

**BEFORE THE LOCAL BOARD OF HEALTH
PACIFIC COUNTY, WASHINGTON
1216 W. Robert Bush Drive
South Bend, Washington**

**Tuesday, September 23, 2014
9:00AM or shortly thereafter as possible**

AGENDA

All matters listed within the Consent Agenda have been distributed to each County Commissioner for review and are considered routine. Consent Agenda items will be approved by one motion of the Board of County Commissioners with no separate discussion. If separate discussion is desired on a certain item, that item may be removed from the Consent Agenda at the request of a Commissioner, for action later.

Call to Order

PLEDGE OF ALLEGIANCE FOR PACIFIC COUNTY BOARD OF HEALTH & BOARD OF COUNTY COMMISSIONERS MEETINGS

Public Comment *(limited to three minutes per person)*

CONSENT AGENDA (A-B)

- A)** Approve regular meeting minutes of September 9, 2014
- B)** Rainbow Valley Landfill Claims Voucher:
 - PUD #2 - \$138.07 (July), \$115.92 (Aug)
 - Royal Heights Transfer - \$922.32 (July), \$691.74 (Aug)
 - City of Raymond - \$730 (July), \$415 (Aug)
 - Dept of Ecology - \$128
 - Broadband Environmental Services - \$750
 - Dragon Analytical - \$2,307

CLOSE MEETING

The Board may add and take action on other items not listed on this agenda and order of action is subject to change

The hearing facility is "barrier free" and accessible by those with physical disabilities. Aids will be provided upon request for those with language/speaking or hearing impediments, but requests need to be received at least five (5) business days prior to this hearing. Such requests may be filed in person at the Commissioners' Office at the address noted above or at 360/875-9337.

PACIFIC COUNTY, WASHINGTON
LOCAL BOARD OF HEALTH
JOURNAL #32

PROCEEDINGS

9:00 AM
Tuesday, September 9, 2014

1216 W. Robert Bush Drive
South Bend, Washington

CALL TO ORDER – 9:00 AM

Steve Rogers, Chair
Frank Wolfe, Commissioner
Lisa Ayers, Commissioner

Marie Guernsey, Clerk of the Board
Kathy Spoor, County Administrative Officer
Paul Plakinger, Management & Fiscal Analyst
Scott McDougall, Emergency Management Deputy Director
Andi Harland, Public Works Accounting Manager
Tom Gradt, Public Works Road Crew Supervisor
Mary Goelz, Health & Human Services Department Director

GENERAL PUBLIC IN ATTENDANCE

Rex & Roxanne Hutchins

**PLEDGE OF ALLEGIANCE FOR PACIFIC COUNTY BOARD OF HEALTH &
BOARD OF COUNTY COMMISSIONERS MEETINGS**

PUBLIC COMMENT – None

CONSENT AGENDA (A-B)

It was moved by Wolfe, seconded by Ayers and carried by a vote of 3-0
Subject to adequate budget appropriations and in accordance with all applicable
county policies

Approve regular meeting minutes of August 12 and 26, 2014

Rainbow Valley Landfill Claims Voucher
City of Raymond - \$550

MEETING CLOSED – 9:00AM

PACIFIC COUNTY
LOCAL BOARD OF HEALTH

Steve Rogers, Chairman

ATTEST:

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner

(Please refer to recording of the meeting for a more detailed discussion)

2014-27

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

ROYAL HEIGHTS TRANSFER STATION, INC

114 AIRPORT RD.

RAYMOND, WA 98577

Vendor #	Date
Reference No. 2	Purchase Order Number

Instructions:

1. Attach invoices, sign voucher and submit to the following address: Administrator, Pacific County Department of Community Development, P O Box 26, South Bend, WA 98586.
2. Completed vouchers should be received one week prior to the scheduled Board of Health meeting. Approved vouchers will be paid by the Trustee within 10 days of notification.
3. Payment for incomplete or inadequate vouchers may be delayed.

Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
4771	9/4/14	LEACHATE TRANSPORTATION	660	000	537	10	41	\$691.74

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.

Larry Bale
Signature

PRES.
Title

9/4/14
Date

Reviewed by:

[Signature]
Faith Taylor, Director
Department of Community Development

[Signature] 8-14
Date
Sept 8-14

NOTIFICATION TO TRUSTEE FOR PAYMENT OR REIMBURSEMENT: The Board of Health has determined that these expenditures as represented and documented are in accordance with the "Plan" or otherwise justified and approves such expense according to the Revised Trust Agreement.

Chairman, Pacific County Board of Health

Date

ROYAL HEIGHTS TRANSFER STATION, INC.
114 AIRPORT RD.
RAYMOND, WA 98577

Invoice

DATE	INVOICE #
9/4/2014	4771

RAINBOW VALLEY LANDFILL, INC.
114 Airport Rd.
Raymond, WA 98577

P.O. NUMBER	TERMS
	net 10

DUE DATE
9/14/2014

SERVICED	QUANTITY	DESCRIPTION	AMOUNT
8/31/2014	54,000	Gallons - Wastewater Hauling (LEACHATE) @\$12.81/1000	691.74

Balance Due

\$691.74

Date			
	<u>loads</u>		
8/1/2014			
2			
3	1		
4	1		
5			
6			
7			
8			
9			
10			
11	1		
12			
13			
14	2		
15			
16			
17			
18			
19	1		
20			
21			
22			
23			
24			
25	1		
26			
27			
28			
29	2		
30			
31			
	9		
	<i>total gallons</i>		54000
		TOTAL	\$691.74

2014-24

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

PUD NO. 2

P.O. BOX 472

RAYMOND, WA 98577

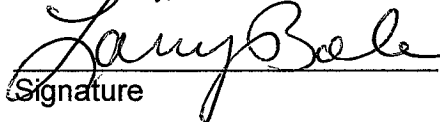
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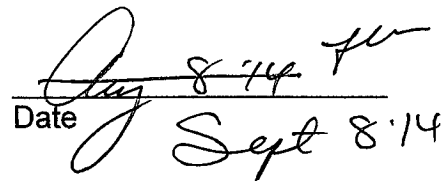
Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
	9/26/14	UTILITIES	660	000	537	10	41	115.92

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.


PRES.
9/4/14
 Signature Title Date

Reviewed by:


 Faith Taylor, Director
 Department of Community Development


 Date Sept 8 '14

NOTIFICATION TO TRUSTEE FOR PAYMENT OR REIMBURSEMENT: The Board of Health has determined that these expenditures as represented and documented are in accordance with the "Plan" or otherwise justified and approves such expense according to the Revised Trust Agreement.

Chairman, Pacific County Board of Health

Date

**PUBLIC UTILITY DISTRICT NO. 2
of PACIFIC COUNTY**


PO Box 472
Raymond WA 98577
raycustserv@pacificpud.org
(360)942-2411
(360)484-7454 (Naselle)

Account Number 19983

Page 1 of 1

Statement Date 08/26/2014

Billing Summary

Previous Balance	138.07
Payment Received 07/28/14	<u>63.46 CR</u>
Past Due Balance - Due Now	74.61
Current Charges Due By 09/22/14	41.31
Total Due	115.92

*****AUTO**SCH 5-DIGIT 98531
LARRY BALE C-1 P-1
DBA RAINBOW VALLEY LANDFILL
114 AIRPORT RD
RAYMOND WA 98577-9233

Messages

Due Date does not pertain to Balance Forward amount.



Meter #: A34390 LOC: 14090804-1 Addr: RAINBOW VALLEY LANDFILL Rate Class: 020

Meter Reading Details Meter A34390

Current KWH Reading	08/19/14	78675
Previous KWH Reading	07/19/14	<u>78398</u>
Total KWH Usage		277
Days Served 31		

Detail of Charges

277 kWh x 0.071200	19.72
Power Cost Adj @ 3%	0.59
Elec Basic Charge	<u>21.00</u>
Total This Service	41.31

MO	Aug 13	Sep 13	Oct 13	Nov 13	Dec 13	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Jul 14	Aug 14
Usage	142	131	322	290	470	847	528	772	820	788	579	731	277
Avg/Day	5	4	11	10	17	25	17	29	25	27	19	24	9

Return This Portion With Your Payment

PLEASE INDICATE CHANGE OF ADDRESS HERE:

MAILING ADDRESS		
CITY	STATE	ZIP
LOCATION PHONE NUMBER	OTHER PHONE NUMBER	
SIGNATURE (REQUIRED TO CHANGE ADDRESS)		

**YOUR SERVICE IS SUBJECT TO DISCONNECTION IF CURRENT
CHARGES ARE NOT PAID BY THE DUE DATE**

Account Number	19983
Due Date	09/22/2014
Amount Due	115.92
Warm Heart Donation	
Amount Paid	ONLY IF DIFFERENT THAN AMOUNT DUE

LARRY BALE
DBA RAINBOW VALLEY LANDFILL
114 AIRPORT RD
RAYMOND WA 98577-9233

Public Utility No. 2 of Pacific County *
P.O. Box 472 07
Raymond, WA 98577-0472



2014-28

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

CITY OF RAYMOND

230 2ND STREET

RAYMOND, WA 98577

Vendor #	Date
Reference No. 2	Purchase Order Number

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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
103	8/4/14	LEACHATE TREATMENT	660	000	537	10	41	\$415.00

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.

Larry Bale
 Signature

PRES.
 Title

9/15/14
 Date

Reviewed by:

[Signature]

Faith Taylor, Director
 Department of Community Development

Date

Sept 16 '14

NOTIFICATION TO TRUSTEE FOR PAYMENT OR REIMBURSEMENT: The Board of Health has determined that these expenditures as represented and documented are in accordance with the "Plan" or otherwise justified and approves such expense according to the Revised Trust Agreement.

 Chairman, Pacific County Board of Health

 Date



CITY OF RAYMOND

230 2ND STREET
RAYMOND, WA. 98577
360-942-4100 fax 360-942-4137

Invoice No.

103

INVOICE

Customer

Name RAINBOW VALLEY LANDFILL, INC.
Address 114 AIRPORT ROAD
City RAYMOND State WA. ZIP 98577
Phone _____

Date 8/4/2014
Order No. _____
Rep _____
FOB _____

Qty	Description	Unit Price	TOTAL
1	LEACHATE DISPOSAL AUGUST 2014	\$405.00	\$405.00
1	ROAD MAINTENANCE	\$10.00	\$10.00
SubTotal			\$415.00
Shipping & Handling			
Taxes State			\$0.00
TOTAL			\$415.00

Payment Details

- ☐ Cash
☒ Check
☐ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

THANK YOU FOR YOUR BUSINESS!

2014 29

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

ROYAL HEIGHTS TRANSFER STATION, INC

114 AIRPORT RD.

RAYMOND, WA 98577

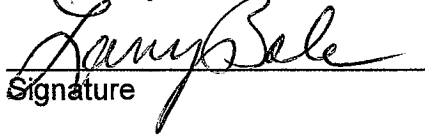
Vendor #	Date
Reference No. 2	Purchase Order Number

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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
4743	7/31/14	LEACHATE TRANSPORTATION	660	000	537	10	41	\$922.32

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.


 Signature

PRES.
 Title

7/31/14
 Date

Reviewed by:


 Faith Taylor, Director
 Department of Community Development

Sept 16 '14
 Date

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 Chairman, Pacific County Board of Health

 Date

ROYAL HEIGHTS TRANSFER STATION, INC.
114 AIRPORT RD.
RAYMOND, WA 98577

Invoice

DATE	INVOICE #
7/31/2014	4743

RAINBOW VALLEY LANDFILL, INC.
114 Airport Rd.
Raymond, WA 98577

P.O. NUMBER	TERMS
	net 10

DUE DATE
8/10/2014

SERVICED	QUANTITY	DESCRIPTION	AMOUNT
7/31/2014	72,000	Gallons - Wastewater Hauling (LEACHATE) @\$12.81/1000	922.32

Balance Due

\$922.32

Date	<u>loads</u>	
7/1/2014	1	
2		
3		
4		
5	1	
6		
7		
8	1	
9		
10	1	
11	1	
12		
13		
14	1	
15		
16		
17		
18		
19		
20		
21	3	
22		
23		
24		
25	1	
26		
27		
28	1	
29	1	
30		
31		
	12	
	<i>total gallons</i>	72000
	TOTAL	\$922.32

2014-30

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

DEPT. OF ECOLOGY
CASHIERING UNIT
PO BOX 47611
OLYMPIA, WA 98504-7611

Vendor #	Date
Reference No. 2	Purchase Order Number

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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
2015- ST0006049	7/14/14	WASTEWATER PERMIT	660	000	537	10	41	\$128.00

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.

Larry Bell
 Signature

PRES.
 Title

7/31/14
 Date

Reviewed by:

[Signature]
 Faith Taylor, Director
 Department of Community Development

Sept 16 '14
 Date

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 Chairman, Pacific County Board of Health

 Date



Washington State Department of Ecology

Printed: Jul 14, 2014

Wastewater Permit Invoice

RAINBOW VALLEY LANDFILL
Attn: LARRY BALE
114 AIRPORT RD
RAYMOND, WA 98577

Invoice #: 2015-ST0006049
Permit: ST0006049
Fee Type: Wastewater
Category: Solid Waste Sites- B - < 50 Acres

Date	Description	Annual Fee	Amount Billed	Amount Paid	Amount Due	Due Date
07/14/2014	Annual Fee Amount	\$128.00	\$0.00	\$0.00	\$0.00	
07/14/2014	Billing Amount	\$0.00	\$128.00	\$0.00	\$128.00	08/28/2014
Total Annual Fee:		\$128.00	\$128.00	-	\$0.00	= \$128.00

This invoice covers Fiscal Year 2015 (July 1, 2014, through June 30, 2015).

- An annual fee will no longer be assessed once the permit has been canceled by Ecology. However, the full annual amount will be owed for the current fiscal year regardless of the permit termination date within that fiscal year. ECOLOGY DOES NOT PRORATE FEES FOR PERMIT TERMINATIONS.
- Delinquent accounts will be turned over for collection and a 20% surcharge will be added to the amount owed. This surcharge is Ecology's cost for the collection action.
- Small business/extreme hardship fee reduction application requests can be found at the following web address:
http://www.ecy.wa.gov/programs/wq/permits/permit_fees/PermitFeeForms.html
- Questions regarding the permit fee assessment should be directed to: Bev Poston at 360/407-6425 or via email to bev.poston@ecy.wa.gov

Please send check or money order payable to:

Department of Ecology
Cashiering Unit
PO Box 47611
Olympia WA 98504-7611

(DO NOT SEND CASH!)

