

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

November 24, 2008

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, November 24, 2008, at 2:00 p.m. Commissioners Al Carter, Bob Beerbower and Mike Wilson were present. Molly Copeland, Deputy Clerk of the Board, was also present.

CALL TO ORDER AND FLAG SALUTE

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

MINUTES

1. **Regular Meeting November 17, 2008:** A motion was made, seconded and passed to approve the minutes of the regular meeting of November 17, 2008.

BIDS

None

HEARINGS

1. **Continued Hearing - Reclassification as Open Space for Real Property Tax Purposes – Applicant Mudd Family Revocable Trust:** This hearing was continued at the request of the applicant from November 3, 2008, and is to consider a request by the Mudd Family Revocable Trust for reclassification as Open Space for real property tax purposes for Parcel Number 160503330000. Notice of this hearing was advertised October 23, 2008, in the *Montesano Vidette*. Chairman Carter asked for a staff report. Brian Shea, Planning & Building Director, reported that the Planning Department reviewed this application and has found that the property is subject to WRP conditions. Due to the unique characteristics of the program, the Planning & Building Department deferred recommendations to the Assessor's Office. Bill Brown, Commercial Appraiser, reported that in regards to this request, the Assessor's Office finds that the property consists of 39.0 acres in the Current Use Farm and Agricultural classification. The 39 acres are also encumbered by a Wetland Reserve Program (WRP) easement that was recorded on June 7, 2005, which prohibits activities which include but are not limited to haying, mowing or seed harvest, harvesting wood products, grazing or allowing livestock on the property, and planting or harvesting any crop. The prohibited activities make the encumbered parcels ineligible for Current Use Farm and Agricultural classification. The WRP survey indicates the parcel has 40.27 acres in the WRP easement and a two-acre exception. The two-acre exception has been reserved from the WRP easement by the landowner for a future home site. The Grays Harbor County records indicate the subject

parcel has a total of 39 acres. Grays Harbor County will continue to recognize the parcel as 39 acres with the discrepancy needing to be resolved by the landowner. The Department recommends the reclassification of 37 acres into Current Use Open Space Classification with conditions. The two-acre home site should be removed from the Current Use Farm and Agriculture classification and taxed as true market value. The Department recommends the following conditions of approval:

- Commercial farming is prohibited.
- Grazing or pasturing domestic or livestock animals is prohibited.
- Building and structures are prohibited.
- Woodcutting, altering vegetation, burning, dumping and filling are prohibited.
- Littering, excessive noise, and any actions that may endanger the animal or plant life on this property are prohibited.
- Camping and campfire are prohibited.
- The use of non-far motorized vehicles, including off-road vehicles and quads is prohibited.
- Farm vehicles used for the maintenance of wildlife food plots, to cut hay/grass to maintain wildlife habitat, or used to support the activities of the WRP easement are permitted.
- Any uses not allowed by the WRP easement are prohibited.

This Agreement shall be established between the owner and the Granting Authority specifying the conditions. Should the owner sign the agreement, it shall be understood that the owner will comply with the conditions. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in RCW 84.34 and assessed at true market value.

Chairman Carter invited the applicant to provide comment. David Mudd, the representative for the Mudd Family Revocable Trust, reported that he is a professional wildlife biologist and has worked for the Department of Fish & Wildlife for 32 years. He stated he has working knowledge of conservation land and conservation easements, and stated that the family's interest in owning the land related to this request is for the purpose of conservation. Mr. Mudd requested that the Board consider revising the conditions of approval with site specific clarifications. He asked that in regards to the condition which states "littering, excessive noise, and any actions that may endanger the animal or plant life on this property are prohibited", the phrase "legal hunting, fishing and trapping are allowed" be added. He explained that these activities are allowed under the WRP easement, are allowable on Open Space lands, and may otherwise be misinterpreted by the previously suggested conditions. Mr. Mudd asked that in regards to the condition which states "camping and campfires are prohibited", the condition be removed or modified to read "occasional camping and campfires are permitted in undeveloped camp sites for personal use". He explained that the warranty easement deed for the WRP easement specifically reserves the right of quiet enjoyment and the right to undeveloped

recreational uses by the land owner, thus camping is allowed on the WRP lands. Mr. Mudd quoted the Open Space Act, RCW 84.34.010, and noted that family would like to use the land for personal recreation to include camping. In regards to the suggested condition “any uses not allowed by the WRP easement are prohibited”, he proposed clarifying this condition to read “any uses prohibited by the WRP easement are prohibited”, to be clear as to the interpretation of the condition.

