

## MINUTES

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

June 28, 2010

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, June 28, 2010, at 2:00 p.m. Commissioners Al Carter, Terry Willis and Mike Wilson were present. Donna Caton, Clerk of the Board, and Jim Baker, Senior Deputy Prosecuting Attorney, were also present.

#### **CALL TO ORDER AND FLAG SALUTE**

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

#### **BIDS:**

None

#### **HEARINGS:**

1. **Road Vacation – East Wishkah Road north of milepost 3.470:** There was a public hearing on June 28, 2010 to consider a road vacation for the non-maintained East Wishkah Road right of way located north of milepost 3.470, north of the City of Aberdeen in an unincorporated area of Grays Harbor County. Notice of this hearing was published in the *Montesano Vidette* June 3, 2010.

Commissioner Carter asked for a staff report. Tom Gray, Assistant Surveyor in the Engineering Division of Public Works Department, presented the county engineer report as submitted by Russ Esses. In the report, Mr. Esses states that he has examined the area of road under consideration and recommends vacation. The road was constructed by the timber industry as a forest access road and is gated, allowing no public access. The road is not claimed or maintained by the County. The properties served by this road are all classified as forestland. There are currently no homes or developments on the gated road. Vacating this roadway would eliminate any liability for the county and allow developers to build roads to private road standards. There are no future improvements planned in the Six Year Transportation Improvement Program to construct public road within this right-of-way.

Commissioner Carter called for public comment.

Ron Armstrong, Hoquiam, called for the record to show that he is in favor of this right-of-way vacation.

Jodie Fowler, Montesano, spoke in support of the right-of-way vacation.

Doug Lewis, attorney for Weyerhaeuser Company, thanked the county for taking the extra step to notify adjacent property owners even though it is not required by statute. He referenced a news article, stating that Weyerhaeuser Company supports the vacation of the right-of-way, subject to mutual easement rights. This is a critical step for the property owners. If these

easements are not in place and the vacation of the road is approved, there would be no right of easement or access. Vacations of right-of-ways are to the center line. Property owners would then have to sue for access by right of necessity. He stated that the company would go on record objecting to the vacation without mutual easement rights. He suggested that the Board continue the meeting for a minimum of 30 days. In response to Chairman Carter, Mr. Lewis stated that Weyerhaeuser would take the lead in working toward securing the proper easements.

Cheryl Campbell, City of Kent, stated that there are supporting documents that the county forfeited legal rights to this road some years ago. She stated that her thought was to vacate the road, then obtain the reasonable rights of access.

There was no further public comment.

**ACTION: A motion was made, seconded and passed to continue the hearing to August 2, 2010.**

**PUBLIC COMMENT**

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

There was no public comment.

**CONSENT AGENDA:** Approval was requested for the following items:

**Minutes:**

Morning Meeting and Regular Meeting – June 21, 2010

**Correspondence:**

Lawsuit, L-606-10, Kori Lane Lake  
Lawsuit, L-607-10, William J. Van Natter

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

**COMMISSIONERS**

**1. Kimberly Home – terminate agreement/transfer property to Twin Harbor Group Home Association:** A motion was made, seconded and passed to terminate the agreement with the Kimberly Home and transfer property to the Twin Harbor Group Home Association.

*\*\*\* The Clerk of the Board announced that the following item has been added to the agenda:*

**2. Appointment to the Housing Authority of Grays Harbor County.** A motion was made, seconded, and passed to appoint Cheryl Espedal to the Housing Authority of Grays Harbor County in the Resident Commissioner position to replace Bonnie Richards.

## **DEPARTMENTS**

### **MANAGEMENT SERVICES**

1. **Request Approval, Resolution, Budget Transfer – Fair Construction Fund, \$30,000:** A motion was made, seconded and passed to **Resolution No. 2010-54, transferring items in the Grays Harbor County Miscellaneous Fund, Fair Construction in the amount of \$30,000.** The transfer is being made from building roofs to livestock arena to cover additional costs to the Livestock Arena at the fairgrounds.

### **ORV PARK**

1. **Request Approval, Resolution – Amending Resolution No. 2008-78, Change Fund for the WORCS Event:** A motion was made, seconded and passed to approve **Resolution No. 2010-55, amending Resolution 2008-78, Temporary Change Fund within the Grays Harbor County ORV Park Fund #118-000-000.** This approval will accommodate changes in the event schedule.

