

MINUTES
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY

REGULAR MEETING
March 23, 2009 2:00pm

SPECIAL MEETING
RE: FIRE DISTRICT 5
March 23, 2009 4:00pm

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

February 23, 2009

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, February 23, 2009, at 2:00 p.m. Commissioners Al Carter, Terry Willis and Mike Wilson were present. Jim Baker, Deputy Prosecutor, and Donna Caton, Clerk of the Board, were also present.

CALL TO ORDER AND FLAG SALUTE

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

CONSENT AGENDA: Approval was requested for the following items:

1. Minutes of Regular Meeting held February 9, 2009
2. Set bid date for March 30, 2009 – Official County Publications
3. **Assessor:** Surplus of Equipment – *Nine (9) Sony Digital Still Cameras*
4. **Fair:** Authorize Fair Manager to sign entertainment contracts with the following:
 - a. Jake Owen - *To perform Thursday August 6, 2009, at 8:00 p.m.*
 - b. Harmony Artists – *Fables of the Wild West – August 5th – 9th*
 - c. Leap Frog Entertainment – *Doggies of the Wild West – August 5th – 9th*
 - d. Howell Rodeo Company – *Bull Blast – Saturday, August 8th*
5. **Forestry:** Authorize contract with Weyerhaeuser – Seedling Production for planting year 2011.
6. **Straddleline ORV Park:**
 - a. Authorize contract with Adventure Sports Promotions for World Off-Road Championship Series
 - b. Set bid opening date of *March 23, 2009, for equipment purchase under RCO grant (**this date was previously advertised as March 27, 2009*)
7. **Public Services:**
 - a. Advertise for bids for 2009 Traffic Control Devices Stockpiling Contract – *Bid opening date of March 30th, 2009*
 - b. Set hearing date of March 9, 2009, for Open Space Application – Rayonier Forest Resources
 - c. Local Agency Agreement Supplement No. 1 for Schmid Road Drainage Bridge M.P. 0.5 Replacement
 - d. Federal Economic Stimulus Program Wynoochee Road – Thirteen Corners Realignment Agreement and Prospectus: *At the request of Commissioner Carter, this item was removed from the Consent Agenda and placed on the Commissioners Agenda (see Public Services #11).*

ACTION: A motion was made, seconded and passed to approve all Consent Agenda items as listed above.

BIDS

None

HEARINGS

1. Request for Reclassification to Current Use Timber – John Jr. & Jean Clevenger: There was a public hearing to consider a request by John Jr. and Jean Clevenger for reclassification to Current Use Timber for Parcel Numbers 190921120020 & 190921120050. Notice of this hearing was advertised in the *Montesano Vidette* February 12, 2009. Commissioner Carter stated that he is related to the applicants. Chairman Wilson asked for any objections to Commissioner Carter participating in the hearing. There were no objections. Chairman Wilson called for a staff report. Bill Brown, Commercial Appraiser, reported that the property related to this request consists of two parcels that total 19.8 acres. One acre in Parcel Number 190921120050 is to be reserved for a home site. The remaining acreage is the subject of the application. The application has a Forest Management Plan signed by Forester Richard Wood. Mr. Brown stated that the Assessor's Office recommends approval of this application to reclassify 18.8 acres to Current Use Timber Land with the condition that the Forest Management Plan will be followed and the acreage approved will be managed as a commercial stand of timber.

Chairman Wilson 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 to Current Use Timber by John Jr. & Jean Clevenger, as conditioned.

2. Appeal of Administrative Decision and Related Requirement – Robert Betcher: There was a public hearing to consider an appeal by Robert Betcher, Case No. 2008-1575, of the decision and related requirement contained in Grays Harbor County October 7, 2008, correspondence to Robert Betcher concerning the placement of fill material within Fourth Street South right-of-way in the Pacific Beach area of unincorporated Grays Harbor County. The location of this request is described as Fourth Street South Located in the Southeast ¼ of Section 20, Township 20 North, Range 9, West in Grays Harbor County, Washington. Notice of this hearing was advertised in the *Montesano Vidette* February 12, 2009.