Chairman Carter asked that Mr. Brown comment in regards to the suggested modifications to the conditions of approval, as requested by Mr. Mudd. Mr. Brown indicated that the Assessor’s Office would have no objections to modifying the conditions of approval to accommodate Mr. Mudd’s site specific requests. 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 request for reclassification by the Mudd Family Revocable Trust with site specific conditions as agreed upon by the Assessor’s Office and the applicant.

2. Reclassification as Open Space for Real Property Tax Purposes – Applicant Virgil & Sylvia Mudd Trust: There was a public hearing to consider a request by the Virgil & Sylvia Mudd Trust for reclassification as Open Space for real property tax purposes for Parcel Numbers 170717120020 & 17078430020. Notice of this hearing was advertised November 13, 2008, in the *Montesano Vidette*. Chairman Carter asked for a staff report. Brian Shea, Planning & Building Director, reported that this is a second request by the Mudd Family for reclassification. Mr. Shea indicated that he would defer to Mr. Brown of the Assessor’s Office for an explanation and review of the report and recommendations. Bill Brown, Commercial Appraiser, reported that in regards to this request, the Assessor’s Office finds that the property consists of 36.96 acres in two parcels. Parcel No. 170717120020 has 12.27 acres and Parcel No. 170718430020 has 24.69 acres, with 5.6 acres enrolled in a Conservation Reserve Enhancement Program (CREP) that runs until September 30, 2016. The CREP has the potential to be renewed at that time. The CREP program is eligible for the Current Use Farm and Agriculture classification by statute (RCW 84.34.020 (2)(a)(iii)). The landowners responded in the 2008 Open Space Agriculture Statement of Commercial Productivity that the two parcels are not being farmed. Both parcels have land that is wet and/or covered by woodlots. It is not possible to carry out commercial agriculture activities on these portions of the two parcels. Parcel No. 170717120020 has 12.27 acres total. Due to woodlots and/or wetlands, 6.33 acres cannot be used for commercial agriculture activities and are not eligible for the Current Use Farm and Agriculture classification. Parcel No. 17078430020 has 24.69 acres of which 5.6 acres are enrolled in the CREP. Due to woodlots and/or wetlands, 8.55 acres cannot be used for commercial agriculture activities and are not eligible for the Current Use Farm and Agriculture classification.

The Department suggests that 36.96 acres in Parcel No. 170717120020 and Parcel No.

17078430020 be reclassified into Current Use Open Space classification with conditions. The Department recommends the following conditions of approval:

- Commercial farming is prohibited.
- Grazing or pasturing domestic or livestock animals is prohibited.
- Building and structures are prohibited.
- Woodcutting, altering vegetation, burning, dumping and filling are prohibited.
- Littering, excessive noise, and any actions that may endanger the animal or plant life on this property are prohibited.
- Camping and campfire are prohibited.
- The use of non-far motorized vehicles, including off-road vehicles and quads is prohibited.
- Farm vehicles used for the maintenance of wildlife food plots, to cut hay/grass to maintain wildlife habitat, or used to support the activities of the CREP program are permitted.
- Any uses not allowed by the CREP are prohibited.

This Agreement shall be established between the owner and the Granting Authority specifying the conditions. Should the owner sign the agreement, it shall be understood that the owner will comply with the conditions. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in RCW 84.34 and assessed at true market value.

