

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING
June 12, 2017

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, June 12, 2017, at 2:00 p.m. Commissioners present were Vickie Raines, Wes Cormier and Randy Ross. Jenna Amsbury, Clerk of the Board, was present to record the meeting. Norma Tillotson, Deputy Prosecuting Attorney was also present.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

BIDS:

None

HEARINGS:

None

PUBLIC COMMENT:

Mike Lytle, Hoquiam – Regarding lease for oyster tidelands: my business employees 20 year round employees and in the spring I employ 40 employees. My salaries are \$600,000 to \$700,000 annually. I also buy from local oyster growers which puts about \$400,000 in the county. I have put a lot of money in the county. I hope that in ten years this lease can be renewed. The state has a policy that works differently. They do not have a clause that would allow the state to choose to renew or go out to bid for leased oyster property. If it did, I could outbid Brady's Oysters and take the property and put them out of business, then two years later I could call the state and say they could have the property back. I just don't want to that happen here to me where on ten years I could lose the property I have cultivated and go out of business.

CONSENT AGENDA:

Minutes:

Morning/Regular meetings: June 5, 2017

Commissioners:

Concur with Appointment of Jenna Noll to the Timberland Regional Library Board of Directors for Thurston County
WSU Extension – Surplus Property

Coroner:

Monthly Report for May 2017

Public Services:

Road Closures for culvert replacements (tentative schedule):
South Bank Rd. M.P. 10.01 July 24, 2017 through August 11, 2017
South Bank Rd. M.P. 11.92 July 24, 2017 through August 11, 2017
South Bank Rd. M.P. 14.74 August 14, 2017 through August 25, 2017
Middle Satsop Rd. M.P. 5.28 July 10, 2017 through July 21, 2017

Correspondence:

Use Request: Lake Quinault Cancer Fund Bike Ride – North Shore Road, June 24, 2017

ACTION: A motion was made, seconded and passed to approve the consent agenda as listed.

COMMISSIONERS:

1. **Rescind Economic Development Funding Agreement with Greater Grays Harbor approved on April 3, 2017 and authorize a new contract:** Commissioner Raines asked for more time to review the changes that were made by Commissioner Ross, as they were not finalized until after 1:00 p.m. **A motion was made, seconded and passed to approve postponement until June 19, 2017 meeting.**

Added Item:

2. **Ordinance Enacting a moratorium on the siting and permitting of licensed marijuana production and processing, and directing the setting of a public hearing:** A motion was made, seconded and passed to approve **Ordinance No. 438 Enacting a moratorium on the siting and permitting of licensed marijuana production and processing, and directing the setting of a public hearing.** This moratorium will be in place for six months, unless amended. A hearing will be set within the six months to consider updates to the current Marijuana Ordinance regulations.

Convene as Board of Health:

Commissioner Cormier moved out of the regular meeting and into the meeting for the Board of Health. The Clerk of the Board announced the following agenda items:

1. **Hearing on Ordinance Adopting Chapter 246-291 WAC regarding Group B Public Water Systems with Specific Modification:** Notice of this hearing was advertised in the *Montesano Vidette* on June 1, 2017 that the Board of Health would consider adoption of an Ordinance adopting Chapter 246-291 WAC regarding Group B Public Water Systems.

Jeff Nelson, Environmental Health Director, gave a staff report. He explained that in 2009, state funding for Group B oversight was eliminated. Recognizing the financial challenge in regulating about 13,000 Group B systems under state jurisdiction, changes to law were made and directed the State Board of Health to adopt a rule that created more stringent design standards for Group B system development but also eliminated all oversight requirements in order to help manage the department budget shortfall. Recently, as a demonstration of support for local programs addressing Group B Systems, DOH is distributing funding in the amount of \$20,000 for calendar years 2017 and 2018 for those counties that have a local ordinance. Grays Harbor County has retained primary responsibility for Group B systems utilizing the WAC 246-291 regulations under a contractual agreement with Washington State Department of Health (DOH)

Many changes effective January 1, 2014 have improved system development but others are considered to put citizens at future risk due to the elimination of on-going oversight. The revised State Board of Health rule does provide an option to continue oversight through the adoption of a local regulation. Adoption of a local regulation allows more flexibility in Group B approval. It will also ensure the continued protection of public health and public health capacity to respond to

drinking water events. Existing Group B will see little difference with adoption of a local ordinance.

Although we currently maintain some oversight of Group B systems we have little flexibility when administering the design rules for new systems. And without on-going monitoring the vast majority of people drinking water from these systems are at ever increasing risks from water-borne diseases. With a local ordinance in place we can both maintain local control of design requirements while addressing a gap in the water quality monitoring of these systems. I want to emphasize that then monitoring requirements we are proposing to reinstate with this ordinance are no more stringent than the recommended standards for private well owners. Ultimately, this action will help protect Grays Harbor Residents who are often at most risk to issues associated with impaired drinking water. Access to safe and reliable drinking water is a fundamental necessity and foundational public health service and I strongly encourage the board to adopt this ordinance.

Commissioner Ross asked what percentage does he hope to see start getting samples? Mr. Nelson responded that he hopes to have 80 percent to 90 percent. This is an annual requirement.

Commissioner Cormier called for public comment. There was no public comment and the hearing was closed.

Action: A motion was made, seconded and passed to approve Board of Health Ordinance 2017-001 adopting Chapter 246-291 WAC regarding Group B Public Water System with Specific Modifications.

2. Intent to issue a Solid Waste Permit – Harold LeMay Enterprises Inc. /Waste Connections Inc. for the Grays Harbor Transfer Station located at 29 Clemons Road: A motion was made, seconded and passed to accept the intent to issue a Solid Waste Permit to Harold LeMay Enterprises, Inc. /Waste Connections Inc., for the Grays Harbor Transfer Station located at 29 Clemons Road, Montesano. Jeff Nelson, Environmental Health Director, noted that this is a formality that is required by County Code, the Commissioners are not making a decision, just acknowledging receipt of the notice.

