

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

February 14, 2011

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, February 14, 2011, at 2:00 p.m. Commissioners Terry Willis, Mike Wilson and Herb Welch were present. Donna McCallum, Clerk of the Board, and Jim Baker, Deputy Prosecuting Attorney, were also present.

CALL TO ORDER AND FLAG SALUTE

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

BIDS:

None

HEARINGS:

1. Decision on Appeal of a Shoreline Administrative Decision – B&N Investments:

There was a public hearing on February 7, 2011 to consider an appeal of a shoreline administrative decision from B&N Investments. The hearing was closed and the decision deferred to today, February 14, 2011. The property owner, B&N Investments, received a Notice of Violations and Order to Correct Violations, dated November 2, 2010, from the County's Shoreline Administrator. The property owner, B&N Investment (Mr. Bob Betcher) is appealing the administrative order. Notice of this hearing was published in *The Montesano Vidette* January 27, 2011.

Commissioner Willis asked for discussion on the appeal. There was no discussion.

ACTION: A motion was made, seconded and passed to deny the appeal and uphold the administrative decision.

2. Reclassification to Current Use Open Space – Cascade Land Conservancy: There was a public hearing on February 14, 2011 to consider a request for reclassification to current use open space by applicant Cascade Land Conservancy. The property is located two miles north of the City of Hoquiam and includes 202 acres. Notice of this hearing was published in *The Montesano Vidette* February 3, 2011. Chairman Willis asked for a staff report.

Laura Gray, Planner III, entered into the record the staff report. She stated Cascade Land Conservancy is requesting reclassification of 202 acres from Designated Forestland to Current Use Open Space. Cascade Land Conservancy purchased the property from Green Diamond. Cascade Land Conservancy was granted a State of Washington deed of right for salmon preservation. Ms. Gray stated the tax shift amount was \$2,250 and the land meets Open Space requirements and conforms to code. She stated the department recommends approval with the conditions listed in the staff report.

Chairman Willis called for public comment.

Ron Armstrong, Hoquiam, made comments regarding money spent by Cascade Land Conservancy on lobbyists for federal funds through the Department of Fish and Wildlife for the purchase of land from large companies.

Craig Heiller, Copalis, made comments regarding government ownership of property under conservation status.

After hearing no further comments the hearing was closed.

ACTION: A motion was made, seconded and passed to approve the reclassification to Current Use Open Space for parcel numbers 181023110010, 181023410020, 181025210020, 181024230010 and 181024220010 as conditioned in the staff report.

3. Resolution – Formation of a Flood Control Zone District encompassing the Chehalis River Basin Watershed: There was a public hearing on February 14, 2011 to consider a Resolution forming a Flood Control Zone District encompassing the Chehalis River Basin Watershed. Notice of this hearing was published in *The Montesano Vidette* February 3, 2011. Chairman Willis explained the background of flooding in the county. She stated in 2008 a cooperative Flood Authority was created along with a Watershed Management Plan. She explained the designated area for the Flood Control Zone District. The designated area follows the Water Resource Inventory Area (WRIA) 22 and 23.

Chairman Willis stated numerous emails were received and were included as part of the record. An email from Randolph Peck was read into the record at his request.

Chairman Willis called for public comment.

Joe Durham, Central Park, stated he is not opposed to the district but more information is needed before it is formed. He discussed filling floodways and related problems caused by developing in these areas.

John Rabey, Montesano, asked that dams not be built, as they harm the fish population and do not help with flooding. He lives below a dam and has had severe flooding and observed the decimation of wild fish. Taxes collected in our county should not be spent in other counties.

Teri Franklin, Elma, objected to formation of a flood district, stating Lewis County should deal with their mistakes.

Robert Criswell, Wynoochee Road, opposed the district and made comments regarding flooding in Aberdeen and the lack of flooding on the upper Wynoochee River.

Jay Gordon, Elma, suggested the county not be hasty and wait for completion of studies such as whether dams would help and what the reasons are for escalation of flooding in recent years.

Commissioner Willis agreed that there needed to be further discussion with citizens and more feedback. She said she had been disappointed with local turnout at a previous meeting, but was encouraged today with the number of people in attendance. She advocated raising awareness and agreed more work needs to be done and questions answered. Commissioner Willis called for people to volunteer to be involved in an advisory capacity.

Dan Boeholt, Aberdeen, stated a factor in flooding is the creation of artificial dikes from invasive plant species.

Arnie Martin, Audubon Society, submitted a letter and read it into the record.

Ron Armstrong, Hoquiam, made comments regarding severe floods, dikes and fill material.

Steve Willis, Brady, stated one of the main reasons for escalated flooding is due to the erosion of the river channels. The erosion is detrimental to fish and he advocated for dredging the channels. He said dams, just like the one on the Wynoochee, would be used for power generation more than to control flooding.