Chairman Carter invited the applicant to provide testimony. David Mudd, on behalf of his parents Virgil and Sylvia Mudd, stated that he would again like to propose site specific clarifications for the conditions of approval. In regards to the condition which states “woodcutting, altering vegetation, burning, dumping and filling are prohibited”, he would like to propose it be modified to read “altering vegetation, burning, dumping and filling are prohibited, except that limited woodcutting for personal use is allowed”. He explained that the family would like to maintain the opportunity to occasionally cut trees on this parcel. He stated that routinely, two to four trees out of more than a thousand on the property are cut each year, with those which have blown down across the roadway or into the wildlife habitat area due to naturally occurring events being targeted for cutting. Referring to the previous hearing, Mr. Mudd requested that in regards to the condition which states “littering, excessive noise, and any actions that may endanger the animal or plant life on this property are prohibited”, he would like it to be modified to include the phrase “legal hunting, fishing and trapping are allowed”. In regards to the condition regarding camping and campfires, he asked it be again modified to “occasional camping and campfires are permitted in undeveloped camp sites for personal use”. Mr. Mudd explained that specific to the CREP, a camping site and access road was reserved and approved by the Natural Resource Conservation Service.

In regards to the condition which states “farm vehicles used for the maintenance of

wildlife food plots, to cut hay/grass to maintain wildlife habitat, or used to support the activities of the CREP program are permitted”, he requested that it be modified to read “farm vehicles and equipment used for the maintenance of wildlife food plots, maintenance of the access road, to cut hay/grass to maintain wildlife habitat, or used to support the activities of the CREP program are permitted”. He asked that again the final condition be clarified to read “any uses prohibited by the CREP are prohibited”.

Chairman Carter asked that Mr. Brown comment in regards to the suggested modifications to the conditions of approval as requested by Mr. Mudd. Mr. Brown indicated that the Assessor’s Office would have no objections to modifying the conditions of approval to accommodate Mr. Mudd’s site specific requests. 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 request for reclassification by the Virgil & Sylvia Mudd Trust with site specific conditions as agreed upon by the Assessor’s Office and the applicant.

3. Variance Request Case No. 2008-1224 – Applicant Jay & Arionne Jackson:

There was a public hearing to consider a request by Jay & Arionne Jackson for a variance for a reduction in the required minimum private road standards. The applicant is requesting a reduction in the minimum width of the built road for a private road serving three or more lots from 20-feet to 16-feet, and to reduce the required easement width from 60-feet to 20-feet. The applicant is also requesting relief from the requirement to install a 70-foot diameter cul-de-sac. No other turn-around is proposed. Notice of this hearing was advertised in the *Montesano Vidette* November 13, 2008. Chairman Carter asked for a staff report. Russ Esses, County Road Engineer, reported that the Department recommends denial of this request based on the application not providing safe enough road conditions. Chairman Carter invited the applicant to provide testimony. Jay Jackson stated that he and his wife had purchased the property several years and have since decided to develop a large lot subdivision. He stated that the septic and water issues have been taken care of but his neighbor has objected to allowing the easement needed for the required roadway. In terms of the cul-de-sac, he noted that the way the property is currently arranged, there are two existing cul-de-sacs and he feels an additional cul-de-sac would not provide better access. He stated that if and when additional building took place in the future, he would then build an additional (third) cul-de-sac.

Chairman Carter inquired as to how many lots are served by the easement. Mr. Jackson stated that the easement would serve three lots. Commissioner Beerbower asked if the three lots would be the total number of lots. Mr. Jackson affirmed. Commissioner Beerbower, addressing staff, inquired as to the turn-around requirements for emergency response. Chairman Carter asked if this request were approved, would it be possible to allow the applicant to stipulate to the fact that when additional development took place on

the third lot, the applicant would provide the adequate turn-around. Curt Crites, Grays Harbor County Planning & Building Department Planner, stated that that is generally not practiced by the Department. He explained that the applicant is proposing to eliminate the need for a cul-de-sac and as the applicant indicated in his testimony, he feels there is adequate turn-around area. Mr. Crites stated that the applicant's main limitation is the easement width and is not as limited in terms of the cul-de-sac. He explained that the fire apparatus road standards would need to be addressed at the time of building. At that time, the applicant will be more than 150-feet from the County road which will require him to provide a fire apparatus turn-around, noting that it would not necessarily be required to be a cul-de-sac.

Chairman Carter asked for public comment. Ron Armstrong, Hoquiam, commented in regards to the road width requirements, stating that in his opinion, wider roads don't necessarily mean safer roads. He stated that there are documented cases which indicate that a 30-foot road is more likely to have an accident than a 14-foot road. He feels that more narrow roads cause people to slow down. Chairman Carter asked for additional comment. There was no further public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Variance Request Case No. 2008-1224 by Jay & Arionne Jackson.