7/14/2014 2:37:48PM 972.00

Detach and return this portion with your check. PLEASE INCLUDE THE INVOICE NUMBER ON YOUR CHECK.

Printed: Jul 14, 2014

Wastewater Fee Billing Notice

Past Due Amount This Fiscal Year:

\$0.00

Current Amount Due:

\$128.00

Total Amount Due:

\$128.00

← This Amount Due By 08/28/2014

RAINBOW VALLEY LANDFILL
Attn: LARRY BALE
114 AIRPORT RD
RAYMOND, WA 98577

Invoice #: 2015-ST0006049
Permit: ST0006049
Coding: 176 - WWD - 02-86-000196
ECY 010-72b (6/99)

2014-31

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

PUD NO. 2

P.O. BOX 472

RAYMOND, WA 98577

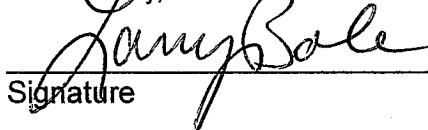
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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
	7/24/14	UTILITIES	660	000	537	10	41	\$138.07

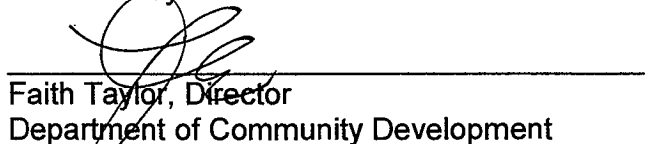
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 Signature

PRES.
 Title

7/31/14
 Date

Reviewed by:


 Faith Taylor, Director
 Department of Community Development

Sept 16 '14
 Date

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 Chairman, Pacific County Board of Health

 Date

PUBLIC UTILITY DISTRICT NO. 2
of PACIFIC COUNTY


PO Box 472
 Raymond WA 98577
 raycustserv@pacificpud.org
 (360)942-2411
 (360)484-7454 (Naselle)

*****AUTO**SCH 5-DIGIT 98531
 LARRY BALE C-1 P-1
 DBA RAINBOW VALLEY LANDFILL
 114 AIRPORT RD
 RAYMOND WA 98577-9233



Account Number 19983

Page 1 of 1

Statement Date 07/24/2014

Billing Summary

Previous Balance	63.46
No Payments Received	<u>0.00</u>
Past Due Balance - Due Now	63.46
Current Charges Due By 08/22/14	74.61
Total Due	138.07

Messages

Due Date does not pertain to Balance Forward amount.

Meter #: A34390 LOC: 14090804-1 Addr: RAINBOW VALLEY LANDFILL Rate Class: 020

Meter Reading Details

Current KWH Reading	07/19/14	78398
Previous KWH Reading	06/18/14	<u>77667</u>
Total KWH Usage		731
Days Served	31	

Detail of Charges

731 kWh x 0.071200	52.05
Power Cost Adj @ 3%	1.56
Elec Basic Charge	<u>21.00</u>
Total This Service	74.61

MO	Jul 13	Aug 13	Sep 13	Oct 13	Nov 13	Dec 13	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Jul 14
Usage	146	142	131	322	290	470	847	528	772	820	788	579	731
Avg/Day	4	5	4	11	10	17	25	17	29	25	27	19	24

Return This Portion With Your Payment

PLEASE INDICATE CHANGE OF ADDRESS HERE:

MAILING ADDRESS		
CITY	STATE	ZIP
LOCATION PHONE NUMBER	OTHER PHONE NUMBER	
SIGNATURE (REQUIRED TO CHANGE ADDRESS)		

LARRY BALE
 DBA RAINBOW VALLEY LANDFILL
 114 AIRPORT RD
 RAYMOND WA 98577-9233

**YOUR SERVICE IS SUBJECT TO DISCONNECTION IF CURRENT
 CHARGES ARE NOT PAID BY THE DUE DATE**

Account Number	19983
Due Date	08/22/2014
Amount Due	138.07
Warm Heart Donation	
Amount Paid	ONLY IF DIFFERENT THAN AMOUNT DUE

Public Utility No. 2 of Pacific County *
 P.O. Box 472 07
 Raymond, WA 98577-0472



2014-32

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

CITY OF RAYMOND

230 2ND STREET

RAYMOND, WA 98577

Vendor #	Date
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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
103	7/22/14	LEACHATE TREATMENT	660	000	537	10	41	\$ 730.00

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.

Larry Sole
 Signature

PRES.
 Title

7/31/14
 Date

Reviewed by:

[Signature]
 Faith Taylor, Director
 Department of Community Development

Sept 16 '14
 Date

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 Chairman, Pacific County Board of Health

 Date

2014-33

Claims Voucher
Rainbow Valley Landfill Trust Fund: Post-Closure Account

BROADBAND ENVIRONMENTAL SERVICES

1125 N. 13TH ST. APT. D-13

SHELTON, WA 98584

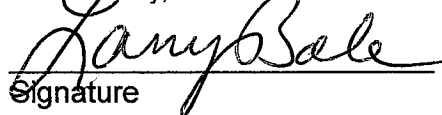
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Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
0614	7/14/14	WATER QUALITY SAMPLING	660	000	537	10	41	750.00

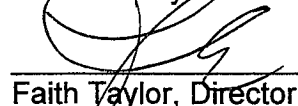
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Signature

PRES.
Title

7/31/14
Date

Reviewed by:


Faith Taylor, Director

Department of Community Development

Date

Sept 16 '14

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Chairman, Pacific County Board of Health

Date

INVOICE

Broadband Environmental Service

INVOICE #0614
JULY 14, 2014

301 Wallace Kneeland Blvd.
Ste. 224-186
Shelton, WA 98584
Phone 360 581 7873

George@broadbandenvironmental.com

TO Rainbow Valley Landfill
Attn: Larry Bale
114 Airport Road
Raymond, WA 98577

FIELD PERSON	JOB	PAYMENT TERMS	DUE DATE
George Campbell	2nd Quarter 2014 sampling	Due on receipt	

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
5 hours	Sampling plus priority pollutants	75.00	375.00
3 hours	Travel Time	75.00	225.00
2 hours	Report Writing	75.00	150.00
SUBTOTAL			750.00
SALES TAX			0.0
TOTAL			750.00

Make all checks payable to Broadband Environmental Services
THANK YOU FOR YOUR BUSINESS!

2014-34

Claims Voucher **Rainbow Valley Landfill Trust Fund: Post-Closure Account**

DRAGON ANALYTICAL LABORATORY

2818 MADRONA BEACH RD. NW

OLYMPIA, WA 98502

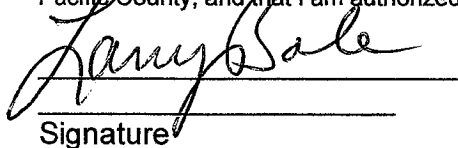
Vendor #	Date
Reference No. 2	Purchase Order Number

Instructions:

1. Attach invoices, sign voucher and submit to the following address: Administrator, Pacific County Department of Community Development, P O Box 26, South Bend, WA 98586.
2. Completed vouchers should be received one week prior to the scheduled Board of Health meeting. Approved vouchers will be paid by the Trustee within 10 days of notification.
3. Payment for incomplete or inadequate vouchers may be delayed.

Invoice #	Date	Description	Fund	Ops	Base Sub	Sub Elem	Obj	Amount
140507-11	5/26/14	WATER QUALITY TESTING	660	000	537	10	41	\$ 2307.00

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against Pacific County, and that I am authorized to authenticate and certify to said claim.



____ PRES. _____

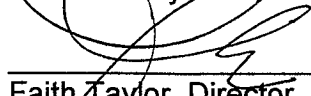
7/31/14

Signature

Title

Date

Reviewed by:



Faith Taylor, Director

Department of Community Development

Date

Sept 16 '14

NOTIFICATION TO TRUSTEE FOR PAYMENT OR REIMBURSEMENT: The Board of Health has determined that these expenditures as represented and documented are in accordance with the "Plan" or otherwise justified and approves such expense according to the Revised Trust Agreement.

Chairman, Pacific County Board of Health

Date

Dragon Analytical Laboratory, Inc.

2818 Madrona Beach Rd NW
Olympia, WA 98502
360-866-0543



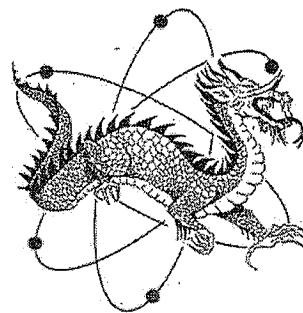
Invoice #

5/26/2014

140507-11

Bill To

Mr. Larry Bale
Rainbow Valley Landfill
114 Airport Road
Raymond, WA 98577



Project #

P.O. #

Terms

Net 30

Service Date	Qty	Item	Description	Rate	Amount
5/7/2014			L-1 and Swpp--DAL 140507-11		
	2	BOD	Biochemical Oxygen Demand	45.00	90.00
	1	Metals	Heavy Metals (2-Cu,Zn)	28.00	28.00
	1	Metals, Prep	Heavy Metals, Extraction	10.00	10.00
	2	AMO	Ammonia	25.00	50.00
	2	Oil & Grease	Oil & Grease (FOG) HEM	65.00	130.00
	2	pH	pH Electrometric, Water	10.00	20.00
	2	TSS	TSS	25.00	50.00
	2	TURB	Turbidity	20.00	40.00
	1	SVOC	BNA-SVOC	350.00	350.00
5/7/2014			MW-1,2,5,6,7--DAL 140507-12		
	5	Total Coliform	Total Coliform	25.00	125.00
	5	Metals	Heavy Metals (Fe,Mn) Dissolved	28.00	140.00
	5	Metals, Prep	Heavy Metals, Extraction	10.00	50.00
	5	AMO	Ammonia	25.00	125.00
	5	Nitrate	Nitrogen, Nitrate	25.00	125.00
	5	pH	pH Electrometric, Water	10.00	50.00
	5	TOC	Tot Organic Carbon	48.00	240.00
5/7/2014			SW-1,2,3,4---DAL 140507-13		
	4	Total Coliform	Total Coliform	25.00	100.00
	4	Metals, Total	Heavy Metals, Total (Fe,Mn)	28.00	112.00
	4	Metals, Prep	Heavy Metals, Extraction	10.00	40.00
	4	AMO	Ammonia	25.00	100.00
	4	Nitrate	Nitrogen, Nitrate	25.00	100.00
	4	pH	pH Electrometric, Water	10.00	40.00
	4	TOC	Tot Organic Carbon	48.00	192.00

Thank you for your order, we appreciate your business.

Total \$2,307.00

**BEFORE THE BOARD OF COMMISSIONERS
PACIFIC COUNTY, WASHINGTON
1216 W. Robert Bush Drive
South Bend, Washington**

**Tuesday, September 23, 2014
9:00AM or shortly thereafter**

The Board of County Commissioners meeting will be called
to order following the business of the Local Board of Health

AGENDA

All matters listed within the Consent Agenda have been distributed to each County Commissioner for review and are considered routine. Consent Agenda items will be approved by one motion of the Board of County Commissioners with no separate discussion. If separate discussion is desired on a certain item, that item may be removed from the Consent Agenda at the request of a Commissioner, for action later.

WORKSHOPS/MEETINGS *(held in the Commissioners Conference Room unless otherwise noted)*

9:00 AM Cheryl Heywood-TRL Director

PUBLIC HEARINGS *(Held in the Commissioners' Meeting Room unless otherwise noted)*

10:00 AM adoption of Overall Economic Develop Plan/WA Cert

10:00 AM Appeal De Novo Hearing-Bogar/Mayko

Call to Order

Public Comment *(limited to three minutes per person)*

CONSENT AGENDA (Items 1-5)

Department of Public Works

- 1) 2014 Bridge Inspection Report
- 2) Approve Amendment No. 0001 to HSCG89-14-1-0089 to Communications Facility Lease Agreement with U.S. Coast Guard

General Business

- 3) Approve payroll for August 2014; total number of employees: 217; total Payroll Amount: \$805,173.69
- 4) Vendor Claims:
Warrants Numbered 123741 thru 123828 - \$429,433.18
Warrants Numbered 123829 thru 123917 - \$398,112.32
- 5) Approve minutes of September 4 *(special meeting)* September 9 *(regular meeting)* and September 15 *(special meeting)*, 2014

YEARS OF SERVICE

- 6) 5-Years: Brandi Keightley (Health)

The Board may add and take action on other items not listed on this agenda and order of action is subject to change.

The hearing facility is "barrier free" and accessible by those with physical disabilities. Aids will be provided upon request for those with language/speaking or hearing impediments, but requests need to be received at least five (5) business days prior to this hearing. Such requests may be filed in person at the Commissioners' Office at the address noted above or at 360/875-9337.

ITEMS REGARDING DEPARTMENT OF PUBLIC WORKS

- 7) Consider approval of the promotion of Shelley Mittge, to vacant Senior GIS Analyst
- 8) Consider approval of the return of \$3,050 cash bond to Chehalis Valley Timber, Inc. regarding Road Haul Permit No. 2014-14
- 9) Consider approval of refund to Military Department Emergency Management Division

ITEMS REGARDING FLOOD CONTROL ZONE DISTRICT #1

- 10) Consider approval of Perpetual Non-exclusive Storm Water System Easement from Michelle Jane Garvin pertaining to the cross culvert on the South Main at 33rd Street in Seaview

ITEMS REGARDING COUNTY HEALTH & HUMAN SERVICES DEPARTMENT

- 11) Consider approval of Personal Services Contract with Denise Garoutte-Bell, Registered Dietitian

ITEMS REGARDING BOARDS AND COMMISSIONS

- 12) Consider the appointment of Patty Rolfe, from the World Kite Museum to the vacant “alternate” position representing “involved in activity”-user, on the Lodging Tax Advisory Committee
- 13) Consider the appointment of Sigrine Vally to the Timberlands Regional Support Network Advisory Board

ITEMS REGARDING GENERAL BUSINESS

- 14) Consider adoption of Resolution 2014-_____ establishing rates for payment of internal services
- 15) Consider rescinding motion of May 27, 2014 regarding effective date of the appointment of Hollie Billleci to Clerk Secretary

EXECUTIVE SESSION

- 16) To discuss anticipated litigation, pending litigation or any matter suitable for Executive Session under RCW 42.30.11

PUBLIC HEARINGS – 10:00 AM

- 17) Consider adoption of Overall Economic Develop Plan/WA Cert
- 18) Appeal De Novo Hearing-Bogar/Mayko

The Board may add and take action on other items not listed on this agenda and order of action is subject to change.

