inc., Chehalis, WA	\$21,888.00
Sierra Reforestation, Tenino, WA	\$22,131.20
Ramirez Reforestation, Chehalis, WA	\$22,982.40

Chairman Carter referred the bids to the Forestry Department for review and recommendation.

## **HEARINGS**

**1. Appeal of Administrative Decision re: Large Lot Subdivision Case #2006-1322, filed by City of McCleary:** There was a public hearing to consider an appeal filed by the City of McCleary, Washington, of the Grays Harbor County Planning and Building Division Director's administrative decision conditionally approving Large Lot Subdivision Case #2006-1322 for preliminary plat approval of a four-lot Large Lot subdivision located on property near Elma-Hicklin Road, identified by Assessor's Parcel #180502230030 and legally described as the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 2, Township 18, Range 5 West, Willamette Meridian, Grays Harbor County, Washington. On November 5, 2007, the Grays Harbor County Planning and Building Division Director issued his written findings, conclusions and administrative order approving a four-lot Large Lot subdivision application originally filed on June 28, 2006 and modified on July 10, 2007 by Capital Contracting, Inc. An appeal of the Director's order has been filed by the City of McCleary, Washington, a municipal corporation. Notice of this hearing was published in the *Montesano Vidette* on November 29, 2007.

Chairman Carter asked for a staff report. Brian Shea, Planning and Building Division Director for Grays Harbor County, reported that this is an appeal of an administrative decision for Case #2006-1322. Mr. Shea stated that prior to this hearing the applicant, developer and the Board of County Commissioners received a copy of the county staff report. Mr. Shea referenced page 2 of the county staff report. The staff report contains the sequence of events related to the processing of a land use application for this property. Capital Contracting, Inc. submitted an application for Large Lot Subdivision Case 2006-1322 on June 28, 2006. The applicant submitted a revised application on October 5, 2006 to reflect the necessity of obtaining a Special Use Permit required to create the cluster subdivision. The Grays Harbor County Planning Commission conducted a public hearing on February 6, 2007 to consider the Special Use Permit. The Planning Commission granted the permit based upon information contained in the County staff report and upon testimony received during the hearing. Grays Harbor County conditionally approved the revised Large Lot Subdivision Case #2006-1322 on November 5, 2007. The City of McCleary appealed the conditional approval on November 16, 2007. Mr. Shea outlined the County's administration of the State Environmental Policy Act (SEPA) and specifically whether or not this application for a four-lot Large Lot subdivision should be exempt from the provisions of SEPA. Mr. Shea presented a twelve-point presentation. He requested that the record reflect that County staff did review and examine all information provided by the City of McCleary. County staff also reviewed information presented as part of a law suit related to this case. Mr. Shea reported that the appellant has not demonstrated that the County erred in either its determination concerning the applicability of environmental review requirements or in its preliminary approval for Large Lot Subdivision Case 2006-1322. It is incumbent upon the appellant to provide information that would support such a contention, and the appeal

does not contain information upon which the Grays Harbor County Board of Commissioners could develop findings-of-fact that would support this request. The appellant's request of the Board of Commissioners to reverse the administrative decision of conditional approval for Grays Harbor County Large Lot Subdivision Case 2006-1322 is not warranted or supported by the findings of fact contained in County staff report and should be denied. Mr. Shea summarized and stated that staff recommended approval of the Finding of Fact as written for Case #2007-2718, and further recommends that the Grays Harbor County Board of Commissioners deny the November 16, 2007 appeal filed by the City of McCleary, identified as Case #2007-2718.

Chairman Carter asked for public comment. Busse Nutley, City Administrator for the City of McCleary, outlined the basis for appeal of the administrative decision issue in Case #2006-1322. Ms. Nutley made a power-point presentation and presented photographs of the subject property. Reference was made to a Natural Resources Conservation Service Web Soil Survey 2.0, National Cooperative Soil Survey for the subject property. Mr. Shea stated that the applicant completed a wetlands delineation report for the property and it was determined that there are no wetlands on the subject property. Tim Hamilton provided background information regarding the subject property and expressed that his views disagree with County staff's findings.