4. Property Tax Levy 2009 – General Fund & Road Fund: There was a public hearing to consider adoption of the Grays Harbor County 2008 Regular Property Tax Levy for 2009 Collection. Grays Harbor County Property Tax Levy Resolution for the General Fund and the Road Fund would authorize a 1% increase in the regular property tax levy for the General Fund and Road Fund in addition to any amount resulting from the addition of new construction and improvements to property, and any increase in the value of state-assessed property for the 2009 levy. Notice of this hearing was advertised in the *Montesano Vidette* November 13 & 20, 2008. Copies of the tax levy information and budget were available for study in the County Auditor's and Commissioner's Offices. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported that the regular property tax levy for the General Fund is proposed in the amount of \$8,850,000. That projection is an increase of \$700,000 from last year, of which, \$591,000 is new construction. The new construction was received at last year's rate of \$1.48. With the total evaluation, this year's per thousand AV is \$1.39 which essentially reduced the rate by ten cents, with the exception of new construction which has not been taxed up to this point. The levy amount for the Road Fund is \$4,980,000, an increase of \$900,000 from last year, for which \$667,000-\$700,000 is new construction which has not been taxed in the past but will be at \$2.07, which was last year's rate. This year's rate per thousand AV is \$1.88. Ms. Elway noted that this will be the second year the Board has proposed to not impose the Veteran's levy because the fund has a sufficient amount needed to operate for the next few years. This puts the Veteran's levy into the General Fund.

Chairman Carter asked for Public Comment. Daily World reporter, Steven Freiderich, inquired as to what the Veteran's levy is. Ms. Elway answered that the fund is approximately \$45,000 per year, depending on timber harvest values. The levy was imposed in 2007 and recouped approximately \$50,000. The fund spends an average of \$25,000 to \$30,000 per year for indigent veterans. Vern Spatz, Auditor and Administrator of the Veteran's Relief Fund, explained that the fund is required by the state and is set up to devote a portion of the County's property taxes to aid and assist indigent and needy veterans. These funds are dispersed on a case by case basis, up to \$700 per year for living expenses only. The Veteran's Advisory Board oversees the fund and makes recommendation to the Board of County Commissioners in regards to policy and administration. At present time there is approximately \$180,000 in the fund. The state requires that a year's operating income is maintained in the fund. At present there are sufficient funds to not have to impose the levy at this time.

Chairman Carter asked for additional public comment. There was no further public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2008-129, Grays Harbor County Property Tax Increase Resolution General Fund 2008 Tax Levy for 2009 Collection, and Resolution No. 2008-130, Grays Harbor County Property Tax Increase Resolution Road Fund 2008 Tax Levy for 2009 Collections.

5. **Supplemental Budget – Fair Fund:** There was a public hearing to consider a supplemental budget in the Fair Fund in the amount of \$16,880. Notice of this hearing was advertised in the *Montesano Vidette* November 13 & 20, 2008. Chairman Carter asked for a staff report. Rose Elway, Budget Director, reported that the Fair Fund has approximately \$10,000 remaining in the fund. The budget will be exhausted by the end of November and requires utilization of the 2008 ending cash of \$10,000 which was budgeted for 2009 beginning cash. There is an additional \$6,880 in unanticipated intergovernmental funds from Public Services. The categories to be supplemented are \$6,880 in entertainment, \$2,000 for grounds supplies, \$2,000 in communication, \$3,000 in B&O taxes, \$1,000 in repairs and maintenance, and \$2,000 in ER&R Interfund Rent. This should get the fair through the end of the year. 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 Resolution No. 2008-131, Authorizing a Supplemental Extension in the Budget of the Grays Harbor County Fair Fund #103.

COMMISSIONERS

1. **Award Indigent Defense Contracts:** A motion was made, seconded and passed to approve the recommendation of the District Court Judges to award additional Indigent

Defense Contracts for 2008. Seven applications were received in total, with five (5) contracts awarded to Kyle Imler, Harold Karlsvik, Pamela Hartman, Amanda Kleespie, and Robert Ehrhardt. Stew Menefee, Grays Harbor County Prosecutor, reported that these contracts supplement the six contracts awarded in January of this year, which had a case load maximum of 375 cases. All of the previously awarded contracts have reached their limit. Based upon the five Attorneys having had contracts with District Court in the past, the Judges feel confident in their ability to fulfill the requirements of the additional contracts. It was reiterated that the reason for awarding the new contracts was that the maximum case levels of the previous contracts had been reached.