The hearing facility is “barrier free” and accessible by those with physical disabilities. Aids will be provided upon request for those with language/speaking or hearing impediments, but requests need to be received at least five (5) business days prior to this hearing. Such requests may be filed in person at the Commissioners’ Office at the address noted above or at 360/875-9337.



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

September 23, 2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED ☐ DENIED

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

Review: ☐ Clerk of the Board

☐ Risk Management

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Legal

☐ OTHER: _____

DISTRIBUTION LIST:

☐ RF

☐ Assessor

☐ DPW

☐ PACCOM

☐ Superior Court

☐ CF

☐ Auditor

☐ EMA

☐ PC Fair

☐ Treasurer

☐ SEA

☐ Clerk

☐ Health

☐ Prosecutor

☐ Vegetation Mgmt

☐ Civil Service

☐ Juvenile

☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DPW

DIVISION (if applicable): Roads

OFFICIAL NAME & TITLE: Mike Collins, Director/County Engineer

PHONE / EXT: 3368

SIGNATURE: _____

DATE: _____

NARRATIVE OF REQUEST

In accordance with WAC 136-20-060, attached is the 2014 Bridge Inspection Report. Inspection of all County maintained bridges must be conducted at intervals set by the Washington State Department of Transportation and must be done by a certified inspector.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

2014 BRIDGE INSPECTION REPORT

BRIDGE NO.	BRIDGE NAME	ROAD NAME	LENGTH	WIDTH	BUILT	SUFF. RATING
175201	NYBERG	NYBERG RD	125	28.0	1996	93.56
176901	DAVIS CREEK	KNAPPTON RD	49	19.0	1963	57.44FO
190601	TIENHAARA	TIENHAARA RD	65	26.0	1980	87.57
198101	ALANEN	ALANEN RD	66	16.0	1989	77.89FO
318501	SURFSIDE	315TH STREET	80	10.0	1967	74.86FO
401201	SOUTH NEMAH RIVER	LAGERGREN-SUNSHINE	89	17.0	1959	77.79FO
404201	NEMAH VALLEY	NEMAH VALLEY RD	73	26.0	1981	92.53
408201	CHURCH	TRASK RD	205	16.0	1992	86.47FO
412701	BAY CENTER	2ND STREET	290	29.0	1981	87.54
419401	NIAWIAKUM	SO. BEND-PALIX RD	67	19.0	1965	86.33
467301	MENLO-SO. FORK #1	MENLO-SO. FORK RD	34	19.0	1960	77.87FO
467302	MENLO-SO. FORK #2	MENLO SO. FORK RD	56	28.0	1991	97.92
468101	PEHL	PEHL RD	107	16.0	1991	81.39FO
475101	RUE CREEK	RUE CREEK RD	49	28.0	1996	98.94
479701	GREEN CREEK	STAUFFER RD	42	17.0	1917	57.96
481001	HYLAND-STRINGER	OXBOX RD	196	26.0	1982	91.68
482301	HANEN	HANEN RD	133	16.0	1989	80.90FO
483501	DOYLE	DOYLE RD	155	22.0	1994	92.72
484401	LEBAM	LEBAM RD	149	17.0	1917	49.94
487001	CLARK	CLARK RD	65	24.0	1992	99.00

BRIDGE NO.	BRIDGE NAME	ROAD NAME	LENGTH	WIDTH	BUILT	SUFF. RATING
492101	HUBER	FALLS CREEK RD	63	15.0	1949	75.28
499101	WALVILLE	WALVILLE RD	53	26.0	1981	92.72
513201	JACOBSON	JACOBSON RD	26	24.0	1990	98.00
513801	GOULD	GOULD RD	21	20.0	1985	87.20
515101	LARKIN	LARKIN RD	55	26.0	1986	97.99
516301	SMITH ANDERSON	SMITH ANDERSON RD	39	20.0	1946	46.25
596001	HEBISH	DIXON RD	46	16.0	1992	77.00
604401	SMITH CREEK	SMITH CREEK RD	110	24.0	1993	92.75
604402	Soule	SMITH CREEK RD	135	24.0	1993	98.95
606201	ELKHORN	ELKHORN RD	147	28.0	1996	93.52
612401	FALL RIVER	NORTH RIVER VALLEY RD	140	24.0	1953	82.81
964003	NORTH RIVER	OAKVILLE RD	97	28.0	1992	96.34
964004	RAIMIE CREEK	OAKVILLE RD	110	28.0	1992	97.34
623601	OVERMEYER	OVERMEYER RD	41	28.0	1987	90.70
675101	WILSON CREEK	WILSON CREEK RD	80	28.0	1992	89.71
695501	HECKARD	HECKARD RD	40	17.0	1916	41.68FO
697101	WESLEY KING	WESLEY KING RD	70	16.0	1994	82.41FO
698001	MILL CREEK	MILL CREEK RD	98	28.0	1977	96.03
698002	MOOSE	MILL CREEK RD	110	28.0	1994	88.32
698003	CADY	MILL CREEK RD	105	28.0	1992	87.32

BRIDGE NO.	BRIDGE NAME	ROAD NAME	LENGTH	WIDTH	BUILT	SUFF. RATING
698004	FIRDALE	MILL CREEK RD	90	28.0	1994	88.32
698005	MILL CREEK BR. 5	MILL CREEK RD	67	27.0	1995	85.96
698006	MILL CREEK BR. 6	MILL CREEK RD	40	28.0	1970	86.32
911901	ELLSWORTH SLOUGH	PARPALA RD	20	28.0	1969	91.81
911902	DELL CREEK	PARPALA RD	50	28.0	1972	93.88
912801	SOUTH FORK NASELLE	SOUTH VALLEY RD	120	24.0	1965	75.60
912802	SALMON CREEK	SOUTH VALLEY RD	158	28.0	1986	97.94
192401	BIGHILL	NORTH VALLEY RD	176	24.0	1963	80.18
192402	BIGHILL CRUSHER	NORTH VALLEY RD	72	30.0	1984	97.96
940801	WILLIAMS CREEK	NORTH NEMAH RD	85	28.0	1999	91.31
940802	NORTH NEMAH RIVER	NORTH NEMAH RD	110	26.0	2005	85.61
942901	GAMAGE	GOLF COURSE RD	112	20.0	1998	98.03
947001	FERN CREEK	ELK PRAIRIE RD	54	18.0	1916	40.32FO
947002	CAMPBELL	ELK PRAIRIE RD	100	24.0	1964	78.44
947003	KARNAS	ELK PRAIRIE RD	100	24.0	1964	84.44
961001	ELK CREEK	MONOHON LANDING RD	80	32.0	1997	96.76
961002	WOODARD LANDING	MONOHON LANDING RD	130	28.0	1992	88.25
961003	WILLAPA	MONOHON LANDING RD	182	28.0	1981	87.45
961901	CAMP ONE	CAMP ONE RD	465	24.0	1984	81.09
961902	BULLARD	CAMP ONE RD	240	28.0	1991	91.07
963005	BOROVEC	SMITH CREEK RD	89	28.0	1985	97.46

BRIDGE NO.	BRIDGE NAME	ROAD NAME	LENGTH	WIDTH	BUILT	SUFF. RATING
964001	COUNTY LINE	NORTH RIVER RD	180	22.0	1959	72.01



Board of Pacific County Commissioners
PO Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360-875-9337 / Fax 360-875-9335
knoren@co.pacific.wa.us

BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

9/23/2014

Res. 2010-013 EXHIBIT A

Agenda Item #: _____

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]	
BOCC ACTION:	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED
Initial: _____ Date: _____	
<input type="checkbox"/> SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS	
<input type="checkbox"/> NO ACTION TAKEN/WITHDRAWN	<input type="checkbox"/> DEFERRED TO: _____
<input type="checkbox"/> CONTINUED TO DATE: _____	TIME: _____
<input type="checkbox"/> OTHER: _____	
Review: <input type="checkbox"/> Clerk of the Board <input type="checkbox"/> Risk Management <input type="checkbox"/> Legal	
DISTRIBUTION LIST:	
<input type="checkbox"/> RF	<input type="checkbox"/> Assessor
<input type="checkbox"/> CF	<input type="checkbox"/> Auditor
<input type="checkbox"/> SEA	<input type="checkbox"/> Clerk
	<input type="checkbox"/> Civil Service
	<input type="checkbox"/> DCD
<input type="checkbox"/> DPW	<input type="checkbox"/> EMA
<input type="checkbox"/> Health	<input type="checkbox"/> Juvenile
<input type="checkbox"/> NDC	
<input type="checkbox"/> PACCOM	<input type="checkbox"/> PC Fair
<input type="checkbox"/> Prosecutor	<input type="checkbox"/> SOC
<input type="checkbox"/> Sheriff	
<input type="checkbox"/> Superior Court	<input type="checkbox"/> Treasurer
<input type="checkbox"/> Vegetation Mgmt	<input type="checkbox"/> WSU Coop. Ext.
<input type="checkbox"/> Other	

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DEPARTMENT OF PUBLIC WORKS	DIVISION (if applicable): Telecommunications
OFFICIAL NAME & TITLE: Nick Milton/Assistant Telecomm Engineer	PHONE / EXT: EXT 3444
SIGNATURE: <i>Nick Milton</i>	DATE: 9/17/2014
NARRATIVE OF REQUEST	
Attached for the Board's consideration is an amendment to the Communication Lease between Pacific County and U.S. Coast Guard. The U.S. Coast Guard is changing their address and wanted the change to reflect on the current lease. I recommend approving this amendment.	
RECOMMENDED MOTION	

Name of Contractor: <u>U.S. Coast Guard</u>	
Name of contract/agreement/grant/amendment (if amendment, provide copy of original document(s)): <u>Holy Cross Communication Facility Use Agreement with U.S. Coast Guard (Lease No. HSCG89-14-1-0089)</u>	
Contract/Agreement/Grant/Amendment #: <u>0001</u>	
Indicate type: <input type="checkbox"/> Intergovernmental/Interagency <input type="checkbox"/> Employment/Special Services Agreement <input type="checkbox"/> Federal Contract <input type="checkbox"/> Memorandum of Understanding/Agreement <input type="checkbox"/> Interoffice/Interdepartmental <input type="checkbox"/> State Contract	
Contractor Type (check all that apply): <input type="checkbox"/> For-Profit <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Non-Profit <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> State <input type="checkbox"/> Sub Recipient <input type="checkbox"/> Federal <input type="checkbox"/> Other	
Please indicate appropriate Tax Identification Number, Uniform Business Identification Number, or Social Security Number on Page 3 of this form.	
TYPE OF REQUEST (Mark all that apply and provide breakdown of bid proposals along with all pertinent documents.):	
Public Works Project (RCW 39.04): <input type="checkbox"/> Limited PW Process (<\$35,000) <input type="checkbox"/> Limited PW Process (<\$40,000) <input type="checkbox"/> Small PW Process (<\$300,000) <input type="checkbox"/> PW Project (>\$300,000)	
Equipment, Materials, & Supplies (RCW 36.32): <input type="checkbox"/> < \$5,000 (attach 3 bids) <input type="checkbox"/> \$5,000-\$25,000 (use small works roster) <input type="checkbox"/> >\$25,000 (competitive bids)	
Services / Leases: <input type="checkbox"/> Architectural & Engineering <input type="checkbox"/> Personal Services <input type="checkbox"/> Lease (Personal Property i.e. copier, printer) <input type="checkbox"/> Lease (Real Property) <input type="checkbox"/> Telecomm & Data Processing <input type="checkbox"/> Other Services (Please Describe):	
To be located at: _____	
Exceptions to Bidding (Please provide appropriate documentation): <input type="checkbox"/> Insurance/Bonds <input type="checkbox"/> Emergency Event (Purchases/Public Works) <input type="checkbox"/> Single (Sole) Source Purchase* <input type="checkbox"/> Special Facilities/Market Conditions *Resolution Required	
<input checked="" type="checkbox"/> PURCHASE UNDER ANOTHER AGENCY'S CONTRACT ("Piggybacking") Please attach the following: - Copy of Intergovernmental Agreement with other agency - Confirmation that vendor agrees to participation - Documentation that contract was awarded in compliance with bidding law - Documentation that Agency posted bid/solicitation notice on its website or provided access link to the notice	
<input type="checkbox"/> RFP <input type="checkbox"/> RFQ <input type="checkbox"/> Franchise <input type="checkbox"/> Annexation <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Appeal <input type="checkbox"/> Inventory Acquisition/Disposal <input type="checkbox"/> Tort Claim <input type="checkbox"/> Call for Bids <input type="checkbox"/> Open Space/Timber Classification <input type="checkbox"/> Post, Advertise and/or Fill Position (attach New Employee Form) <input type="checkbox"/> Other (please describe): _____	
BACKGROUND/SUMMARY (include date of prior workshop and/or action, if applicable): 	
TOTAL COST/AMOUNT (include sales & use tax): _____ TOTAL TAX: _____ TOTAL SHIPPING/HANDLING: _____ EXPENDITURE FUND #: _____ .XXX.XXX.XX.XX EXPENDITURE BUDGETED? <input type="checkbox"/> Yes <input type="checkbox"/> No Will supplemental be required? <input type="checkbox"/> Yes <input type="checkbox"/> No IN-KIND MATCH REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No DESCRIBE MATCH: _____ MATCHING FUNDS REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No AMOUNT OF MATCHING FUNDS: _____	

SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL AGREEMENT

DATE

NO. 0001

TO LEASE NO. HSCG89-14-1-0089

PREMISES: WA HOLY CROSS COMMUNICATION SITE

THIS AGREEMENT, made and entered into this date by and between

Whose address is Pacific County - Attn: Joe Camenzind
P.O. Box 66
South Bend, Washington 98586

Hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease. NOW THEREFORE, these parties for the considerations hereinafter mentioned covenant and agree that the said Lease is amended, effective 1 September 2014 as follows:

AMENDMENT: Changes PARA 26. LEASE ADMINISTRATION: THE FOLLOWING OFFICE SHALL ADMINISTER THIS LEASE

Delete: Article 26 LEASE ADMINISTRATION: Commanding Officer
Civil Engineering Office Oakland
1301 Clay St., Suite 700 N
Oakland, CA 94612-5203

Insert: Article 26 LEASE ADMINISTRATION Commanding Officer
United States Coast Guard
Civil Engineering Unit Oakland (CEUO)
Chief Planning and Real Property
1301 Clay Street, Suite 700 N
Oakland, CA 94612
(510) 637-5534

All other terms and conditions of the lease shall remain in force and effect. IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

LESSOR: Pacific County

(Signature)

(Title)

(Print name)

(Phone number is required)

EMAIL ADDRESS:

IN PRESENCE OF

(Signature)

(Title)

UNITED STATES OF AMERICA

Mr. David E. Brumley
Real Estate Contracting Officer
Chief, Civil Engineering Unit Oakland
United States Coast Guard

BY

(Signature)

(Official Use)

FORM
GSA JUL 87 276

SUPPLEMENTAL LEASE AGREEMENT

SUPPLEMENTAL AGREEMENT

DATE

NO. 0001

TO LEASE NO. HSCG89-14-1-0089

PREMISES: WA HOLY CROSS COMMUNICATION SITE

THIS AGREEMENT, made and entered into this date by and between

Whose address is Pacific County - Attn: Joe Camenzind
P.O. Box 66
South Bend, Washington 98586

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AMENDMENT: Changes PARA 26. LEASE ADMINISTRATION: THE FOLLOWING OFFICE SHALL ADMINISTER THIS LEASE

Delete: Article 26 LEASE ADMINISTRATION: Commanding Officer
Civil Engineering Office Oakland
1301 Clay St., Suite 700 N
Oakland, CA 94612-5203

Insert: Article 26 LEASE ADMINISTRATION: Commanding Officer
United States Coast Guard
Civil Engineering Unit Oakland (CEUO)
Chief Planning and Real Property
1301 Clay Street, Suite 700 N
Oakland, CA 94612
(510) 637-5534

All other terms and conditions of the lease shall remain in force and effect. IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

LESSOR: Pacific County

(Signature)

(Title)

(Print name)

(Phone number is required)

EMAIL ADDRESS:

IN PRESENCE OF

(Signature)

(Title)

UNITED STATES OF AMERICA

Mr. David E. Brumley
Real Estate Contracting Officer
Chief, Civil Engineering Unit Oakland
United States Coast Guard

BY

(Signature)

(Official Use)

FORM
GSA JUL 87 276

U. S. GOVERNMENT LEASE FOR REAL PROPERTY

DATE OF LEASE May 02, 2014	LEASE NO. HSCC89-14-1-0089
-------------------------------	-------------------------------

PURPOSE. Pursuant to specific Congressional appropriations and 14 U.S.C. 92(f), the statutory authority, the parties understand that the sole purpose of this lease is to secure for the United States a lease for use of and access to Holy Cross Communication site near South Bend, Washington to maintain uninterrupted search and rescue communication equipment.

THEREFORE THIS LEASE, made and entered into this date by and between Pacific County, Department of Public Works, whose address is P.O. Box 66, South Bend, Washington 98586, and whose interest in the property hereinafter described is that of owner ("LESSOR"), and the Commanding Officer, U.S. Coast Guard SILC, Product Line Division, Portfolio Management Branch, Oakland, California, on behalf of the UNITED STATES OF AMERICA, hereinafter called the ("Government"), for the consideration hereinafter mentioned.

WITNESSETH: The parties hereto for the considerations hereinafter mentioned, covenant and agrees as follows:

1. Lessor hereby leases to the Government the following described premises:

The premises are located at: Latitude: 46.695278 Longitude: -123.7725

Space in Lessor's Building for two 19-inch racks, shelf space for base station, approximately 12 sqft of wall and cabinet space for communication equipment, further described in Paragraph 7.

Space on the tower for three parabolic grid microwave grid antennas and a whip antenna.

To be used for: Holy Cross Communication Site

2. **TO HAVE AND TO HOLD** the said premises with their appurtenances for the term beginning on October 1, 2014 through September 30, 2015 subject to termination and renewal rights as may be hereinafter set forth.

3. The Government shall pay the Lessor annual rent of \$14,694, in arrears ("Rent"), provided appropriations are granted by Congress. For each subsequent year of the Initial Term and for each year of any succeeding term(s), as applicable, the annual rent shall be increased by two percent (2%) over the annual rent for the immediately preceding year, provided appropriations are granted by Congress. Rent for less than one (1) year shall be prorated. Electronic (ACH) Rent payments shall be made payable to Lessor.

Accounting Data: 2/S/501/113/30/0/24/71113/2329 \$14,694 (Fiscal Year 2015)

4. The Government may terminate this lease at any time by giving at least thirty (30) days' notice in writing to the Lessor. Said notice shall be computed commencing with the day after the date of mailing.

5. This lease may be renewed at the option of the Government, for the following term: four (4), one (1) year successive renewal terms, provided notice is given in writing to the Lessor at least thirty (30) days before the end of the original lease and conditions of this lease shall remain the same during the renewal term. Said notice shall be computed commencing with the day after the date of mailing.

6. The Lessor shall furnish to the Government the following:

a. The right of ingress and egress over the adjacent property of the Lessor for the Government, its contractors or other duly authorized representatives, necessary or convenient for the maintenance, repair operation and replacement of Government equipment located on its leased premises.

- b. Electrical Power as follows:

1) 48 VDC floated on batteries with sufficient energy to provide a minimum of 24-hour reserve backup

- power to each rack.
- 2) 115 VAC to base station.
- 3) Power is to be backed up by an on-site generator.

c. Security:

- 1) Site security will be provided by an intrusion alarm to Pacific County Sheriff Department.
 - 2) The outer perimeter gate will be locked with a chain and multiple locks.
 - 3) A key box will be provided inside with a Government provided combination lock.
- d. The Lessor shall notify the Government, in writing, within thirty (30) days of any:
- 1) Transfer of ownership of the described premises.
 - 2) Change of payment or mailing address for ACH payments

7. EQUIPMENT AND FREQUENCIES: Government will install, operate, maintain, replace (in kind) the following equipment at the site:

a. Equipment:

Two (2) 19-inch equipment racks.
 One (1) microwave radio TX-8.055GHz RX-8.235 GHz Harris Constellation 7.
 One (1) microwave radio TX-7.185GHz RX-7.635 GHz Harris Constellation 7.
 One (1) microwave radio TX-5.8A GHz RX-5.8A GHz Proxim Lynx, HD.
 One (1) VHF base station TX/RX channels 12, 16, 21, 29, 23, 81 Motorola.
 One (1) 6 foot solid microwave antenna at 115-foot tower elevation.
 One (1) 10 foot solid microwave antenna at 85-foot tower elevation.
 One (1) 6 foot solid microwave antenna at 110-foot tower elevation.
 One (1) VHF whip antenna.
 One (1) 6-foot solid microwave antenna at the 105-foot tower elevation.

b. Site Connections with Frequencies

	<u>Transmit Frequency</u>	<u>Received Frequency</u>
South Mountain	8.055 GHz	8.235 GHz
Radar Ridge/Naselle	7.185 GHz	7.635 GHz
Coast Guard Station Grays Harbor	2.4 GHz A Channels	2.4 GHz A Channels

8. The following are attached and made a part hereof:

- a. The General Clauses (GSA form 3517A as amended) - Amendment "A"
- b. Area Map Exhibit "A"
- c. Tower Diagram Exhibit "B"

9. SUCCESSORS BOUND: The Lease shall bind, and insure to the benefit of, the parties and their respective heirs, executors, administrators, successors, and assigns.

10. SUBLETTING/ASSIGNMENT: Government may not sublet or assign lease premises to without the prior written consent of the Lessor, which consent shall not be unreasonably withheld.

11. ENVIRONMENTAL PROTECTION: The Government is limited by Federal Law as to the assumption of liability for its acts or omissions. Within its legal limitations and appropriations, the Government agrees to the following: Government may not unlawfully pollute the air, ground or water, nor create a public nuisance. Lessee shall, at no cost to the Lessor, promptly comply with all applicable Federal, state, and local laws, regulations, and directives regulating the quality of the environment. This does not affect the Government's right

22. PAYMENTS OF TAXES AND ASSESSMENTS:

The Government is not responsible for or liable for the payment of any real property taxes, personal taxes or assessments levied or assessed upon or against the leased premises.

23. ENTIRE AGREEMENT: This Lease, with attachment, constitutes the only agreement between Lessor and Government. Any prior understanding or representation of any kind, which proceeded the date of this Lease, are not binding on either party, except to the extent the understandings are incorporated into this Lease.

24. MUTUAL AUTHORITY: Lessor and Government represent and warrant to each other that they have full right, power and authority to enter into this Lease without the consent or approval of any other entity or person and make these representations knowing that the other party will rely thereon. Furthermore, the signatories on behalf of Lessor and Government further represent and warrant that they have full right, power and authority to act for and on behalf of Lessor and Government in entering into this lease.

25. ATTORNEY FEES: To the extent not in conflict with federal law, should any dispute arise between the parties hereto or their legal representatives, successors and assigns concerning any provision of this Lease or the rights and duties of any person in relation thereto, the party prevailing in such dispute shall be entitled, in addition to such other relief that may be granted, to recover reasonable attorneys' fees and legal costs in connection with such dispute as determined by the judgment or award of any court or tribunal of competent jurisdiction.

26. LEASE ADMINISTRATION:

The following office shall administer this Lease:
Commanding Officer
Civil Engineering Office Oakland
1301 Clay Street, Suite 700N
Oakland, CA 94612-5203

LEASE PAYMENT:

The following office shall process payment of this Lease:
Commanding Officer
USCG Finance Center c/o Leases
P.O. Box 4109
Chesapeake, VA 23327-4109

27. TAX IDENTIFICATION: Government regulations require a Lessor tax identification number (TIN/SSN). Lessor hereby certifies that the following TIN/SSN and telephone number are correct:

TIN/SSN: _____
Telephone Number: _____
Email Address: _____
DUNS: _____

Registered in SAM

6/12/14
Date

Yes No
Signature

28. PAYMENT BY ELECTRONIC FUNDS TRANSFER- SYSTEM FOR AWARD MANAGEMENT:

a. Method of Payment:

1) All payments by the Government under this contract shall be made by electronic transfer (EFT), except as provided in paragraph (a)(2) of this clause. As used in this clause, the term "AFT" refers to the funds transfer and may also include the payment information transfer.

2) In the event the Government is unable to release one or more payments by EFT, the Lessor agrees to either accept payment by check or some other mutually agreeable method of payment or request the Government extend the payment due date until such time as the Government can make payment by EFT (see paragraph (d) of this clause).

b. Lessor EFT information. The Government shall make payment to the Lessor using the EFT information contained in the System for Award Management (SAM) database. In the event that the EFT information changes, the Lessor shall be responsible for providing the updated SAM database.

c. Mechanisms for EFT payment. The Government may make payments by EFT through either the Automated Clearing House (ACH) network, subject to the rules of the National Automated Clearing House Association, or Fedwire Transfer System. The rules governing Federal payments through the ACH are contained in 31 CFR part 210.

d. Suspension of payment. If the Lessor EFT information in the SAM database is incorrect, then the Government need not make payment to the Lessor under this contract until correct EFT information is entered into the SAM

database; and any invoice or contract financing request shall be deemed not to be proper invoice for the purpose of prompt payment under this contract. The prompt payment terms of the contract regarding notice of an improper invoice and delays in accrual of interest penalties apply.

e. Lessor EFT arrangements. If the Lessor has identified multiple payment receiving points (i.e., more than one remittance address and/or EFT information set) in the SAM database, and the Lessor has not notified the Government of the payment receiving point applicable to this contract, the Government shall make payment to the first payment receiving point (EFT information set or remittance address is applicable) listed in the SAM database.

f. Liability for incomplete or erroneous transfer:

1) If an incomplete or erroneous transfer occurs because the Government used the Lessor's EFT information incorrectly, the Government remains responsible for making a correct payment, paying any prompt payment penalty due and recovering any erroneously directed funds.