Chairman Wilson called for a staff report. Russ Esses, County Road Engineer, reported that during a visit to the site last October, it was discovered that as a result of Mr. Betcher being required by the Department of Ecology to remove fill material from wetlands on existing property he owns, fill was stockpiled onto the County right-of-way without the proper permits. Mr. Esses indicated that Mr. Betcher has not complied with the County's

request to remove the materials; therefore, the Department is seeking action to enforce the removal of the material from the County right-of-way.

Mike Daniels of Pacific International Engineering (PIE), on behalf of the applicant, requested that Commissioner Carter recuse himself from the hearing regarding ex parte communication with the parties involved in this appeal. Commissioner Carter stated that once the appeal was filed by Mr. Betcher, his communications were limited to referrals to staff. He did not feel there was sufficient reason to recuse himself. Mr. Daniels requested the record reflect Mr. Betcher's disapproval of Commissioner Carter's participation in the hearing.

Mr. Daniels stated that he feels the purpose of the appeal regarding the placement of the fill in the Fourth Street right-of-way is based on a complaint from an adjoining property owner. He noted that Mr. Betcher is appealing in efforts to obtain additional time to work through a different process, such as a right-of-way vacation, not to deny the disputed placement of the fill. Mr. Daniels referenced testimony from the initial hearing for this matter regarding the Fourth Street right-of-way leading to a body of water. He referenced a legal opinion by the Grays Harbor County Prosecutor's Office (Exhibit A) regarding the Fourth Street right-of-way, distributed copies of the opinion to the Board, and read excerpts regarding the possibility for vacation of the right-of-way. Chairman Carter called attention to the legal opinion being subject to attorney client privilege, and inquired as to how Mr. Daniels obtained the document. Mr. Daniels stated that the opinion was prepared at his request and was obtained from the Public Works Department.

Mr. Daniels further discussed vacation of the right-of-way as a potential resolution to this matter. He described the fill's current location and stated that it presents no hazard in the area. He discussed a pending permit application regarding allowing fill in the right-of-way. Mr. Daniels stated that the appellant believes the order to remove the fill to be arbitrary and capricious on the basis that he has registered complaints regarding structures on the right-of-way adjacent to his property. He stated the appellant feels he should not have to comply with the administrative order until the owner of the structure is also required to comply. He further discussed the permits Mr. Betcher has obtained related to the Fourth Street right-of-way. He referenced a site visit and report conducted by the Department of Ecology (DOE) and the County regarding potential wetland impacts resulting from the placement of the fill. Commissioner Carter inquired as to Mr. Daniels stating that a permit was issued by the County for filling the lots. Mr. Daniels stated that a shoreline exemption was granted to fill the two lots. At Commissioner Carter's request, Brian Shea, Planning & Building Department Director, confirmed that the shoreline exemption was issued by the County, with the provision that the applicant contact the DOE and Army Corp of Engineers to determine the impacts of the fill on the existing wetlands. Regulatory requirements were discussed, and Mr. Daniels noted that PIE was consulted upon the initial finding that the fill was to be removed from the wetlands, and subsequently a permit was issued by the County for removal of the fill from the wetland area which clearly stated that the fill was not be placed in the right-of-

way. Mr. Daniels noted that the applicant had applied for the permit on September 12, 2007, to place the fill in the right-of-way. He reiterated that he has not yet received a response regarding this permit application, noting that several inquiries were made as to the status of the permit application. He noted that the application was acknowledged in January 2008, in the staff report related to this appeal, which stated that the pending application was placed on hold awaiting the resolution of issues associated with future County plans for the use of the Fourth Street South right-of-way.

Mr. Daniels requested that the applicant be given six weeks to pursue remedies to the issue including a right-of-way vacation which he believes would address both structural and fill related issues. Mr. Daniels continued to discuss options and plans of action by Mr. Betcher for vacation of the right-of-way.

Commissioner Willis asked if Mr. Betcher is willing to pay for the right-of-way vacation. Mr. Daniels stated that statute requires payment of fifty percent of the appraised value of the property when vacated, which the applicant is aware of. Commissioner Willis inquired as to permits for the garage located on the right-of-way. Mr. Daniels stated that by law the County is not allowed to permit private use of public right-of-way, which is dedicated to public roads and utilities. He noted that Mr. Betcher intended to use the fill material placed on the right-of-way to raise that section of the roadway. At Commissioner Willis' request, Mr. Daniels explained the location of the garage and the property owned by Mr. Betcher.