2. Appointment of Timothy Miller - County Designated Mental Health Professional: A motion was made, seconded and passed to approve the application of Timothy Miller as a recognized County Designated Mental Health Professional. Joan Brewster, Public Health and Social Services Director, 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.

3. Resolution Authorizing Property Tax Levies – City and Junior Property Tax Levy: A motion was made, seconded and passed to approve **Resolution No. 2008-132, Extending the Tax Rates as Submitted by the Junior Taxing Districts for 2008 Tax Levy for year 2009 Collections.** The several junior taxing districts have submitted certified budgets for the year 2009 and requested tax levies for regular, debt, or special purposes according to statute. Vern Spatz, Auditor, reported that the amount originally submitted by the Port needed to be changed from \$2,051,192 to \$2,203,842. The Clerk made the appropriate correction to revise the amount on the resolution. Mr. Spatz explained that the taxing districts have until the end of November to submit their information, so this resolution will need to be amended in December once additional taxing districts have submitted their 2009 budgets.

CONVENE AS DRAINAGE DISTRICT 2

The Board of County Commissioners convened as Commissioners for Drainage District #2 to consider the following:

- 1. Set Hearing Date to Consider Adoption of the 2009 Budget:** December 8, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider the 2009 Budget for Drainage District #2. At the request of the Chairman, the Clerk read the Notice of Hearing as it will be advertised. Copies of the Proposed 2009 Budget will be available for study in the Office of the Grays Harbor County Commissioners.
- 2. Set Hearing Date to Consider Annual Assessment Roll:** December 29, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider the annual assessment roll and provide notification as directed in RCW 85.32.060, requiring a hearing with three advance publications of notice and mailing to property owners. The

Clerk announced that this will be a special meeting for the Drainage District only as there will not be a regular BOCC meeting conducted that day.

The Commissioners adjourned the meeting of Grays Harbor County Drainage District #2 and reconvened as Board of County Commissioners.

CONVENE AS BOARD OF HEALTH

The Board of County Commissioners recessed and convened as Commissioners for Board of Health.

1. **Revised Rate Resolution – Environmental Health Division:** A motion was made, seconded and passed to approve **Board of Health Resolution No. 2008-03, Amending Resolution 2008-01 Clarifying and Adopting Environmental Health Division Program Service Fees, and Rescinding Resolutions 2007-106 and 2008-01.** Jeff Nelson, Environmental Health Director, stated that there have been no additional changes in the rates, the Board of Health simply needed to adopt this resolution as previously adopted by the Board of Commissioners.

The Commissioners adjourned the meeting of Grays Harbor County Board of Health and reconvened as Board of County Commissioners.

DEPARTMENTS

MANAGEMENT SERVICES

1. **Request Approval, Budget Transfer – Chehalis Basin Partnership Water Quality Monitoring:** A motion was made, seconded and passed to approve **Resolution No. 2008-133, Transferring Items in the Grays Harbor County Chehalis Basin Partnership Water Quality Monitoring Fund #640-000-000.** This resolution transfers \$32,500 from ending cash into professional services. \$32,500 was received from the City of Chehalis settlement for which they were obligated to contribute for assistance to the water quality monitoring program. We are now reimbursing Grays Harbor College for the purchase of long-term water quality monitoring probes.

2. **Request Approval, Budget Transfer –Prosecutor’s Office:** A motion was made, seconded and passed to approve **Resolution No. 2008-134, Transferring Items in the Grays Harbor County General Fund Prosecutor’s Office # 001-030.** This Resolution transfers \$8,000 from Criminal Salaries to cover costs associated with supplies, travel, communications, interfund rentals, professional services and civil travel for the remainder of the year.

3. **Request Approval, Budget Transfer – Insurance Fund:** A motion was made, seconded and passed to approve **Resolution No. 2008-135, Transferring Items in the**

Grays Harbor County Miscellaneous Fund Insurance Department #504-000-000.