2) If any incomplete or erroneous transfer occurs because the Lessor's EFT information was incorrect, or was revised within 30 days of Government release of the EFT payment transaction instruction to the Federal Reserve System, and if funds are no longer under the control of the payment office, the Government is deemed to have made payment and the Lessor is responsible for recovery of an erroneously directed funds or if the funds remain under the control of payment office, the Government shall not make payment, and the provisions of paragraph (d) of this clause shall apply.



g. EFT and prompt payment. A payment shall be deemed to have been made in a timely manner in accordance with the prompt payment terms of this contract if, in the EFT payment transaction instruction released to the Federal Reserve System, the date specified for settlement of the payment is on or before the prompt payment due date, provided the specified payment date is a valid date under the rules of the Federal Reserve System.

h. EFT and assignment claims. If the Lessor assigns the proceeds of this contract as provided for in the assignment of claims terms of this contract, the Lessor shall require as a condition of any such assignment, that the assignee shall register in the SAM database and shall be paid by EFT in accordance with the terms of this clause. In all respects, the requirements of this clause shall apply to the assignee as if it were the Lessor. EFT information that shows the ultimate recipient of the transfer to be other than the Lessor, in the absence of proper assignment of claims acceptable to the Government, is incorrect EFT information within the meaning of paragraph (d) of this clause.

i. Liability for change to EFT information by financial agent. The Government is not liable for errors resulting from changes to EFT information made by the Lessor's financial agent.

j. Payment information. The payment or disbursing office shall forward to the Lessor available payment information that is suitable for transmission as of the date of release of EFT instruction to the Federal Reserve System. The Government may request the Lessor to designate a desired format and method(s) for delivery of payment information from a list of formats and methods the payment office is capable of executing. However, the Government does not guarantee that any particular format or method of delivery is available at any particular payment office and retains the latitude to use the format and delivery method most convenient to the Government. If the Government makes payment by check in accordance with paragraph (a) of this clause, the Government shall mail the payment information to the remittance address contained in the SAM database.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

LESSOR	
SIGNATURE 	SIGNATURE
NAME OF SIGNER Steve Rogers 6/10/14	NAME OF SIGNER
IN PRESENCE OF	
SIGNATURE	SIGNATURE
NAME OF SIGNER	NAME OF SIGNER
UNITED STATES OF AMERICA	
SIGNATURE 	NAME OF SIGNER David E. Brumley
	OFFICIAL TITLE OF SIGNER Realty Specialist Contracting Officer United States Coast Guard

GENERAL CLAUSES
(Simplified Leases)

(Acquisition of Leasehold Interests in Real Property for Leases Up to \$100,000 Net Annual Rent)

1. The Government reserves the right, at any time after the lease is signed and during the term of the lease, to inspect the leased premises and all other areas of the building to which access is necessary to ensure a safe and healthy work environment for the Government tenants and the Lessor's performance under this lease.
2. If the building is partially or totally destroyed or damaged by fire or other casualty so that the leased space is untenantable as determined by the Government, the Government may terminate the lease upon 15 calendar days written notice to the Lessor and no further rental will be due.
3. The Lessor shall maintain the demised premises, including the building, building systems, and all equipment, fixtures, and appurtenances furnished by the Lessor under this lease, in good repair and tenantable condition. Upon request of the Contracting Officer, the Lessor shall provide written documentation that building systems have been maintained, tested, and are operational.
4. In the event the Lessor fails to perform any service, to provide any item, or meet any requirement of this lease, the Government may perform the service, provide the item, or meet the requirement, either directly or through a contract. The Government may deduct any costs incurred for the service or item, including administrative costs, from rental payments.
5. 52.252-2 CLAUSES INCORPORATED BY REFERENCE (VARIATION) (DEC 2003)
This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make the full text available, or the full text may be found as GSA Form 3517C at <http://www.gsa.gov/leasingform>.
6. The following clauses are incorporated by reference:

GSAR 552-203-5	COVENANT AGAINST CONTINGENT FEES (FEB 1990) (Applicable to leases over \$100,000.)
GSAR 552-203-70	PRICE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY (SEP 1999) (Applicable to leases over \$100,000.)
FAR 52.204-7	CENTRAL CONTRACTOR REGISTRATION (OCT 2003) (VARIATION)
FAR 52.209-6	PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (JAN 2005) (Applicable to leases over \$25,000.)
FAR 52.219-9	SMALL BUSINESS SUBCONTRACTING PLAN (JUL 2005) (Applicable to leases over \$500,000.)
FAR 52.219-16	LIQUIDATED DAMAGES—SUBCONTRACTING PLAN (JAN 1999) (Applicable to leases over \$500,000.)
GSAR 552.219-72	PREPARATION, SUBMISSION, AND NEGOTIATION OF SUBCONTRACTING PLANS (JUN 2005) (Applicable to leases over \$500,000 if solicitation requires submission of the subcontracting plan with initial offers.)
GSAR 552.219-73	GOALS FOR SUBCONTRACTING PLAN (JUN 2005) (Applicable to leases over \$500,000 if solicitation does not require submission of the subcontracting plan with initial offers.)

INITIALS:

LESSOR

GOVERNMENT

FAR 52.222-26	EQUAL OPPORTUNITY (APR 2002) (Applicable to leases over \$10,000.)
FAR 52.222-21	PROHIBITION OF SEGREGATED FACILITIES (FEB 1999) (Applicable to leases over \$10,000.)
FAR 52.222-35	EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (Applicable to leases over \$25,000.)
FAR 52.222-36	AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (JUN 1998) (Applicable to leases over \$10,000.)
FAR 52.222-37	EMPLOYMENT REPORTS ON SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (Applicable to leases over \$25,000.)
FAR 52.232-23	ASSIGNMENT OF CLAIMS (SEP 1999) (Applicable to leases over \$2,500.)
GSAR 552.232-75	PROMPT PAYMENT (SEP 1999)
GSAR 552.232-76	ELECTRONIC FUNDS TRANSFER PAYMENT (MAR 2000) (VARIATION)
FAR 52.233-1	DISPUTES (JUL 2002)
FAR 52.215-10	PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA (OCT 1997) (Applicable when cost or pricing data are required for work or services over \$500,000.)
FAR 52.215-12	SUBCONTRACTOR COST OR PRICING DATA (OCT 1997) (Applicable when the clause at FAR 52.215-10 is applicable.)

The information collection requirements contained in this solicitation/contract, that are not required by regulation, have been approved by the Office of Management and Budget pursuant to the Paperwork Reduction Act and assigned the OMB Control No. 3090-0163.

INITIALS:

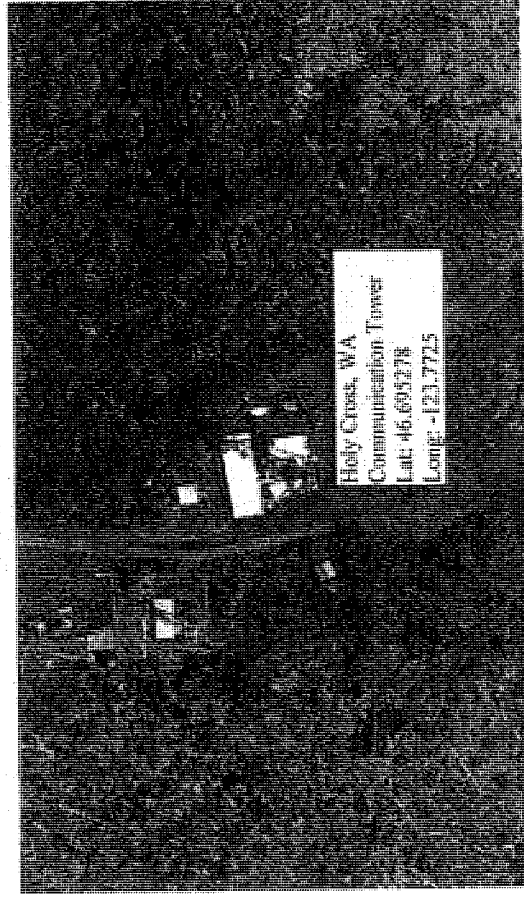
LESSOR

8

GOVERNMENT

GSA FORM 3517A PAGE 2 (REV 11/05)

Holy Cross Communication Site Lease
HSCG89-14-1-0089



Lease Number: HSCG89-14-1-0089
Exhibit "A"

COUNTY OF PACIFIC - STATE OF WASHINGTON

BOARD OF COUNTY COMMISSIONERS

SUMMARY OF APPROVAL OF MONTHLY PAYROLL

WHEREAS, the Elected Officials and Department Heads have submitted certified requests for payroll payments for officers and employees to the County Auditor for disbursement as shown by the attached department listings; and,

WHEREAS, the Board of County Commissioners have reviewed the listing as attached; now, therefore,

IT IS HEREBY ORDERED by the Board of County Commissioners that salaries, wages, overtime and other pay are allowed as follows:

MONTH OF: AUGUST, YEAR OF 2014

TOTAL EMPLOYEES: 217

TOTAL PAYROLL: \$ 805,173.69

Approve payroll subject to adequate budget appropriations.

BOARD OF PACIFIC COUNTY COMMISSIONERS

Dated this ___9th___day of September 2014

Chairperson

Commissioner

Commissioner

Attest:

Clerk of the Board

RECEIVED
PACIFIC COUNTY

SEP -5 2014

GENERAL ADMINISTRATION
BOARD OF COMMISSIONERS

**COUNTY OF PACIFIC
VOUCHER APPROVAL TRANSMITTAL
VENDOR CLAIMS**

The vouchers, hereinafter listed, have been audited and certified by the auditing officer as required by RCW 42.24.080 and those expenses/reimbursement claims have been certified as required by RCW 42.24.090 and have been recorded on the attached listing, which has been made available to the Board.

As of this date, September 23, 2014, the Board, by a unanimous/majority vote, does approve for payment, subject to adequate budget appropriations, those vouchers included in the attached list and further described as follows:

Vendors Claim Fund No. 692

123741 thru 123828 \$ 429,433.18

Warrants Dated: September 5, 2014

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

AUDITED:



Auditor/Deputy Auditor

Chairman

ATTEST:

Commissioner

Clerk of the Board

Commissioner

**COUNTY OF PACIFIC
VOUCHER APPROVAL TRANSMITTAL
VENDOR CLAIMS**

The vouchers, hereinafter listed, have been audited and certified by the auditing officer as required by RCW 42.24.080 and those expenses/reimbursement claims have been certified as required by RCW 42.24.090 and have been recorded on the attached listing, which has been made available to the Board.

As of this date, September 23, 2014, the Board, by a unanimous/majority vote, does approve for payment, subject to adequate budget appropriations, those vouchers included in the attached list and further described as follows:

Vendors Claim Fund No. 692

123829 thru 123917 \$ 398,112.32

Warrants Dated: September 11, 2014

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

AUDITED:


Auditor/Deputy Auditor

Chairman

ATTEST:

Commissioner

Clerk of the Board

Commissioner

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

PROCEEDINGS

9:00 AM
Thursday, September 4, 2014

1216 W Robert Bush Drive
South Bend, Washington

CALLED TO ORDER – 2:30 PM

Steve Rogers, Chair
Frank Wolfe, Commissioner
Lisa Ayers, Commissioner

Marie Guernsey, Clerk of the Board
Kathy Spoor, County Administrative Officer
Paul Plakinger, Management & Fiscal Analyst
Scott Johnson, Sheriff
Denise Rowlett, Chief Civil Deputy

GENERAL PUBLIC IN ATTENDANCE - None

PUBLIC COMMENT - None

ITEMS REGARDING SHERIFF'S OFFICE

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Approve the emergency temporary hire of reserve deputies Vincent Billeci, Thomas Benenati, Travis Ostgaard, Marc Warren, and Benjamin Woodby at a rate of \$21.45 per hour, effective September 5 through September 7, 2014, and subject to adequate budget appropriations

MEETING CLOSED – 2:35 PM

PACIFIC COUNTY
BOARD OF COUNTY COMMISSIONERS

Steve Rogers, Chairman

ATTEST:

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner

(Please refer to recording of the meeting for a more detailed discussion)

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

PROCEEDINGS

9:00 AM
Tuesday, September 9, 2014

1216 W Robert Bush Drive
South Bend, Washington

CALLED TO ORDER – 9:01 AM

Steve Rogers, Chair
Frank Wolfe, Commissioner
Lisa Ayers, Commissioner

Marie Guernsey, Clerk of the Board
Kathy Spoor, County Administrative Officer
Paul Plakinger, Management & Fiscal Analyst
Scott McDougall, Emergency Management Deputy Director
Andi Harland, Public Works Accounting Manager
Tom Gradt, Public Works Road Crew Supervisor
Mary Goelz, Health & Human Services Department Director

GENERAL PUBLIC IN ATTENDANCE

Rex & Roxanne Hutchins

PUBLIC COMMENT

Rex & Roxanne spoke regarding road work on Fuss Road in Menlo. They stated the road crew did a great job last year on the road and now the PUD is going to be replacing lines. They suggested planning between agencies would alleviate some issues for the citizens. Tom Gradt indicated he would contact the PUD.

CONSENT AGENDA (Items 1-5)

It was moved by Wolfe, seconded by Ayers and carried by a vote of 3-0
Subject to adequate budget appropriations and in accordance with all applicable county policies

Department of Public Works

Notice of probation completion for Nick Milton, Neil Wirkkala, Dylan McDougall, and Kelly Spoor

Health and Human Services Department

Approve Amendment #16 to 2012 – 2014 Consolidated Contract #C16896 with WA State Department of Health

Sheriff's Office

Confirm Chair's signature on Amendment A to the WA State Military Department Agreement #E13 – 175

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

General Business

Approve Vendor Claims

Warrants Numbered 123549 thru 123655 - \$750,248.20

Warrants Numbered 123656 thru 123740 - \$243,261.57

Approve regular meeting minutes of August 12 and 26, 2014

ITEMS REGARDING DEPARTMENT OF PUBLIC WORKS

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Consider approval of the promotion of Shelley Mittge, to vacant Senior GIS Analyst – **DEFERRED**

Approve the appointment of Samantha Johnson to fill vacant Administrative Assistant II position, Grade 9 Step 2, effective September 15, 2014, subject to adequate budget appropriations

Approve Communications Facility Use Agreement and Memorandum of Lease with WA State Department of Transportation for use of the Holy Cross Site and authorize Chair to sign

ITEMS REGARDING FLOOD CONTROL ZONE DISTRICT #1

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Approve the Perpetual Non-exclusive Storm Water System Easement from Amy McHale pertaining to the 55th to 67th St. Tartlet Improvement Project

ITEMS REGARDING COUNTY FAIR

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Approve the 2014 Fair Judges Agreements as presented by the Fair Manager, subject to adequate budget appropriations

ITEMS REGARDING SHERIFF'S OFFICE

Approve the Award and Contract for a FEMA Mitigation Planning Grant and Issuance of Request for Proposal (RFP) for review, revising and updating Pacific County Hazard Mitigation Plan, subject to receipt of the Grant and authorize the Chair to sign

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

ITEMS REGARDING SUPERIOR COURT

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Approve request to issue a Request for Proposal for Drug Court Coordinator

Approve request to issue a Request for Proposal for Interpreter Services

ITEMS REGARDING BOARDS AND COMMISSIONS

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Accept resignation from Kay Buesing from the Lodging Tax Advisory Committee

Accept resignation from Maiko Minami from the Timberland Regional Support Network

ITEMS REGARDING GENERAL BUSINESS

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Adopt Resolution 2014-037 amending the fy2014 budget by appropriation transfer

EXECUTIVE SESSION – Not needed

ITEMS REGARDING DEPARTMENT OF PUBLIC WORKS

It was moved by Ayers, seconded by Wolfe and carried by a vote of 3-0

Accept resignation of Dylan McDougall, Road Maintenance Technician II, effective September 11, 2014

MEETING CLOSED – 9:13 AM

PACIFIC COUNTY
BOARD OF COUNTY COMMISSIONERS

Steve Rogers, Chairman

ATTEST:

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner

(Please refer to recording of the meeting for a more detailed discussion)

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

PROCEEDINGS

11:30 AM
Monday, September 15, 2014

1216 W Robert Bush Drive
South Bend, Washington

CALLED TO ORDER – 11:55 AM

Steve Rogers, Chair
Frank Wolfe, Commissioner
Lisa Ayers, Commissioner

Marie Guernsey, Clerk of the Board
Kathy Spoor, County Administrative Officer
Paul Plakinger, Management & Fiscal Analyst
Virginia Leach, Clerk of Superior Court
Pat Gardner, Auditor
Stephanie Fritts, Emergency Management Director
Todd Fosse, Undersheriff
Denise Rowlett, Chief Civil Deputy
Jim Bergstrom, Lieutenant
Scott McDougall, Emergency Management Deputy Director
Renee Goodin, Treasurer
Shelly Flemetis, Chief Deputy
Rachel Patrick, Chief Account

GENERAL PUBLIC IN ATTENDANCE

Mike Williams, Chinook Observer (*recorded meeting*)

SPECIAL MEETING

Chairman Rogers opened the special meeting to consider the emergency hire of reserve deputies and one emergency appointment.