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

1. **Request Approval, Contract with the Arc of Grays Harbor - information and educational services:** A motion was made, seconded and passed to approve the contract with the Arc of Grays Harbor. This contract will provide information and educational services for people in the county with developmental disabilities from July 1, 2010 to March 30, 2011. The contract provides \$125,000 for these services.
2. **Request Approval, Contract with Coastal Community Action Program - developmental disability employment services:** A motion was made, seconded and passed to approve the contract with Coastal Community Action Program to provide developmental disability employment services from July 1, 2010 to June 30, 2011.
3. **Request Approval, Contract with Morningside to provide developmental disability employment services:** A motion was made, seconded and passed to approve the contract with Morningside to provide developmental disability employment services from July 1, 2010 to June 30, 2011.
4. **Request Approval, Contract with Timberland Opportunity Association - developmental disability employment services:** A motion was made, seconded and passed to approve the contract with Timberland Opportunity Association to provide developmental disability employment services from July 1, 2010 to June 30, 2011.
5. **Request Approval, Contract amendment - Dept. of Social & Health Services, Division of Developmental Disabilities:** A motion was made, seconded and passed to approve the contract amendment with Department of Social and Health Services, Division of Developmental Disabilities, for 2011. The agreement provides an additional \$66,486 for

program services for adults with developmental disabilities. The biennium contract allocation total is \$1,419,045.

**6. Request Approval, WorkFirst Contract Amendment - Children with Special Needs contract extension & funding increase:** A motion was made, seconded and passed to approve the amendment to the WorkFirst contract. The amendment provides a Children with Special Needs contract extension and funding increase. The project involves a public health nurse home visit and evaluation to make a recommendation to DSHS about whether a parent/caregiver can work. If a child has extensive special needs, the parent may need to stay home to care for the child.

**7. Request Approval, Consolidated Contract Amendment 24 from the Department of Health:** A motion was made, seconded and passed to approve Consolidated Contract Amendment 24 with the Department of Health. This amendment increases the 2007 – 2011 contract by \$99,393. The increase represents \$65,809 of new funding for WIC and \$33,584 in funds that are already in the 2010 budget for Family Planning and Tobacco.

*\*\*\* The Clerk of the Board announced that the following item has been added to the agenda:*

**8. Contract with Cynthia Newman for 2010 Washington State Smile Survey services:** A motion was made, seconded, and passed to approve a contract with Cynthia Newman for 2010 Washington State Smile Survey services at the elementary schools and Head Start ECEAP Program.

#### **SHERIFF**

**1. Request Approval, Contract with the State of Washington Military Department for Emergency Management Functions:** A motion was made, seconded and passed to approve the contract with the State of Washington Military Department for Emergency Management functions in the amount of \$25,964.

#### **TOURISM**

**1. Request Approval, Festival and Event Grant Contract – McCleary Bear Festival Committee:** A motion was made, seconded and passed to approve the Festival and Event Contract and spending approval for the McCleary Bear Festival Committee in the amount of \$1,000.

**2. Request Approval, Advertising Contract with Inside Out Solutions:** A motion was made, seconded and passed to approve the internet services contract with Inside Out Solutions in the amount of \$2,870.

#### **TREASURER**

**1. Request Approval, Resolution – Authorizing and Directing the Unrestricted Portion of the PUD Privilege Tax:** Ron Strabbing, Treasurer, reported that public utilities make

payments in lieu of taxes for electrical sales and generation. The funds are distributed to the county from Department of Revenue. This year, as a result of a law suit, the county and local entities will pay a refund to the PUD. \$168,000 is due from the local governments, of which the county share is \$107,000. The resolution under consideration re-affirms the current distribution practice. A motion was made, seconded and passed to approve **Resolution 2010-56, Distribution of the PUD Privilege Tax Pursuant to RCW 54.28.**

### **WEED CONTROL BOARD**

**1. Request Approval, Modification of the Existing Agreement – Payments to Counties Initiative Title II:** A motion was made, seconded and passed to approve modification of the existing agreement for the Payments to Counties Initiative, Title II. The Grays Harbor County Noxious Weed Control Board has been awarded \$63,638.00 of the Payments to Counties Initiative, Title II, to inventory and control noxious weeds invading the National Forest. An additional \$3,707.41 is available for carry over from last year's project funding. Public education about the impacts of invasive plant species on watershed function, wildlife habitat, human and animal health, and recreational activities is an important objective of this project. The Board is working closely with the National Forest, National Park, Quinault Nation, Columbia Pacific RC & EDD, residents, visitors, State Fish & Wildlife on knotweed projects. Knotweed is a big threat to valued natural areas.

### **ANNOUNCEMENTS**

The Clerk of the Board announced that there was a law suit presented to the county: L608-10 filed by Futurewise, Friends of Grays Harbor and Wildlife Forever.

The Clerk of the Board announced that there will be no meeting on July 5, 2010 due to the holiday. The next regular meeting will be July 12, 2010.

### **STAFF MEETINGS**

The Board held a regular morning meeting on Monday, June 28, 2010, beginning at 9:00 a.m. These meetings are advertised public meetings held in the Commissioners' Conference Room. Commissioners Carter, Willis and Wilson and the Clerk of the Board, Donna Caton reviewed calendars and pending daily office issues. The Board met with Rose Elway, Budget Director, regarding a budget update; James Baker, Senior Deputy Prosecuting Attorney, regarding the agenda item related to the Kimberly Home; Joan Brewster, Public Health and Social Services, regarding agenda items; Kevin Varness, regarding department updates; Jeff Nelson, Environmental Health, regarding department updates; Brian Shea, regarding department updates. Notes of these meetings are available upon request.