This Resolution transfers \$50,000 from ending cash to attorney fees to cover insurance deductibles.

4. Request Approval, Budget Transfer – Pacific Beach Sewer M&O Fund: A motion was made, seconded and passed to approve **Resolution No. 2008-136, Transferring Items in the Grays Harbor County PB Sewer M&O Fund #404-000-000.** This resolution transfers \$80,000 from ending cash balance to Interfund Professional Services due to unanticipated, major sewer system repairs required to maintain the system.

5. Request Approval, Budget Transfer – Pacific Beach Sewer Bond ULID #8 Fund: A motion was made, seconded and passed to approve **Resolution No. 2008-137, Transferring Items in the Grays Harbor County PB Sewer Bond ULID #8 Fund #404-008-200.** This Resolution transfers \$47,500 from ending cash into Special Assessment Bond. At the time of the budget there was not enough cash to pay off the bond but funds have been received for the special assessment bond payment to be completed.

6. Request Approval, Budget Transfer – Pacific Beach/Moclips Water System M&O Fund: A motion was made, seconded and passed to approve **Resolution No. 2008-138, Transferring Items in the Grays Harbor County PB/Moclips Water System M&O Fund #405-000-000.** This resolution transfers \$50,000 from ending cash balance to Repairs & Maintenance due to unanticipated repairs to the water system.

PUBLIC HEALTH & SOCIAL SERVICES

1. Request Approval, Program Agreement- DSHS – Medicaid Outreach: A motion was made, seconded and passed to approve a program agreement with the DSHS Medical Assistance Administration. This agreement allows Public Health and Social Services to bill for the federal portion of Medicaid for staff activities related to providing information to clients and the public about the Medicaid program and in assisting with Medicaid enrollment. The arrangement provides approximately \$300,000 a year in revenue to support this department.

PUBLIC SERVICES

1. Request Approval, Resolution Amending Resolution 93-37 – Use of County Motor Vehicles: A motion was made, seconded and passed to approve **Resolution No. 2008-139, Amending Resolution 93-37 Regarding Policies and Procedures for Use of County Motor Vehicles.** This resolution revises and clarifies county vehicle use policy and procedures.

2. Request Approval, 5-year Caretaker Agreement – Vance Creek Park: A

motion was made, seconded and passed to approve a 5-year caretaker agreement for Vance Creek Park with Dustin and Natalie Hensley. This agreement establishes a method of payment for the caretaker for providing certain maintenance, operational, and security services at the park.

3. Request Approval, Authorization for Limited Use Permit – Radio Frequency

Agreement: A motion was made, seconded and passed to grant Paul Easter, Director of Public Services, authorization to sign the Limited Use Permit, Radio Frequency Agreement between E9-1-1 and Grays Harbor County Department of Public Works. The Permittee is granted limited right to communicate car to car with local public safety officers while conducting joint field activities, and to HARBOR dispatch in emergencies involving imminent life safety.

4. Request Approval, Federal Bridge Project – Black Creek Road Bridge No. 7

Replacement Prospectus: A motion was made, seconded and passed to authorize the Chairman to sign the Federal Bridge Program project prospectus and Local Agency Agreement involving Black Creek Road Bridge No. 7 Replacement.

5. Request Approval, Set Hearing Date – Right-of-Way Vacation for Calder

Ridge LLC: December 22, 2008 at 2:00 p.m. is the date and time set for a public hearing to consider the application by Terry Graham for the vacation of an unopened right-of-way that is located in the parcel he is subdividing.

6. Request Approval, Set Hearing Date – Change of Use Property Tax

Classification to Current Use Open Space, as Requested by Leo Bednakik & Christine Pomeroy: December 15, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider a request by Leo Bednarik & Christine Pomeroy for change of use classification to Current Use Open Space for Parcel Numbers 1705201100010 and 1705212200010.

7. Request Approval, Set Hearing Date – Appeal of G.H. County Engineer

Administrative Decision, Case No. 2008-1575: December 15, 2008, at 2:00 p.m., is the date and time set for a public hearing to consider a request for an appeal of Grays Harbor County Engineer Administrative Decision – Case 2008-1575 and related requirements contained in Grays Harbor County October 7, 2008, correspondence to Robert Betcher concerning the placement of fill material within the Fourth Street South right-of-way in the Pacific Beach area of unincorporated Grays Harbor County.