ITEMS REGARDING SHERIFF'S OFFICE

It was moved by Wolfe, seconded by Ayers and carried by a vote of 3-0

Approve the continuance of the special meeting to 2:30pm, or as soon thereafter as possible, to review additional information that was provided by the Sheriff's Office

RECONVENED – 2:37 PM

PACIFIC COUNTY, WASHINGTON
BOARD OF COMMISSIONERS
JOURNAL #50

ITEMS REGARDING SHERIFF'S OFFICE

It was moved by Wolfe, seconded by Ayers and carried by a vote of 3-0

Approve the emergency temporary appointment of Jesse Eastham, full time, not to exceed 119 days or until vacant deputy position is filled, whichever is less; and approve the emergency appointment of three deputy reserves (Travis Ostgaard, Ben Woodby, and Brad Page) not to exceed 75 hours per month subject to the following:

- **Effective upon acceptance and approval from the Civil Service Commission**
- **adequate budget appropriations**
- **all County policies and Sheriff's office internal policies**
- **Sections 5.5.1, 10.6.1 and 10.6.2 of the 252C Collection Bargaining Agreement**
- **Section 10.04 of the Pacific County Civil Service Commission rules**
- **effective through December 31, 2014**

MEETING CLOSED – 2:40 PAM

PACIFIC COUNTY
BOARD OF COUNTY COMMISSIONERS

Steve Rogers, Chairman

ATTEST:

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner

(Please refer to recording of the meeting for a more detailed discussion)

Years of Service Report September 2014

Total Years of Service

Employee Name	Date of Hire	Calculation Date	ID Number
Brandi Keightley Health	9/11/2009	9/1/2009	KEIGB

Wednesday, July 02, 2014 - Emailed Amber -KB

Page 1 of 1

9/2/14 c: Lisa -KB



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED ☐ DENIED

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

Review: ☐ Clerk of the Board

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Risk Management

☐ Legal

☐ OTHER: _____

DISTRIBUTION LIST:

☐ RF

☐ Assessor

☐ DPW

☐ PACCOM

☐ Superior Court

☐ CF

☐ Auditor

☐ EMA

☐ PC Fair

☐ Treasurer

☐ SEA

☐ Clerk

☐ Health

☐ Prosecutor

☐ Vegetation Mgmt

☐ Civil Service

☐ Juvenile

☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DPW

DIVISION (if applicable):

OFFICIAL NAME & TITLE: Mike Collins, Director

PHONE / EXT:

SIGNATURE: *Michael Collins*

DATE: *8-29-14*

NARRATIVE OF REQUEST

For the boards consideration, requesting approval of Shelley Mittge promotion to the vacated position of Senior GIS Analyst Grade 15 Step 3. Shelly has 7 years of GIS experience and has proven her abilities as the current DPW GIS Analyst under the outgoing Senior Analyst. Additionally, Shelly will continue the department streamlining process her predecessor began and thus DPW will not backfill her position and she will be managing the GIS department unaided for the time being.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

September 23, 2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

BOCC ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED		Agenda Item #: _____
		Initial: _____ Date: _____
<input type="checkbox"/> SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS		
<input type="checkbox"/> NO ACTION TAKEN/WITHDRAWN	<input type="checkbox"/> DEFERRED TO: _____	Review: <input type="checkbox"/> Clerk of the Board
<input type="checkbox"/> CONTINUED TO DATE: _____	TIME: _____	<input type="checkbox"/> Risk Management
<input type="checkbox"/> OTHER: _____		<input type="checkbox"/> Legal
DISTRIBUTION LIST:		
<input type="checkbox"/> RF	<input type="checkbox"/> Assessor	<input type="checkbox"/> DPW
<input type="checkbox"/> CF	<input type="checkbox"/> Auditor	<input type="checkbox"/> EMA
<input type="checkbox"/> SEA	<input type="checkbox"/> Clerk	<input type="checkbox"/> Health
	<input type="checkbox"/> Civil Service	<input type="checkbox"/> Juvenile
	<input type="checkbox"/> DCD	<input type="checkbox"/> NDC
	<input type="checkbox"/> PACCOM	<input type="checkbox"/> Superior Court
	<input type="checkbox"/> PC Fair	<input type="checkbox"/> Treasurer
	<input type="checkbox"/> Prosecutor	<input type="checkbox"/> Vegetation Mgmt
	<input type="checkbox"/> SDC	<input type="checkbox"/> WSU Coop. Ext.
	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DPW	DIVISION (if applicable): Roads
OFFICIAL NAME & TITLE: Mike Collins, Director/County Engineer	PHONE / EXT: 3368
SIGNATURE: <i>Michael Collins</i>	DATE: 9-17-14
NARRATIVE OF REQUEST	
Chehalis Valley Timber, Inc. submitted Road Haul Permit No. 2014-14 for hauling on Ward Creek Road and submitted a \$3,050 cash bond for this haul. Work in connection with Road Haul Permit No. 2014-14 has concluded and no road restoration is due. Please approve return of the \$3,050 cash bond to Chehalis Valley Timber, Inc.	
RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)	



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

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4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

BOCC ACTION: ☐ APPROVED ☐ DENIED

Agenda Item #:

Initial:

Date:

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO:

Review: ☐ Clerk of the Board

☐ Risk Management

☐ CONTINUED TO DATE:

TIME:

☐ Legal

☐ OTHER:

DISTRIBUTION LIST:

☐ RF

☐ Assessor

☐ DPW

☐ PACCOM

☐ Superior Court

☐ CF

☐ Auditor

☐ EMA

☐ PC Fair

☐ Treasurer

☐ SEA

☐ Clerk

☐ Health

☐ Prosecutor

☐ Vegetation Mgmt

☐ Civil Service

☐ Juvenile

☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DPW

DIVISION (if applicable): ER&R Fund 502

OFFICIAL NAME & TITLE: Andi Harland

PHONE / EXT:

SIGNATURE:

DATE:

9-17-10

NARRATIVE OF REQUEST

For the boards consideration, please approve a refund to the Military Department Emergency Management Division for phone lines that were made obsolete and disconnected in 2011 but continued on the billing cycle. The refund request is for two lines at \$200.00 per month for 35 months (May 2011 - March 2014). The total refund amount is \$7,000.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
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REQUESTED MEETING DATE:

September 23, 2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

BOCC ACTION: ☐ APPROVED ☐ DENIED

Agenda Item #: _____

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

Review: ☐ Clerk of the Board

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Risk Management

☐ OTHER: _____

☐ Legal

DISTRIBUTION LIST:

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☐ Assessor

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☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DPW

DIVISION (if applicable): Roads

OFFICIAL NAME & TITLE: Glen McCully, Surface Water Manager

PHONE / EXT: 3368

SIGNATURE: *Glen McCully*

DATE: 9-9-14

NARRATIVE OF REQUEST

On behalf of Flood Control Zone District No. 1, I present a Perpetual Non-Exclusive Stormwater System Easement from Michelle Jane Garvin for replacement of a cross culvert on the South Main at 33rd Street in Seaview.

Upon acceptance, the Easement will be recorded with the Pacific County Auditor.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Return to:

Pacific County Department of Public Works
PO Box 66
South Bend, WA 98586

RECEIVED
SEP 2014
DEPT. OF
PUBLIC WORKS

PERPETUAL NON-EXCLUSIVE STORMWATER SYSTEM EASEMENT

The undersigned, **MICHELLE JANE GARVIN**, does hereby convey and grant as a gift to the County of Pacific, State of Washington, hereinafter referred to as the "GRANTEE", a perpetual non-exclusive stormwater system easement along the existing South Main ditch for the purpose of maintenance to include; replacement of cross culvert, vegetation management, and grading the ditch as needed.

A perpetual non-exclusive stormwater system easement located on Tax Lot 202 in Section 28, Township 10 North, Range 11 West, W.M., Pacific County, Washington, known as Parcel No. 10112823202 as recorded under Auditor Fee No. 3137374 on file in the office of the Pacific County Auditor.

The terms of this easement are as follows:

1. GRANTEE, its agents, independent contractors, and invitees shall use the easement for installation, maintenance and repair of a stormwater conveyance system therein.
2. GRANTEE, its agents, independent contractors, and invitees reserve the right of reasonable access to reconstruct, maintain, and/or repair the stormwater conveyance system.
3. GRANTEE, its agents, independent contractors, and invitees, upon reconstruction, maintenance and/or repair shall return the surface of the property to as near the condition it was prior to the work as is feasible.
4. GRANTOR reserves the right to use the easement to construct driveways, paving, landscaping, and fill, provided that GRANTOR shall not construct or maintain any building, structure or improvement which would interfere with the rights herein described.

5. GRANTEE agrees to indemnify and defend GRANTOR from any loss, claim, or liability to GRANTOR arising in any manner out of GRANTOR'S use of the easement.

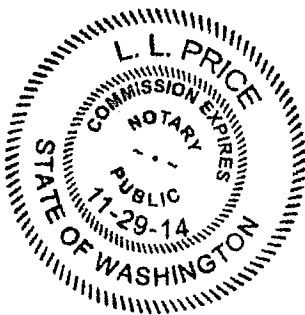
IN WITNESS WHEREOF the undersigned has executed this instrument this 2nd day of Sept., 20 14.

Michelle Jane Garvin
MICHELLE JANE GARVIN

STATE OF WASHINGTON)(
COUNTY OF PACIFIC)

On this day personally appeared before me L.L. Price and Michelle S. Garvin known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their own free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 2nd day of Sept, 20 14.



L.L. Price
Notary Public in and for the State of Washington
Residing at Long Beach
Commission Expires 11/29/14



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

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REQUESTED MEETING DATE:

9/23/14

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED ☐ DENIED

Initial: _____ Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

Review: ☐ Clerk of the Board

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Risk Management

☐ Legal

☐ OTHER: _____

DISTRIBUTION LIST:

☐ RF

☐ Assessor

☐ DPW

☐ PACCOM

☐ Superior Court

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☐ Auditor

☐ EMA

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☐ Health

☐ Prosecutor

☐ Vegetation Mgmt

☐ Civil Service

☐ Juvenile

☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Health

DIVISION (if applicable):

OFFICIAL NAME & TITLE: Mary P. Goelz, Director

PHONE / EXT: 2644

SIGNATURE: 

DATE: 9/8/14

NARRATIVE OF REQUEST

Request the Board approve and sign the Contract for Denise Garoutte-Bell to provide Registered Dietitian services to the Health Department. We have been advertising for this position intermittently since May of 2013. The advertisement has been listed on the Counties website with no closing date included.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Name of Contractor: <u>Denise Garoutte-Bell</u>	
Name of contract/agreement/grant/amendment (if amendment, provide copy of original document(s)): <u>Personal Services Contract for Registered Dietitian</u>	
Contract/Agreement/Grant/Amendment #:	
Indicate type: <input type="checkbox"/> Intergovernmental/Interagency <input checked="" type="checkbox"/> Employment/Special Services Agreement <input type="checkbox"/> Federal Contract <input type="checkbox"/> Memorandum of Understanding/Agreement <input type="checkbox"/> Interoffice/Interdepartmental <input type="checkbox"/> State Contract	
Contractor Type (<i>check all that apply</i>): <input checked="" type="checkbox"/> For-Profit <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Non-Profit <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> State <input type="checkbox"/> Sub Recipient <input type="checkbox"/> Federal <input type="checkbox"/> Other	
Please indicate appropriate Tax Identification Number, Uniform Business Identification Number, or Social Security Number on Page 3 of this form.	
TYPE OF REQUEST (<i>Mark all that apply and provide breakdown of bid proposals along with all pertinent documents.</i>):	
Public Works Project (RCW 39.04): <input type="checkbox"/> Limited PW Process (<\$35,000) <input type="checkbox"/> Limited PW Process (<\$40,000) <input type="checkbox"/> Small PW Process (<\$300,000) <input type="checkbox"/> PW Project (>\$300,000)	
Equipment, Materials, & Supplies (RCW 36.32): <input type="checkbox"/> < \$5,000 (attach 3 bids) <input type="checkbox"/> \$5,000-\$25,000 (use small works roster) <input type="checkbox"/> >\$25,000 (competitive bids)	
Services / Leases: <input type="checkbox"/> Architectural & Engineering <input type="checkbox"/> Personal Services <input type="checkbox"/> Lease (Personal Property i.e. copier, printer) <input type="checkbox"/> Lease (Real Property) <input type="checkbox"/> Telecomm & Data Processing <input type="checkbox"/> Other Services (Please Describe):	
To be located at: _____	
Exceptions to Bidding (Please provide appropriate documentation): <input type="checkbox"/> Insurance/Bonds <input type="checkbox"/> Emergency Event (<i>Purchases/Public Works</i>) <input type="checkbox"/> Single (Sole) Source Purchase* <input type="checkbox"/> Special Facilities/Market Conditions *Resolution Required	
<input type="checkbox"/> PURCHASE UNDER ANOTHER AGENCY'S CONTRACT (" <i>Piggybacking</i> ") Please attach the following: - Copy of Intergovernmental Agreement with other agency - Confirmation that vendor agrees to participation - Documentation that contract was awarded in compliance with bidding law - Documentation that Agency posted bid/solicitation notice on its website or provided access link to the notice	
<input type="checkbox"/> RFP <input type="checkbox"/> RFQ <input type="checkbox"/> Franchise <input type="checkbox"/> Annexation <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Appeal <input type="checkbox"/> Inventory Acquisition/Disposal <input type="checkbox"/> Tort Claim <input type="checkbox"/> Call for Bids <input type="checkbox"/> Open Space/Timber Classification <input type="checkbox"/> Post, Advertise and/or Fill Position (attach New Employee Form) <input type="checkbox"/> Other (please describe): _____	
BACKGROUND/SUMMARY (<i>include date of prior workshop and/or action, if applicable</i>): To be in compliance with the WIC (Women, Infant and Children) Nutrition program they require a Registered Dietitian be available to meet with clients. The hourly rate is similar to what we have paid for the program in the past. We have also offered assistance for the provision of liability insurance. Denise has worked for us in this capacity in the past so is familiar with the program requirements.	
TOTAL COST/AMOUNT (include sales & use tax):	TOTAL TAX:
TOTAL SHIPPING/HANDLING:	EXPENDITURE FUND #: <u>118</u> .XXX.XXX.XX.XX
EXPENDITURE BUDGETED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Will supplemental be required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
IN-KIND MATCH REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DESCRIBE MATCH:
MATCHING FUNDS REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AMOUNT OF MATCHING FUNDS:

**PERSONAL SERVICE CONTRACT
FOR
Registered Dietitian**

THIS CONTRACT is made by and between Pacific County, a Municipal Corporation hereinafter referred to as the "COUNTY", and DENISE GAROUTTE-BELL, hereinafter referred to as the "CONTRACTOR".