Chairman Wilson asked Mr. Shea to address the issue raised Mr. Daniels regarding the delay in responding to Mr. Betcher's permit applications. Mr. Shea stated that the issue of not processing the grade and fill application is identified in a letter sent to Mr. Betcher in October of 2008. The County would agree that the amount of time taken to respond is unusual, but the Department was examining the use of the Fourth Street right-of-way to determine its best use. Mr. Shea noted that he did not believe it was prudent to authorize the improvement of the road without first understanding which standard the road would apply. If the roadway were vacated, it would be required to be improved to private road standards, yet if it were to remain in place it would be required to be improved to the County public road standards.

Chairman Wilson asked for additional public comment. William Bonallo, Pacific Beach, provided a PowerPoint presentation (Bonallo Exhibit A) regarding the history of the area and the actions taken by Mr. Betcher. This presentation included a booklet prepared by Mr. Bonallo which was provided to each member of the Board. Mr. Bonallo discussed the photographs contained in the presentation, including views of the previous wetland areas and the placement of the fill material. Mr. Bonallo stated that the photos indicate the designated wetlands owned by Mr. Betcher have been filled and the vegetation and trees have been eliminated. Mr. Bonallo noted that his response to Mr. Daniels' testimony can be substantiated by County records which are included in the presentation. Mr. Bonallo provided an overview of the timeline of events and communications related

to Mr. Betcher's property and the Fourth Street right-of-way from February 14, 2006, through the present. Mr. Bonallo noted that a variance and all related permits were approved in 1987 for the garage structure on the Fourth Street right-of-way. The related documents are included in Exhibit A. Mr. Bonallo referenced aerial maps of the Fourth Street right-of-way and provided further explanation regarding the connection of the right-of-way to Joe Creek. He played an audio recording of a voicemail message from Grays Harbor County employee John Kirkwood, in which Mr. Kirkwood states that the Fourth Street right-of-way leads to a body of water and can not be vacated. Mr. Bonallo continued describing events noted in the timeline, noting communications between Mr. Betcher, the Department of Ecology and the County. Mr. Bonallo referenced the initial hearing date related to this appeal of December 15, 2008, and testimony provided by Mr. Daniels on behalf of the applicant. Mr. Bonallo requested the record reflect his taking exception to the fact that Mr. Betcher was allowed a second hearing regarding this appeal, due to Mr. Daniels having represented the appellant at the initial hearing.

Mr. Bonallo stated that he supports the initial December 15, 2008, decision made by the Board to deny this appeal, and feels that penalties should be pursued due to excessive delays caused by the property owner. He stated that he believes the best solution for this matter would be to return the wetland area and the County right-of-way area to its original condition. Mr. Bonallo strongly opposed vacation of the Fourth Street right-of-way. He stated that he feels widening of the Fourth Street right-of-way and vacation of the Third Street alleyway as proposed by Mr. Betcher should not be considered as he believes them to be retaliatory actions against his family. He noted that the County should adopt protections prohibiting these actions to be used as a threat or as intimidation towards other citizens. Mr. Bonallo expressed concern for protecting the wetlands and the overall land in the area and noted the affects of Mr. Betcher's actions to the value of his home.

Chairman Wilson asked for additional public comment. Steven Friederich, *The Daily World*, inquired as to why this hearing was taking place when a decision regarding the appeal had previously been made. He asked that a staff report include the reason for the second hearing. Mr. Shea referenced a report provided to the Board and explained the contents thereof. He noted that it contains an explanation regarding the position of the Department and allows the appellant to prepare a response. He acknowledged that both the appellant and Mr. Daniels did not receive this report, nor were they notified of the initial hearing date. Mr. Shea explained that providing proper notification and hearing materials to the applicant are essential to ensuring a fair hearing process.