Robert Wheeler, Elma, made comments regarding riverbank erosion and the rock and dirt we get from the upper Chehalis River.

Lonnie Yucha, Aberdeen, made comments that areas in the eastern part of the county have always flooded. Those affected, not the city fathers, should to be involved in helping to lessen the effects of floods.

Joe Durham, Central Park, made comments regarding the previously held meeting at Montesano City Hall. He said it was not well advertised, but 17 people were present to voice their opposition.

There were no further comments; therefore, Chairman Willis closed the hearing at 3:16 p.m.

Chairman Willis stated there was good information heard today. Flooding issues are complicated, especially when they are basin-wide covering more than one county. Commissioners are looking at the needs of Grays Harbor County. Finding solutions to flood issues requires funding, which is part of the purpose of forming a flood district. She likes the idea of citizens being more involved in the process.

Commissioner Wilson stated that it made sense not to make a decision today; he suggested they hold off on making a decision until citizens and the community have a chance to work through some of the issues raised today.

Commissioner Welch agreed more information is needed before a decision is made.

Jim Baker, Deputy Prosecuting Attorney, advised a decision must be made within 10 days as per RCW. He stated the issue can be reconsidered at a later date.

There was discussion on whether to reject the resolution or hold a special meeting to make the decision.

ACTION: A motion was made, seconded and passed to reject the resolution.

Chairman Willis thanked the audience for their comments and asked for a show of hands for those wishing to participate in the process.

PUBLIC COMMENT

Commissioner Willis called for public comment on county-related items. She announced that comments and statements would be accepted and limited to three minutes. Questions should be submitted in writing.

Dan Boeholt, Aberdeen, made comments regarding his proposed solution to the Washington State Park budget issues.

Larry Phoenix, Ocean Shores, made comments regarding the Illahee Oyhut sewer issues, asking for this to become a priority. Commissioner Wilson stated the Commissioners are looking for a way to fund the sewer survey study for the area. The community is holding a meeting on March 23, 2011 at 6:00 p.m. at the Lions Club in Ocean Shores to discuss this issue.

Craig Heiller, Copalis, made comments regarding affordable housing, state park and the housing stimulus plan.

CONSENT AGENDA: Approval was requested for the following items:

Minutes:

Regular and Morning Meeting – February 7, 2011

Management Services:

Set Hearing Date – *February 28, 2011* – Supplemental Budget, Mental Health Fund,
\$1,367,647

Set Hearing Date - *February 28, 2011* – Supplemental Budget, Election Reserve Fund,
\$90,000

Public Services:

Set Hearing Date –*March 14, 2011* – Release of Easements on Niederman and Secena
Roads

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

COMMISSIONERS

None

DEPARTMENTS

FAIR, EVENTS AND TOURISM

1. **Request Approval, Authorization for the Fair, Events and Tourism Manager to sign an agreement with Hawg Quest, Grant Goodeve, Russ Herriot and Josh & Jake Harris of the Cornelia Marie (Deadliest Catch) – Outdoor Rec. & Adventure Show:** A motion was made, seconded and passed to authorize the Fair, Events and Tourism Manager to sign an agreement with Hawg Quest, Grant Goodeve, Russ Herriot and Josh and Jake Harris of the Cornelia Marie (Deadliest Catch) for the Outdoor Recreation and Adventure Show. The show will be held May 21 and 22, 2011.

MANAGEMENT SERVICES

1. **Request Approval, Short-Term Loan from the Auditor's M&O Fund to the Election Reserve Fund, \$90,000:** A motion was made, seconded and passed to approve **Resolution No. 2011-016, loaning funds from Fund #102 Auditor's M&O Fund to Fund #116 Election Reserve Fund in the amount of \$90,000.** The loan is necessary for the purchase of an election digital scan tabulation system. It is a short term loan planned to be paid back in full in three years.

2. **Resolutions – Budget Transfers:** These Resolutions are necessary to account for the short term loan for the purchase of an election digital scan tabulation system.

a. **Auditor's M&O Fund:** A motion was made, seconded and passed to approve **Resolution No. 2011-017, transferring items in the Grays Harbor County Miscellaneous Fund Auditor's Office M&O Fund in the amount of \$90,000.**

b. **Election Reserve Fund:** A motion was made, seconded and passed to approve **Resolution No. 2011-018, transferring items in the Grays Harbor County Miscellaneous Fund Election Reserve Fund in the amount of \$90,000.**

3. **Waiving Competitive Bidding Requirements for Purchases of Election Digital Scanning Equipment:** A motion was made, seconded and passed approve **Resolution No. 2011-019-A, waiving competitive bidding requirements for the purchase of Election Digital Scanning Equipment.** There is only one vender, Hart InterCivic, certified in the State of Washington by the Secretary of State to provide digital scanning equipment for voting.