WHEREAS, the COUNTY desires that the CONTRACTOR perform and provide certain personal services which require specialized skills and abilities; and

WHEREAS, the CONTRACTOR represents that she is qualified and possesses sufficient skills and abilities to perform the personal services set forth hereafter in this Agreement: now therefore

IN CONSIDERATION OF the terms, conditions, covenants, and performances described herein, the parties hereto

HEREBY AGREE AS FOLLOWS:

I - SERVICES TO BE PROVIDED BY CONTRACTOR

The CONTRACTOR shall perform such services and accomplish such tasks necessary for full performance, as are identified or designated as the CONTRACTOR'S responsibilities throughout this Contract.

CONTRACTOR responsibilities shall include the following:

1. Be a worker that meets or exceeds the recommended staffing requirements for the Registered Dietitian position as stated in the State WIC Manual or has been granted a waiver by the State WIC program.
2. Be available to provide comprehensive, culturally competent, clinical assessments for clients and referrals as needed. CONTRACTOR will follow all policies and practices established by the Washington State WIC Program and the COUNTY.
3. Be familiar with agency confidentiality, including procedures for keeping records, for processing consent forms, and for limiting legal liability.
4. Maintain compliance with all requirements in order to carry out the duties of a Registered Dietitian.
5. Maintain certification with regards to the State of Washington Registered Dietitian Certification requirement.
6. Provide the COUNTY documentation of clients seen, assessments completed, interventions, and intervention outcomes using WIC/CIMS and other County forms as needed.

7. Attend trainings and staff meetings as directed by the COUNTY Department of Health and Human Services Director.

8. The CONTRACTOR shall complete monthly time and billing reports by the 5th of the month following service.

9. The CONTRACTOR shall complete the required time studies according to WIC guidelines.

II - NON-DELEGATION; DOCUMENTATION ESTABLISHMENT AND MAINTENANCE OF RECORDS

The services to be furnished under the terms of this Contract shall be performed by the CONTRACTOR and shall not be assigned, delegated, or subcontracted in whole or in part. No one other than the CONTRACTOR shall perform the services under this Contract without the express written consent of the COUNTY.

The CONTRACTOR shall document hours of professional services to COUNTY Department of Public Health and Humans Services Director.

The CONTRACTOR shall maintain necessary files to document compliance with each of the tasks and responsibilities set forth hereinabove.

III - DURATION OF AGREEMENT

The terms of this Contract shall be deemed to have become effective _____ and continues until such time either party desires to terminate this Contract. Written notice of such intention will be personally served upon or sent by certified mail, return receipt requested, to the other party a minimum of thirty (30) days prior to termination of this Contract.

IV - COMPENSATION AND METHOD OF PAYMENT

The COUNTY shall compensate the CONTRACTOR for the services performed under this Contract as follows:

The COUNTY agrees to pay the CONTRACTOR at the rate of \$40.00 per hour for contract services rendered.

The COUNTY agrees to pay the CONTRACTOR mileage at the current IRS rate based on the following conditions:

1. Mileage from residence to nearest health department will not be paid if less than 20 miles one-way.

2. Hourly rate for direct services time.

3. Mileage from Home to nearest Health Department beyond 20 miles will be paid. (Example: Home to health department 30 miles one way, 10 miles will be paid)

The COUNTY shall reimburse the CONTRACTOR for travel, lodging, tuition, meals and expenses associated with trainings when the COUNTY Department of Health and Human Services Director mandates attendance.

The COUNTY shall pay the CONTRACTOR by the 30th of the month following service.

The CONTRACTOR agrees that it is an independent contractor with the COUNTY, and not an employee of the COUNTY. The CONTRACTOR hereby agrees not to make any representations to any third party, nor to allow such third party to remain under the misimpression that the CONTRACTOR is an employee of the COUNTY.

The CONTRACTOR also agrees to pay any local, state, or federal taxes applicable to compensation for income received by the CONTRACTOR pursuant to this Contract.

The COUNTY agrees to pay up to THREE HUNDRED DOLLARS (\$300.00) toward CONTRACTOR'S cost of professional liability insurance. The CONTRACTOR shall provide proof of such upon execution of this contract. Should the CONTRACTOR end services prior to the year covered by the insurance the CONTRACTOR agrees to reimburse the COUNTY a prorated amount of liability insurance based on number of months left on policy (prorated amount will be based on total cost of policy divided by the remaining months left on the policy).

The COUNTY will provide no additional compensation; benefits or any other remuneration beyond the contract amount set forth immediately hereinabove.

V - COMPLIANCE WITH LAWS

The CONTRACTOR, in performance of this Contract, agrees to comply with all applicable local, state, and federal laws or ordinances, including standards for licensing, certification, and operation of facilities, programs, and accreditation, and licensing of individuals and any other standards of criteria as described in the Contract to assure quality of services.

VI - NON DISCRIMINATION IN SERVICE

The CONTRACTOR shall not discriminate against any person presenting himself/herself for service because of race, religion, color, gender, sex, age, national origin, physical/mental impairment, or other disability.

VII - INDEMNIFICATION/HOLD HARMLESS

In accepting this Contract, the CONTRACTOR, including its successors and assigns, does hereby covenant and agree to indemnify and protect and save harmless the COUNTY and its officers and employees from all claims, actions, or damages of every kind and description which may

accrue to or be suffered by any person, partnership, corporation, or other entity of any kind that arise in whole or in part from intentional tort(s), or negligent act(s) or omissions(s), or strict liability of the CONTRACTOR or its employees, agents, successors, or assigns. If the above sentence applies and any suit or action is brought against the COUNTY, its officers, its employees, or any combination thereof, the CONTRACTOR, including its successors or assigns, shall defend the suit or action at her or their sole cost and expense and shall fully satisfy any judgment that is rendered against the COUNTY, its officers, its employees, or any combination thereof.

VIII- LIABILITY

The CONTRACTOR shall maintain and provide proof of occurrence based general business professional liability insurance in the amount of \$1,000,000 or greater per occurrence and \$2,000,000 aggregate for the term of this CONTRACT. The CONTRACTOR must name the COUNTY as an additional insured. The CONTRACTOR shall provide the COUNTY a copy of the additional insured endorsements prior to the start of this contract. The CONTRACTOR agrees that its liability insurance shall be primary and non-contributory to the COUNTY's and that CONTRACTOR's liability insurance policy shall so state. The CONTRACTOR shall be responsible at its own expense to provide any and all employment insurance coverage, including but not limited to, unemployment insurance, worker's compensation insurance, etc. for any and all of its employees as might apply.

IX - TERMINATION

If the CONTRACTOR fails to comply with the terms and conditions of this Contract, the COUNTY may pursue such remedies as is legally available including, but not limited to, the suspension or termination of this Contract.

In addition either party may terminate this Contract by giving fifteen (15) days' notice in writing, either personally delivered or mailed postage prepaid by certified mail, return receipt requested, to the other party's last known address. If this Contract is terminated, the COUNTY shall be liable for payment prior to the effective date of termination.

X – ATTORNEY'S FEES/COST OF SUIT AND VENUE

If either party files suit to enforce this Contract, parties agree that the prevailing party in any such action shall be entitled to collection costs, reasonable attorney's fees, and costs of suit. The parties agree that any suit pertaining to this Contract shall be filed in the Pacific County Superior Court.

a. DISPUTES

Differences between CONTRACTOR and the COUNTY, arising under and by virtue of this Contract, shall be brought to the attention of the COUNTY at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. Any dispute

relating to the quality or acceptability of performance and/or compensation due CONTRACTOR shall be decided by the COUNTY'S Contract representative or designee. All rulings, orders, instructions and decisions of the COUNTY'S contract representative shall be final and conclusive, subject to her right to seek judicial relief pursuant to Section 10 b.

b. CHOICE OF LAW, JURISDICTION AND VENUE

1. This Contract has been and shall be construed as having been made and delivered within the State of Washington and it is agreed by each party hereto that this Contract shall be governed by the laws of the State of Washington, both as to its interpretation and performance.

2. Any action at law, suit in equity, or judicial proceeding arising out of this Contract shall be instituted and maintained only in any of the courts of competent jurisdiction in Pacific County, Washington.

c. SEVERABILITY

1. If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal, or invalid in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

2. If any provision of this Contract is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

3. Should the COUNTY determine that the severed portions substantially alter this Contract so that the original intent and purpose of the Contract no longer exists, the COUNTY may, in its sole discretion, terminate this Contract.

XI – DEBARMENT CERTIFICATION

The Contractor hereby declares that it is not suspended or debarred from securing federal and/or state funds and shall remain so during the term of this Contract. Suspension and/or debarment of the Contractor from securing federal or state funds shall be cause for immediate termination of this Contract by the County.

XI - ENTIRE CONTRACT

The parties agree that this Contract is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Contract shall be in writing and signed by both parties.

XIII – NOTICES

Any notices shall be effective if personally served upon the other party or if mailed by registered or certified mail, return receipt requested, to the addresses set out in Section 4. Notice may also be given by email with the original to follow by regular mail. Notice shall be deemed to be given three days following the date of mailing or immediately if personally served. For service by email, service shall be effective upon receipt during working hours. If an email is sent after working hours, it shall be effective at the beginning of the next working day.

IN WITNESS WHEREOF the parties hereto have caused this Contract to be executed this day of _____, 2014.

CONTRACTOR

Denise Garoutte-Bell
SS # _____

David Burke
Prosecuting Attorney

BOARD OF COMMISSIONERS PACIFIC COUNTY, WASHINGTON

Chairperson

Commissioner

Commissioner

ATTEST:

Marie Guernsey
Clerk of the Board



REQUESTED MEETING DATE:
9/23/2014


AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

BOCG ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED		Agenda Item #: _____		
		Initial: _____ Date: _____		
<input type="checkbox"/> SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS		Review: <input type="checkbox"/> Clerk of the Board <input type="checkbox"/> Risk Management <input type="checkbox"/> Legal		
<input type="checkbox"/> NO ACTION TAKEN/WITHDRAWN	<input type="checkbox"/> DEFERRED TO: _____			
<input type="checkbox"/> CONTINUED TO DATE: _____	TIME: _____			
<input type="checkbox"/> OTHER: _____				
DISTRIBUTION LIST:				
<input type="checkbox"/> RF	<input type="checkbox"/> Assessor	<input type="checkbox"/> DPW	<input type="checkbox"/> PACCOM	<input type="checkbox"/> Superior Court
<input type="checkbox"/> CF	<input type="checkbox"/> Auditor	<input type="checkbox"/> EMA	<input type="checkbox"/> PC Fair	<input type="checkbox"/> Treasurer
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	<input type="checkbox"/> DCD	<input type="checkbox"/> NDC	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Commissioners Office	DIVISION (if applicable): Boards/Commissions
OFFICIAL NAME & TITLE: Marie Guernsey, Clerk of the Board	PHONE / EXT:
SIGNATURE: 	DATE: 9/15/2014
NARRATIVE OF REQUEST	
<p>We have received an application from Patty Rolfe, from the World Kite Museum for the vacant position of "alternate" representing "Involved in activity" - user on the Lodging Tax Advisory Committee. We did not solicit applications to fill this position.</p>	
RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)	
<p>Approve the appointment of Patty Rolfe as "alternate" representing "Involved in activity" - user on the Lodging Tax Advisory Committee</p>	



Pacific County

Boards & Commissions Appointments

Application Form

(Please attach resume if available)

1. Boards/Commissions for which you wish to be considered:
PACIFIC COUNTY LODGING TAX ADVISORY COMMITTEE
(ALTERNATE)
2. Name: PATTY ROLFE
3. Phone: 360-642-4020
4. Business Address:
WORLD KITE MUSEUM
PO Box 964 · 303 SID SNYDER DR.
LONG BEACH, WA 98631
5. Home Address:
[REDACTED]
LONG BEACH, WA 98631
6. Education: (High School, Name/Location of College/Univ., Year Graduated/Degree)
ROOSEVELT HIGH SCHOOL, SEATTLE WA
— SEE RESUME FOR ADDITIONAL INFORMATION —
7. Licenses Held: _____
(If applicable to specific Board/Commission)
8. Current Employment (Job Title, Employer, Employment Date, Contact, Phone):

9. Previous Employment/Experience:

10. Memberships in Professional/Civic Organizations (Include offices held/dates of terms):

Patty Rolfe
Applicant's Signature

9/2/2014
Date:

Please mail completed Application to:
Pacific County Board of Commissioners
P O Box 187, South Bend, WA 98586
875-9337/642-9337 FAX 875-9335

.....
For Departmental Use Only

____ Appointed to _____, body on _____ (date)
____ Not appointed _____ (date)



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

**BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.**

REQUESTED MEETING DATE:

9/23/2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED ☐ DENIED

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

Review: ☐ Clerk of the Board

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

☐ Risk Management

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Legal

☐ OTHER: _____

DISTRIBUTION LIST:

☐ RF

☐ Assessor

☐ DPW

☐ PACCOM

☐ Superior Court

☐ CF

☐ Auditor

☐ EMA

☐ PC Fair

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☐ Clerk

☐ Health

☐ Prosecutor

☐ Vegetation Mgmt

☐ Civil Service

☐ Juvenile

☐ SDC

☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Commissioners Office

DIVISION (if applicable): Boards/Commissions

OFFICIAL NAME & TITLE: Marie Guernsey, Clerk of the Board

PHONE / EXT: _____

SIGNATURE: _____

DATE: _____

9/15/2014

NARRATIVE OF REQUEST

We have received an application from Sigrine Vally, for the vacant position on the Timberlands Regional Support Network Advisory Board. We did not solicit applications to fill this position.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Approve the appointment of Sigrine Vally, for the vacant position on the Timberlands Regional Support Network Advisory Board.