Mr. Daniels stated that he learned of the first hearing in conversation with Commissioner Carter at an unrelated event, one week prior to the initial hearing. He stated that though he was unable to confirm with Mr. Bonallo, he assumed he had been notified of the hearing. He noted that he attended the initial hearing, though he was not entirely prepared to testify, not having received the staff report. He sought to clarify with regard to the Fourth Street right-of-way that it does not extend beyond the plat, which is the

criteria by which it can be determined whether or not the right-of-way leads to a body of water.

Norm Vick, Pacific Beach, stated that he owns two neighboring properties and has lived there for 65 years. He stated that he is a neutral party and made comments regarding not having been notified of the hearing process.

Cheryl Campbell, Kent, made inquiries regarding the availability of full public access to the right-of-way and the standard to which it would need to be improved to if it were vacated. Commissioner Wilson replied that the street is open and accessible. Mr. Shea confirmed that the right-of-way would have to be constructed to private road standards if it were vacated.

John Bonallo, Pacific Beach, made comments regarding Mr. Daniels appearing at the initial hearing.

Mr. Daniels made additional comments regarding having appeared at the initial hearing without conversing with Mr. Betcher.

William Bonallo made comments regarding Mr. Daniels' position and testimony being essentially the same in both hearings, and asked that the Board require Mr. Daniels to address this claim.

Mr. Daniels stated that his position is fundamentally the same in both hearings, though his current testimony is more detailed due to having been provided a copy of the report. He made additional comments regarding developing the right-of-way and requirements for a public road.

Commissioner Carter inquired as to the purpose of widening the road if it does not increase accessibility.

Mr. Daniels stated that he was commenting regarding the potential for public use, not Mr. Betcher's intentions.

Susan Bonallo, Pacific Beach, made comments regarding permit violations made by Mr. Betcher and the cost to taxpayers. She expressed concern for due process and that preferential treatment should not be given to Mr. Betcher because he owns a large amount of property in the area.

Lila Prizinger, Pacific Beach, made comments regarding wetlands providing habitat for animals and expressed concern for their environment.

Chairman Wilson called for additional public comment. There was no further comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve the Findings of Fact as written in this case, and to deny the appeal filed by Robert Betcher of Grays Harbor County Engineer Administrative Decision, Case No. 2008-1575.

COMMISSIONERS

1. **Grays Harbor Public Development Authority (GHPDA)– Notice of Meeting Regarding Sale of Acreage to Grays Harbor Energy II LLC, and Request to Waive 30 day Notice Provision of RCW 35.21.747(2):** A motion was made, seconded and passed to approve a request made by the Grays Harbor Public Development Authority to waive the Notice of Meeting requirement of 30 days.

DEPARTMENTS

MANAGEMENT SERVICES

1. **Request Approval, Agreement with Coastal Community Action Program (CCAP) – 2009 CDBG Public Services Grant:** A motion was made, seconded and passed to approve a Subrecipient Agreement with CCAP for the 2009 CDBG Public Services Grant for \$162,743. CCAP will be providing low and moderate income persons with public services in accordance with the Department of Community Trade & Economic Development grant guidelines.
2. **Request Approval, One Time Only Interlocal Agreement – 7th Street Theatre Association:** A motion was made, seconded and passed to approve a One Time Only Interlocal Agreement with the 7th Street Theatre Association. \$2,500 in Historical Preservation Project Grant Funding will be used for the restoration of murals on the rear walls of the Theatre.
3. **Request Approval, One Time Only Interlocal Agreement – Lake Quinault Historical Society & Museum:** A motion was made, seconded and passed to approve a One Time Only Agreement with the Lake Quinault Historical Society & Museum. \$2,500 in Historical Preservation Project Grant funding will be used for preservation of museum artifacts and memorabilia.

PUBLIC SERVICES

1. **Request Approval, Surplus Property – Pacific Beach Sewer Sludge Truck:** A motion was made, seconded and passed to approve the surplus of the Pacific Beach sewage sludge truck and authorize the transfer of ownership to the Quinault Indian Nation for the price of \$500.00. A new truck was purchased for the Pacific Beach sewer plant to replace the 1972 truck that was obtained in 1998 and used for hauling sludge from the County's Pacific Beach plant to the City of Aberdeen sewer plant for treatment.