ANNOUNCEMENTS

The Clerk of the Board announced that there will be no BOCC Meeting next Monday, December 1, 2008, due to the Thanksgiving Holiday.

CORRESPONDENCE

1. Claim No. C-578-08, filed by Charles Philpot. This claim was forwarded to the Claims Review Committee.
2. Claim No. C-579-08, filed by Christopher & Amanda Stamper. This claim was forwarded to the Claims Review Committee.

PUBLIC COMMENT

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

Tom Rose, Porter, made comments regarding the permitting process for the Porter Tavern and a code violation notice received that day. Mr. Rose commented on specific items related to the violation notice and complaints regarding the Building Department, construction at the PDA, and the review of the department to be conducted by the ICC.

Kathleen Porter, Renton, WA, made comments in support of the opening of the Porter Tavern and in regards to recent news articles concerning the Porter Tavern. She made comments regarding a lack of communication between the Planning & Building Department and her mother, the owner of the Porter Tavern.

Kay Lee, Porter, spoke in regards to the inspections which have taken place at the Porter Tavern and the requirements for obtaining an occupancy permit. She asked that the Commissioners help facilitate the process for her to be able to obtain necessary permits in order to open the tavern.

Mark Doyle, Doyle Brothers' Construction, Elma, made comments regarding his experience working with the Building Department, noting that he commends the majority of the staff but feels that the quality of the customer service provided to the public needs improvement. He spoke in support of Ms. Lee and the opening of the Porter Tavern.

Jim Carlson, Quinault, made comments in support of the Porter Tavern and in regards to the Critical Area Ordinance. He spoke in favor of increased citizen involvement in the production of the document and in regards to the need for additional study in terms of the economic impact and cost of implementation. He stated that the unique characteristics of the Quinault area should be taken into consideration.

Jeff Bowers, Bowers Construction, Montesano, made comments regarding the Planning & Building Department, expressing frustration with inspections and the costs to builders. He feels changes need to be made within the department in order to keep contractors and builders in the county. He made comments in support of the Porter Tavern.

John Olson, Quinault, made comments regarding damage caused by flooding of the Quinault River. He asked that the County address the problem before bridges and roads are also damaged. Paul Easter explained that the County is monitoring the situation.

Stan Blunt, Aberdeen, made comments regarding pay raises, WSAC conference reports, presentations taking place at the PDA, I-9 forms, and the cancelation of the BOCC meeting on December 1st.

Stanley Trohimovich, Aberdeen, made comments regarding invalid legislation.

Paul Easter, Public Services Director, commented in support of his staff and the policy and procedures of the department. He sought to clarify conflicting reports regarding the Porter Tavern.

STAFF MEETINGS

The Board held staff meetings on Monday, November 24, 2008, beginning at 9:00 a.m. These staff meetings are advertised public meetings held in the Commissioners' Conference Room. The Commissioners and Deputy Clerk of the Board reviewed calendars and pending daily office issues. The Board met with Rose Elway, Budget Director, regarding the Levy and Budget; Bill Brown, Assessors Office, regarding agenda items; Joan Brewster, Public Health & Social Services, regarding agenda items; Paul Easter, Public Services Director, regarding agenda items, road and bridge projects and personnel updates; Kevin Varness, regarding agenda items, facility/utility project updates; Brian Shea, regarding hearings and Planning/Building updates; Jeff Nelson, regarding agenda items & Environmental Health updates; Russ Esses, regarding the road variance hearing. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

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| No. 2008-129 | Grays Harbor County Property Tax Increase
Resolution General Fund 2008 Tax Levy for
2009 Collection |
| No. 2008-130 | Grays Harbor County Property Tax Increase
Resolution Road Fund 2008 Tax Levy for 2009
Collections. |
| No. 2008-131 | Authorizing a Supplemental Extension in the
Budget of the Grays Harbor County Fair Fund
#103 |

The meeting adjourned at 4:18 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2008

ALBERT A. CARTER, Chairman
Commissioner, District 3

BOB BEERBOWER, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna Caton
Clerk of the Board