PUBLIC SERVICES

1. **Request Approval, Right-of-Way Deed for a cul-de-sac turnaround on Fremont Drive:** A motion was made, seconded and passed to approve the right-of-way deed for a cul-de-sac turnaround on Fremont Drive.

2. Request Approval, Contract Completion, Rognlins Inc. – School Road Sidewalk Extension Program: A motion was made seconded and passed to accept the School Road Project contract with Rognlins, Inc., as complete and release the retainer in the amount of \$16,339.63. The total amount of the contract is \$326,792.53, 14.7% over the original bid of \$284,897.02.

3. Request Approval, Amendment #2 to the Personal Services Contract with Herrera Environmental Consultants –Wishkah Road: A motion was made, seconded and passed to approve Amendment #2 to the Personal Service Contract with Herrera Environmental Consultants for the Wishkah Road Realignment project. This amendment revises the maximum amount payable from \$7,434 to \$10,000. This revision is being recommended because the wetland delineation was more complex than anticipated. This contract is for phase one of a two phase environmental process provided by Herrera. Under the current Personal Service Contract Herrera will perform wetland delineation, create a wetland assessment report and review environmental compliance needs for the above referenced project. Phase two will include all permits and mitigation plans needed for the project which are dependent on the results of phase one.

4. Request Approval, Study Grant Application to the Department of Ecology for WRIA 23 Water Storage Feasibility: A motion was made, seconded and passed authorize the chairman to sign the WRIA 23 Water Storage Feasibility Study grant application to the Washington Dept. of Ecology. The Washington Dept. of Ecology solicited for projects through its 2011-2013 capital budget request to the Governor. The Chehalis Basin Partnership, the watershed planning group for WRIA 22-23, is requesting funding for a water storage feasibility study in the Newaukum sub-basin near Napavine. This study would determine the feasibility of using aquifer storage and recovery (ASR) as a way to meet growing municipal water demand, while maintaining minimum in-stream flow requirements for fish.

This project is ranked as a priority project, listed in the Chehalis Basin Partnership's Watershed Management Plan. Determining the ground water/surface water interactions basin-wide to better manage our water resources has long been a priority for the Chehalis Basin Partnership and this feasibility study will be one piece in continuing this investigation. In continuing the collaborative efforts with the USGS, the Partnership has worked with the USGS to develop a scope of work and budget for this feasibility study. The goal of the WRIA 23 water storage feasibility study will be to determine if ASR is a viable option to store excess wintertime runoff for use in the drier summer months to increase in-stream flows, either by providing additional water for municipalities such as Napavine, Chehalis and Centralia, or by directly augmenting in-stream flows. Preliminary investigations into the watershed's aquifers indicated that the most promising aquifer for ASR is the Newaukum artesian aquifer. The Newaukum aquifer underlies an area of approximately 25 square miles; and stored in sedimentary rocks, making it an ideal candidate for further study.

ANNOUNCEMENTS

The Clerk of the Board announced the county offices are closed next Monday, February 21, 2011 due to the Presidents' Day Holiday. There will be no Commissioner's Meeting. The next scheduled meeting will be Monday, February 28, 2011.

STAFF MEETINGS

The Board held a regular morning meeting on Monday, February 14, 2011, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Willis, Wilson and Welch and the Clerk of the Board, Donna McCallum reviewed calendars and pending daily office issues. The Board met with Mallin Shelton, District Court, to discuss requests, Dale Gowan, Central Services, to discuss a purchase request, and the following individuals regarding agenda items and department updates: Laura Gray, Planning; Mike Ferry, Building; Kevin Varness, Public Services; Russ Esses and Tom Gray, Engineering and Roads; Jeff Nelson, Environmental Health; Lee Napier, Planning Department. Notes of these meetings are available upon request.

The Board approved the following:

RESOLUTIONS

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|-----------------------|---|
| No. 2011-016 | Loaning funds from Fund #102 Auditor's M&O Fund to Fund #116 Election Reserve Fund in the amount of \$90,000 |
| No. 2011-017 | Transferring items in the Grays Harbor County Miscellaneous Fund Auditor's Office M&O Fund in the amount of \$90,000 |
| No. 2011-018 | Transferring items in the Grays Harbor County Miscellaneous Fund Election Reserve Fund in the amount of \$90,000 |
| No. 2011-019-A | Waiving competitive bidding requirements for the purchase of Election Digital Scanning Equipment |

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned 3:53 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2011

TERRY L. WILLIS, Chairman, District 1

MIKE WILSON, Commissioner, District 2

HERB WELCH, Commissioner, District 3

ATTEST:

Donna McCallum, Clerk of the Board