2. **Request Approval, Purchase of Litter Van** A motion was made, seconded and passed to authorize the Utilities Division to purchase a van to replace the aging litter van. The Public Services Department recently received bids for one or more extended wheelbase passenger vans, with authorization to purchase one van having already been given to the Sheriff's Department. The 2009 Solid Waste Plan Fund Budget includes the funds necessary for the purchase. The Department has also received notice of approval for a grant from the Department of Ecology Litter Program which will cover at least 90% of the cost of the van.

3. **Request Approval, Easement for Electrical Service – North Beach Regional Water System** A motion was made, seconded and passed to authorize the Chairman to sign an easement to provide the route for electrical service to the well site for the North Beach regional water system.

4. **Request Approval, Water System Transfer Agreement – Hogan's Corner North Beach Regional Water System** A motion was made, seconded and passed to approve a water system transfer agreement to provide for the transfer of the Hogan's Corner water system, currently owned by Mr. Pat Hogan, to County ownership. The system is planned to be incorporated into the County regional system and the well site property is to become the location of a planned reservoir and pump station, an integral part of the new system. The existing system currently has four (4) active water services that will continue to be served by the existing well and distribution system until the regional system comes online.

5. **Request Approval, 2008 State Homeland Security Grant Agreement with Washington State Military Department, Emergency Management Division**: A motion was made, seconded and passed to authorize the Chairman to sign a contract with the Washington State Military Department Emergency Management Division in the amount of \$129,982. These funds will be used to purchase interoperable communications equipment for law enforcement, fire services and Grays Harbor Communications.

6. **See Consent Agenda Item #7(a).**

7. **Request Approval, Personal Services Agreement with LB Web Pro for Facilitation of Website Development for Washington Coast Sustainable Salmon Partnership**: A motion was made, seconded and passed to approve a personal services agreement with LB Web Pro to facilitate the development of a website for the Washington Coast Sustainable Salmon Partnership. The funds secured through a grant contract between the Recreation and Conservation Office and Grays Harbor County will cover the expenses incurred.

8. **Request Approval, Letter of Support for City of Centralia and Grays Harbor College for a Grant Request to Dept. of Ecology's Husseman Grant Program**: A motion was made, seconded and passed to approve a letter of support for the City of

Centralia and Grays Harbor College to include in their upcoming grant request to the Department of Ecology's Husseman Grant Program. The grant will enable the establishment of a Centralia stream team and implement priority actions in the Chehalis Basin Watershed Management Plan.

9. Request Approval, FEMA Public Assistance Grant Agreement & Resolution Designating Applicant's Agent – Federal Disaster Funds: A motion was made, seconded and passed to approve **Resolution No. 2009-08, Designating F. Paul Easter, Director of Public Services, as the Authorized Representative, and Russel D. Esses, P.E. County Road Engineer, the designated alternate, for and in behalf of Grays Harbor County,** and a FEMA Public Assistance Grant Agreement. The purpose of this designation as the authorized representative is to obtain federal and/or state emergency or disaster assistance funds. These submittals are necessary for the County to apply for Federal Disaster Funds for the disaster event beginning January 6, 2009.

10. See Consent Agenda Item #7(c).

11. Federal Economic Stimulus Program Wynoochee Road – Thirteen Corners Realignment Project Agreement and Prospectus: A motion was made, seconded and passed to authorize the Chairman to sign the project prospectus and the Local Agency Agreement requesting federal funding for the Wynoochee-Wishkah Road 13 Corners Realignment Project, C-51800-14. Chairman Wilson asked Public Services Director, Paul Easter, to provide an overview of this item. Mr. Easter explained that this project will reduce the 13 corners of graveled roadway to four curves on a paved road. He noted that this is one of the final main arterials in the County that is still gravel, which is an impediment to larger vehicle traffic. As a result, vehicles with larger loads must drive through the city of Aberdeen. Mr. Easter noted that it is hoped the paved road will serve larger vehicle traffic by increasing safety while at the same time supporting local commerce. Local government entities voted for this project to receive \$750,000 in federal funds, which are critical to finish the project.