**\*\*\*This hearing was interrupted for an Emergency News Announcement\*\*\***

Chairman Carter read the following emergency news announcement provided by Emergency Management, for immediate release: Media Availability - Storm and Flood Disaster Update; 2-4:00 p.m. today. Camp Murray, Washington – Kurt Hardin, State Coordinating Officer for the December Storm and Flood Disaster, will be available from 2 p.m. to 4 p.m. today to update reporters on the flood and storm emergency situation. To join the call, dial (253) 512-7191 and enter 700601 when asked for the password. This notice further stated that as we begin the recovery phase, information about individual assistance should be distributed to as many as possible.

1. Declared Counties – A federal disaster declaration will provide individual assistance to residents and business owners in Grays Harbor and Lewis counties. Call 1.800.621.FEMA or visit [www.FEMA.gov](http://www.FEMA.gov) to register.
2. Undeclared Counties – For those counties that have not been declared, continue to report damage to your local emergency management agency. Contact information can be found at: [www.emd.wa.gov](http://www.emd.wa.gov) and click on “Storm & Flood – Reporting Damage.”

Chairman Carter announced that he would return to the hearing in progress:

Terry Franklin, resident of McCleary, stated her credentials related to this topic and commented that she agrees with Tim Hamilton's opinion and asked that the Board of County Commissioners review all of the information regarding this case.

Mr. Shea responded to comments and questions raised regarding this appeal for Case #2007-2718. He provided a map and addressed issues regarding the subject property. Jennifer Wieland, Senior Deputy Prosecuting Attorney, commented on the litigation issue and reported that she has reviewed the analysis prepared by Mr. Shea.

There was no additional public comment and the hearing was closed.

Commissioner Beerbower requested that this item be continued to allow for additional review and study.

**ACTION: A motion was made, seconded and passed to continue this hearing to January 7, 2008.**

### **COMMISSIONERS**

#### **1. Appointments:**

- a. Re-appointment to Fair Board – Claudia Self:** A motion was made, seconded and passed to reappoint Claudia Self to the Grays Harbor County Fair Board. This is a three year term which expires December 31, 2010.
- b. Re-appointment to Fair Board – David Trusty:** A motion was made, seconded and passed to reappoint David Trusty to the Grays Harbor County Fair Board. This is a three year term which expires December 31, 2010.
- c. Appointment to unexpired term on Fair Board – Tammy Hickle:** A motion was made, seconded and passed to appoint Tammy Hickle to the Grays Harbor County Fair Board. This is a three year term which expires December 31, 2008, representing Commissioner District 1.

### **DEPARTMENTS**

#### **PUBLIC HEALTH AND SOCIAL SERVICES**

- 1. Request Approval, Contract with Community Trade and Economic Development- Offender re-entry inventory:** A motion was made, seconded and passed to approve an Interagency Agreement with the Department of Community, Trade and Economic Development for the purpose of completing an Offender Re-Entry Inventory. Social Services staff will conduct interviews with service providers to determine the available resources for eligible offenders returning to this community.

## **PUBLIC SERVICES**

**1. Request Approval, Amend Contract with Wash. State Dept. of Military – 2007 Emergency Management Performance Grant:** A motion was made, seconded and passed to authorize the Chairman to sign an amendment to the contract with the Washington State Military Department of Emergency Management Division for the 2007 Emergency Management Performance Grant. This amendment includes an additional \$11,047 to the grant amount of \$42,757 for a total of \$53,804 and extends the contract end date to December 31, 2008. The EMPG supports the emergency management division operating budget.

**2. Request Approval, Resolution – Transfer of Equipment to Grays Harbor Communications E-9-1-1 per 2006 LETPP Grant requirements:** A motion was made, seconded and passed to approve and authorize the transfer of equipment listed below to Grays Harbor Communications E9-1-1. Grays Harbor County purchased the equipment according to Homeland Security grant guidelines. The equipment is public safety radio related. As per grant requirements, Emergency Management will monitor the equipment status for a period of six years.

Guardian Elite Generator	Serial #4736240
Daniels System Regulator	Serial #100695
Daniels I/O Subrack	Serial # 32198
Daniels Receiver	Serial #104996
Daniels Transmitter	Serial #104838
JPS Chassis	Serial #B0000043787
(5) JPS SVM Modules	Serial #B0000042129
	B0000042062
	B0000041991
	B0000041827
	B0000042063

**3. Request Approval, Personal Services Contract with David J. Herman:** The Clerk of the Board announced this is a duplication of an item on the previous agenda and has been processed.

**4. Request Approval, Initiate a request for proposal for new pumps for the Ocean City Water System:** A motion was made, seconded and passed to approve the initiation of a request for proposal for the purchase of new pumps for the Pacific Winds system in Ocean City. This existing pump skid has become unreliable and has caused several water outages in the last few months.