Commissioner Cormier moved out of the Board of Health meeting and back into the Regular meeting of the Board of County Commissioners.

DEPARTMENTS:

Forestry:

1. Request Approval, Tideland Lease No. TID8702 with Ronald Young and Don Harders for term of June 15, 2017 through June 14, 2027: A motion was made, seconded and passed to approve awarding Tideland Lease No. TID8701, to Ronald Young and Don Harders for term of June 15, 2017 through June 14, 2027. The lease shall have no automatic right to renew and property will be advertised (120) days prior to the expiration of the lease term. Any application for a new lease will be subject to the Grays Harbor County Comprehensive Property Management Ordinance No. 84.

2. Request Approval, Tideland Lease No. TID8701 with Lytle Seafoods, LLC for term of June 15, 2017 through June 14, 2027: A motion was made, seconded and passed to approve awarding Tideland Lease No. TID8701, to Lytle Seafoods, LLC, for term of June 15, 2017 through June 14, 2027. The lease shall have no automatic right to renew and property will be advertised (120) days prior to the expiration of the lease term. Any application for a new lease will be subject to the Grays Harbor County Comprehensive Property Management Ordinance No. 84.

Commissioner Raines asked that Mr. Lytle's comments be added in full to the comment section of the minutes for future reference.

Public Health and Social Services:

1. WA State Department of Health Consolidated Contract Amendment No. 12, adding statements of work and increasing funding by \$100,062: A motion was made, seconded and passed to approve the Washington State Department of Health Consolidated Contract, Amendment No. 12, adding a Statement of Work and increasing funding in the amount of \$100,062 for the following:

- Family Planning – Effective April 1, 2017
- Office of Drinking Water Group A Program – Effective January 1, 2015
- Office of Drinking Water Group B Program – Effective January 1, 2017
- WIC Nutrition Program – Effective January 1, 2015
- Exhibit B-12 Allocations, attached and incorporated by this reference, amends and replaces Exhibit B-11 Allocations as follows:

Public Services:

1. Request Approval, Contract for Consultant Services with Kevin Varness for Utility projects, July 1, 2017 through June 30, 2018 in the amount of \$75 per hour: A motion was made, seconded and passed to approve the contract for consultant services with Kevin Varness for utility projects, term of contract July 1, 2017 through June 30, 2018, in the amount of \$75 per hour. Mr. Varness's knowledge of the water and sewer system functions will be a valuable asset to replace the previous utility consultant.

2. Request Approval, Amendment #1 for the Wishkah Road Flood Study Project Agreement with the Recreation and Conservation Office –reduces funding from \$500,000 to \$360,147.39: A motion was made, seconded and passed to approve Amendment #1 for the Wishkah Road Flood Study Project Agreement with the Recreation and Conservation Office, reducing funding from \$500,000 to \$360,147.39.

3. Request Approval, Amendment #1 to the Wishkah Road Flood Wall Project Agreement with the Recreation and Conservation Office –reduces funding from \$5,900,000 to \$5,700,000: A motion was made, seconded and passed to approve Amendment #1 to the Wishkah Road Flood Project Agreement with the Recreation and Conservation Office reducing funding from \$5,900,000 to \$5,700,000.

***Added items:

4. Set Hearing Date – June 26, 2017, Six Year Transportation Improvement Program:

A motion was made, seconded and passed to approve setting a hearing date for June 26, 2017 for the Six Year Transportation Improvement Program.

5. Resolution – authorizing the interdepartmental agreement between Grays Harbor County Treasurer and Grays Harbor County Solid Waste Department providing for abatement costs to be deemed a special assessment to be collected by the Treasurer:

A motion was made, seconded and passed to approve Resolution No. 2017-054 Authorizing an Interdepartmental Agreement between Grays Harbor County Treasurer and Grays Harbor County Solid Waste Department providing for abatements costs to be deemed a special assessment to be collected by the Treasurer.

ANNOUNCEMENTS:

The Clerk of the Board announced all meetings for the Commissioners on July 3, 2017 have been cancelled.

PUBLIC COMMENT:

None

Commissioner Cormier announced a recess at 2:21 p.m. to move to Conference Room No. 1 for the Media Session.

Media Session:

Commissioner Cormier reopened the meeting at 2:23 p.m. in Conference Room No. 1. Commissioners present were Wes Cormier, Vickie Raines and Randy Ross. The media and Commissioners exchanged comments and questions on County business.

**RECAP OF APPROVED RESOLUTIONS, ORDINANCES, AND
INTERGOVERNMENTAL AGREEMENTS:**

RESOLUTIONS:

No. 2017-054

Authorizing an Interdepartmental Agreement between Grays Harbor County Treasurer and Grays Harbor County Solid Waste Department providing for abatements costs to be deemed a special assessment to be collected by the Treasurer

ORDINANCES:

No. 438

Enacting a moratorium on the siting and permitting of licensed marijuana production and processing, and directing the setting of a public hearing

Board of Health Ordinances:

2017-001

**Adopting Chapter 246-291 WAC regarding
Group B Public Water System with Specific
Modifications.**

INTERGOVERNMENTAL AGREEMENTS:

None

At 2:38 p.m. Commissioner Cormier adjourned the meeting.

BOARD OF COMMISSIONERS
For Grays Harbor County

This _____ day of _____, 2017

Wes Cormier, Chairman

Randy Ross, District 2

Vickie Raines, District 3

ATTEST:

Jenna Amsbury, Clerk of the Board