ANNOUNCEMENTS

None

CORRESPONDENCE

1. A motion was made, seconded and passed to approve a Use Request by Team Vanquish on behalf of Rally America, for use of County roads for the April 19th, 2009 Olympus National Rally. This approval is contingent upon subsequent approval by additional County departments. Ray Damitio, event organizer, outlined the event and explained that he is requesting use of the roads on behalf of the larger organization. He noted that this event will be very beneficial to the local economy.

PUBLIC COMMENT

Chairman Wilson 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.

There was no public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, February 23, 2009, beginning 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 Dale Gowan, Central Services Director, regarding recording equipment; Dolores Noyes, ORV Park Manager, regarding agenda items; Rose Elway, Budget Director, regarding budget updates; Lee Napier, Public Services, regarding Marine Resource Council; 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, Planning & Building, regarding department updates; Jeff Nelson, Environmental Health, regarding department updates; Lee Napier, regarding agenda items; Russ Esses, regarding chip sealing projects; Anne Sullivan, regarding Emergency Management and storm/flooding updates; Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

No. 2009-08

Designating F. Paul Easter, Director of Public Services, as the Authorized Representative, and Russel D. Esses, P.E. County Road Engineer, the Designated Alternate, for and in behalf of Grays Harbor County

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 3:48 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2009

MIKE WILSON, Chairman
Commissioner, District 2

TERRY L. WILLIS, Commissioner, District 1

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton
Clerk of the Board

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY SPECIAL MEETING RE: FIRE DISTRICT 5

February 23, 2009

The Commissioners met in special session in the Commissioners Meeting Room, 100 West Broadway, Suite 1, Montesano, Washington, on Monday, February 23, 2009, at 4:00 p.m. Commissioners Al Carter, Terry Willis and Mike Wilson were present. Fire District 5 Commissioner Jerry Bailey was in attendance. Brad Peckham, Fire District 5 Acting Chief, and Donna Caton, Clerk of the Board, were also present.

CALL TO ORDER

Chairman Wilson called the meeting to order.

FIRE DISTRICT 5:

Chief Peckham provided a hand out outlining projections for payroll and other expenditures. He explained that the District was expected to be short \$94,000 at the end of February. Figures represent an actual short fall of \$105,000. Chief Peckham explained that the District will need to renew registered warrants in order to continue funding payroll. He noted that February expenses were very high due to a severance pay out to the former chief and payment of consulting fees. He stated that he expects the negative balance to continue through May or June, but a positive balance should be maintained through the rest of the year. Federal funding opportunities through the Washington State Council of Firefighters are being explored.

Discussion followed regarding availability fees and the projected revenues for ambulance services and patient revenue. Following inquiries from the Board, Chief Peckham explained how the registered warrants are not categorized as revenue but are considered pass through funds, and the warrants are renewed and paid off each month.

The status of negotiations with the Cities of Elma and McCleary were discussed regarding payment of availability fees. Fire District 12, City of Elma and City of McCleary all have temporary agreements for service. Chief Peckham noted that the fees are calculated by usage and population. Distance is not factored in.

Chief Peckham discussed upcoming revenue from property tax collection and the amounts expected from Grays Harbor Energy. He further commented in regards to the warrants that will need to be renewed and noted that there is only one active warrant at a time, though two are generally issued in the same month for payroll and expenses.

Dave Howdy, Fire District 5 Volunteer, made comments regarding the number of patients the District's transports to Olympia.

Fire District 5 Commissioner Jerry Bailey made comments regarding their obligation to install a sprinkler system in the building that isn't owned by the district at a cost of \$70,000. He noted that they have not been able to use the building since flooding occurred in January. The District is working with the City of Elma to consider re-locating their operations.

Additional discussion followed regarding the property taxes to be collected from Grays Harbor Energy. It was noted that the initial appeal of valuation has been significantly costly to the district. The property tax revenue collected from Grays Harbor Energy is what will return the District to operating with a positive balance.

The meeting adjourned at 4:36 p.m.

BOARD OF COMMISSIONERS

For Grays Harbor County

This _____ day of _____, 2009

MIKE WILSON, Chairman
Commissioner, District 2

TERRY L. WILLIS, Commissioner, District 1

ALBERT A. CARTER, Commissioner, District 3

ATTEST:

Donna Caton