5. **Request Approval, Easement for Water Supply Facilities:** A motion was made, seconded and passed to authorize the Chairman to sign an Easement for Water Supply Facilities. The easement grants a non-exclusive easement to the County over land owned by the Oyehut Corporation. The easement will be instrumental to the long-term development of the Hogan's Corner water system because it allows for extension of current water service from the City of Ocean Shores north to serve the Casino.

6. **Request Approval, Advertise for services for a qualified Architectural firm-Union Gospel Mission facility renovation project:** A motion was made, seconded and passed to authorize the Department of Public Services to advertise for the services of a qualified Architectural firm for the above mentioned project. Once selected, the architect will prepare bid and construction documents and assist in the administration of the Union Gospel Mission's facility renovation project.

7. **Request Approval, Amend Resolution No. 2005-126 regarding utility rates:** A motion was made, seconded and passed to approve **Resolution No. 2007-137 – A Resolution Imposing Rates, Charges, and Policies for Certain Water, Sewer, and Solid Waste Services in Grays Harbor County, Washington, amending Resolution No. 2005-126.** This resolution amends Sections 3, 5, and 9 of Resolution 2005-126 and accomplishes the following:

- ? Section 3: The amendment establishes a sewer connection charge for all properties served by County sewerage facilities.
- ? Section 5: The amendment reduces water rates for the Oyehut/Illahee residents.
- ? Section 9: The amendment articulates the responsibility of the owner of the property, not the renter, to pay all sewer and water charges.

### **ANNOUNCEMENTS**

The Clerk of the Board announced that December 17, 2007 is the final meeting of the year for the Board of County Commissioners.

December 24 and 25 are Christmas holidays. On December 31, 2007 the offices will be open and there will not be a meeting held on that date.

### **CORRESPONDENCE**

The Clerk of the Board announced the following correspondence:

1. Claim No. C-549-07 made by Philip A. Chinn was received and referred to the Claims Review Committee.

2. Lawsuit No. L-550-07 submitted by RSolutions Management, LLC was received and referred to the Prosecuting Attorney's office.
3. Claim No. C-551-07 made by Mike Zabiaka was received and referred to the Claims Review Committee.
4. Monthly Summary reports from the Coroner's Office for the months of August and September, 2007 were placed on file.
4. An e-mail received from Stanley J. Trohimovich dated November 19, 2007 with the subject "Unconstitutional state action" was placed on file.

### **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.

Terri Franklin, resident of East Grays Harbor, read and presented a two-page letter regarding a Release of Forest Practice Moratorium on a development that was subdivided.

There was no additional public comment.

### **STAFF MEETINGS**

The Board held staff meetings on Monday, December 10, 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 Larry Smith, Director of the Forestry Department; Rose Elway, Budget Director; Joan Brewster, Public Health and Social Services Director; Paul Easter of the Department of Public Services.

The Board approved the following:

### **RESOLUTIONS**

- |                     |   |
|---------------------|---|
| <b>No. 2007-129</b> | <b>Local Declaration of Emergency in Grays Harbor County</b>                      |
| <b>No. 2007-130</b> | <b>Adopting the Budget for Grays Harbor County for 2008</b>                       |
| <b>No. 2007-131</b> | <b>Adopting the Grays Harbor County Annual Road Construction Program for 2008</b> |

- No. 2007-132            Authorizing a Supplemental Extension in the Grays Harbor County General Fund Juvenile Department Fund #001-000-026**
- No. 2007-133            Transferring Items in the Grays Harbor County General Fund Clerk's Office #001-014**
- No. 2007-134            Resolution Acknowledging Vacation of Right of Way as petitioned by Larry Greear**
- No. 2007-135            Resolution Acknowledging Vacation of Right of Way as petitioned by Herbert Henning**
- No. 2007-136            Resolution Acknowledging Vacation of Right of Way as petitioned by George Henning**

**ORDINANCES**

None

**INTERGOVERNMENTAL AGREEMENTS**

**Agreement for Law Enforcement Services – City of Ocean Shores**

The meeting adjourned at 4:29 p.m.

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

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ALBERT A. CARTER, Chairman  
Commissioner, District 3

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BOB BEERBOWER, Commissioner, District 1

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MIKE WILSON, Commissioner, District 2

ATTEST:

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Donna Caton  
Clerk of the Board