Timberlands Regional Support Network - Advisory Board Application
LEWIS / PACIFIC / WAHIAKUM COUNTY TRSN REPRESENTATIVE

Per WAC 388-865-0222 - Advisory Board

Name	SIGRINE VALLY
Mailing Address	P.O. BOX 1464, OCEAN PARK, WA 98640
SSN	
Date of Birth	
Work Phone	
Home Phone	360-642-0736
Cell Phone	
Email	com

Why do you want to be a member of the Advisory Board?

TO BROADEN MY SCOPE AND UNDERSTANDING OF MENTAL HEALTH
FUNDING AND PROCESSES WITHIN WASHINGTON STATE

What other information do you want us to know? (i.e. special knowledge, service on other boards etc.)

IN ADDITION TO LIVING WITH A PARTNER WITH
I ENJOY PARTICIPATION IN VOLUNTEER SERVICE:
ALP CHAIR OF NAME - PACIFIC COUNTY and
PRESIDENT OF CELL (COMMUNITY EMERGENCY RESPONSE TEAM), PACIFIC COUNTY.

Please provide two (2) References (no relatives).

Name	BARBARA BATE	Name	MARY ATHERTON
Address	24408 PARK AVE, OCEAN PARK, WA 98640-4018	Address	1519 222ND PLACE, OCEAN PARK, WA 98640
Telephone	360-665-4421 (H); 360-	Telephone	360- (C)
Email		Email	ail.com

Per WAC 388-865-0222 - Advisory Board 51% of members will include clients, past clients, family or foster family member of clients including parents of emotionally disturbed children.

Checking boxes below is optional:

☐ I am a client or past client of public mental health services.

☐ I am a family member or foster family member of a client of public mental health services.

☒ Any affiliation or relationship with any Advisory Board or Governing Board member, TRSN staff or subcontractor.

TIMBERLAND REGIONAL SUPPORT NETWORK (Meets monthly, 2nd Friday)

2-year terms

Governing Board: Frank Wolfe, Commissioner (appt. 1/11/2011)-PRIMARY

Commissioner Steve Rogers, *Alternate*

Advisory Board: *Vacant*

Expires: 12/31/2015

Advisory Board: Doug Levitt

Expires: 12/31/2015 (appt. 3/27/2012, reappt 8/2013)



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

**BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.**

REQUESTED MEETING DATE:

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED

☐ DENIED

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

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☐ Juvenile

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☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Risk Management	DIVISION (if applicable):
OFFICIAL NAME & TITLE: Kathy Spoor, Risk Manager	PHONE / EXT:
SIGNATURE: <i>Kathy Spoor</i>	DATE: 9/12/2014
NARRATIVE OF REQUEST	
RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)	
Adopt Resolution 2014-_____ establishing and/or modifying the rates for payment of "Internal" services provided by/through the Pacific County Risk Management Fund No. 531	

BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

RESOLUTION NO. 2014-_____

**A RESOLUTION ESTABLISHING AND/OR MODIFYING THE RATES FOR
PAYMENT OF "INTERNAL" SERVICES PROVIDED BY/THROUGH THE PACIFIC
COUNTY RISK MANAGEMENT FUND No. 531**

WHEREAS, the County's risk management program was formalized as a result of, and in conjunction with, a 1987 LTGO bond issue establishing Cumulative Reserve Fund No. 131 as a special revenue fund for payment of insurance premiums, certain claim related costs, and other risk management activities; and

WHEREAS, during a later periodic examination, the State Auditor's Office found this operation to be of an internal services nature and instructed the Chief Accountant to change the fund's designation, as well as its budgeting, accounting and reporting, from special revenue to internal services (Fund #131 to Fund #531), and

WHEREAS, the County's property and liability insurances are purchased and/or renewed annually through the Washington Counties Risk Pool (WCRP), a joint self-insurance liability, property and other coverages program, that uses property values, worker hours, and licensed vehicles as exposure units for determining the applicable premiums (underwriting); and

WHEREAS, the rates for repayment of internal services provided must be periodically reviewed and allocated equitably; and

WHEREAS, the review will occur annually at the time of budget preparation; and

WHEREAS, the County has determined the most equitable manner in which to allocate real (buildings and contents) and personal (vehicles and equipment) property risk management costs (premiums, deductibles, administration, non-covered loss, risk reduction and prevention, etc.) is based on the total stated value; and

WHEREAS, the County has determined that given the low frequency of claims it is unreliable to determine an experience rating to any specific office or department within the County, the most equitable manner to allocate general liability risk management costs (premiums, deductibles, administration, non-covered loss, risk reduction and prevention, etc is based on full time equivalents (FTEs), and

WHEREAS, the County recognizes the need to maintain an adequate reserve within the risk management fund (Fund #531) to assure funds are available to cover monthly cash flow, unanticipated claims and costs, new liabilities, non-covered losses, etc.,

NOW THEREFORE IT IS HEREBY RESOLVED that the property and liability insurance premiums and the claims and risk management fees and costs will be proportionately assessed annually to each County operation (office/department)

NOW THEREFORE BE IT FURTHER RESOLVED that all conflicting resolutions are hereby rescinded;

PASSED by the following vote this _____ day of _____, 2014 by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, then signed by its membership and attested to by its Clerk in authorization of such passage:

____ YEA; ____ NAY; ____ ABSTAIN; and ____ ABSENT.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Steve Rogers, Chair

ATTEST

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.

REQUESTED MEETING DATE:

~~9/9/2014~~

9/23/14

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION:

☐ APPROVED

☐ DENIED

Initial: _____

Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

Review: ☐ Clerk of the Board

☐ Risk Management

☐ CONTINUED TO DATE: _____

TIME: _____

☐ Legal

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☐ WSU Coop. Ext.

☐ DCD

☐ NDC

☐ Sheriff

☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Commissioners Office

DIVISION (if applicable):

OFFICIAL NAME & TITLE: Marie Guernsey, Clerk of the Board

PHONE / EXT:

SIGNATURE: 

DATE:

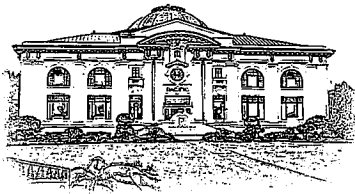
9/3/2014

NARRATIVE OF REQUEST

At your meeting of May 27, 2014 you approved the reclassification of current Clerk Secretary position in the Sheriff's Office to Civil Clerk in the Long Beach Office, effective July 1, 2014, subject to adequate budget appropriations and Civil Service rules. Civil Service opened the register for testing and the employee applied and passed the test. In order to make this reclassification a smooth transition for payroll purposes, the effective date should be October 1, 2014.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Rescind motion of May 27, 2014 pertaining to the effective date of July 1, 2014 and approve the appointment of Hollie Billeci to Clerk Secretary, Grade 7, effective October 1, 2014, subject to adequate budget appropriations



Pacific County Civil Service Commission

Carol McLean, Chair
Steve Young, Vice Chair
Bob Jones, Commissioner

MEMORANDUM

DATE: September 16, 2014

TO: Board of County Commissioners
Kathy Spoor, County Administrative Officer
Scott Johnson, Sheriff

FROM: Amanda Bennett, Civil Service Administrator

RE: Promotional of Hollie Billeci

On September 16th, 2014 the Civil Service Commission unanimously approved the promotion of Hollie Billeci from Clerk/Secretary to Civil Clerk. Mrs. Billeci was administered and passed the Entry Level Processing Clerk test and has met the Civil Service Standards. The promotion will be effective October 1st, 2014 as a Step 7.

If you have any further questions or concerns, please let me know.

Amanda Bennett
Civil Service Administrator

RCW 42.30.110
Executive sessions.

(1) Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

- (a) To consider matters affecting national security;
- (b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;
- (c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;
- (d) To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;
- (e) To consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;
- (f) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;
- (g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW [42.30.140\(4\)](#), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;
- (h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;
- (i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

This subsection (1)(i) does not permit a governing body to hold an executive session solely because an attorney representing the agency is present. For purposes of this subsection (1)(i), "potential litigation" means matters protected by RPC 1.6 or RCW [5.60.060\(2\)\(a\)](#) concerning:

- (i) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

(ii) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(iii) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

(j) To consider, in the case of the state library commission or its advisory bodies, western library network prices, products, equipment, and services, when such discussion would be likely to adversely affect the network's ability to conduct business in a competitive economic climate. However, final action on these matters shall be taken in a meeting open to the public;

(k) To consider, in the case of the state investment board, financial and commercial information when the information relates to the investment of public trust or retirement funds and when public knowledge regarding the discussion would result in loss to such funds or in private loss to the providers of this information;

(l) To consider proprietary or confidential nonpublished information related to the development, acquisition, or implementation of state purchased health care services as provided in RCW [41.05.026](#);

(m) To consider in the case of the life sciences discovery fund authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(n) To consider in the case of a health sciences and services authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(o) To consider in the case of innovate Washington, the substance of grant or loan applications and grant or loan awards if public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information.

(2) Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

**BOH/BOCC meet 2nd and
4th Tuesday of each month,
beginning at 9 a.m.**

REQUESTED MEETING DATE:

9/23/2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

BOCC ACTION: ☐ APPROVED ☐ DENIED

Initial: _____ Date: _____

☐ SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

Review: ☐ Clerk of the Board

☐ NO ACTION TAKEN/WITHDRAWN

☐ DEFERRED TO: _____

☐ Risk Management

☐ CONTINUED TO DATE: _____ TIME: _____

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☐ OTHER: _____

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| | <input type="checkbox"/> Civil Service | <input type="checkbox"/> Juvenile | <input type="checkbox"/> SDC | <input type="checkbox"/> WSU Coop. Ext. |
| | <input type="checkbox"/> DCD | <input type="checkbox"/> NDC | <input type="checkbox"/> Sheriff | <input type="checkbox"/> Other |

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Commissioners Office	DIVISION (if applicable):
OFFICIAL NAME & TITLE: Marie Guernsey, Clerk of the Board	PHONE / EXT:
SIGNATURE: 	DATE: 9/15/2014
NARRATIVE OF REQUEST 10am Open Public Hearing Swear in those wishing to testify Take testimony Close public hearing	
RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board) Adopt Resolution 2014-_____ establishing the 2014 Overall Economic Development Plan for Pacific County	

BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

RESOLUTION NO. 2014-_____

IN THE MATTER OF ADOPTING THE 2014 OVERALL ECONOMIC
DEVELOPMENT PLAN FOR PACIFIC COUNTY

WHEREAS, in accordance with RCW 82.14.370 the legislative authority may impose 0.09% Optional Sales and Use Tax used for the purpose of financing public facilities in rural counties; and

WHEREAS, public facilities listed as items in the officially adopted county overall economic development plan may benefit from said taxes; and

WHEREAS, in response to the Northwest Economic Adjustment Initiative and Federal Assistance Program, a recommended list of projects has been submitted by the Pacific Council of Governments to and approved by the Board of County Commissioners for referral to as the Washington Community Economic Revitalization Team (WA-CERT) as the County's Priority Project Listing which seems to meet the criteria of a county overall economic development plan; and

WHEREAS, public notice was published advertising the public hearing held on September 23, 2014 to consider and receive comments on the proposal to accept Washington Community Economic Revitalization Team (WA-CERT) project priority listing as the Official Overall Economic Development Plan for Pacific County; and

WHEREAS, there were no written or public comments offered at the September 23, 2014 public hearing; now therefore

BE IT HEREBY RESOLVED that the Pacific County WA-CERT Project List attached and marked as Exhibit A is hereby recognized and adopted as the 2014 Overall Economic Development Plan for Pacific County, now therefore

BE IT ALSO HEREBY RESOLVED that any additions or amendments to the WA-CERT Project List adopted by this Board shall also constitute projects listed within the 2014 Overall Economic Development Plan.

PASSED by the following vote this _____ day of _____, 2014 by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, then signed by its membership and attested to by its Clerk in authorization of such passage:

_____ YEA; _____ NAY; _____ ABSTAIN; and _____ ABSENT.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Steve Rogers, Chair

ATTEST:

Frank Wolfe, Commissioner

Marie Guernsey
Clerk of the Board

Lisa Ayers, Commissioner



Board of Pacific County Commissioners
P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA 98586
Phone 360/875.9337 / Fax 360/875.9335

**BOH/BOCC meet 2nd and
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REQUESTED MEETING DATE:

9/23/2014

AGENDA REQUEST FORM

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: _____

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☐ Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Commissioners Office

DIVISION (if applicable): Appeal

OFFICIAL NAME & TITLE: Marie Guernsey, Clerk of the Board

PHONE / EXT:

SIGNATURE:

DATE:

9/15/2014

NARRATIVE OF REQUEST

10AM (or as soon thereafter as possible) Open public hearing
Swear in those wishing to testify/provide testimony
Close the public hearing

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Approve / Deny the appeal of Administrative Decision No. PL140013LB filed by Robert Bogar on behalf of Mark and Patricia Mayko;

July 24, 2014

Pacific County
General Administration
1216 Robert Bush Dr.
South Bend, WA 98586


Attn: Marie Guernsey

Subject: Appeal to Administrative Decision
No. PL140013LB
July 12, 2014
Parcel No. 76031001002

Dear Ms. Guernsey;

I am requesting on behalf of Mark and Patricia Mayko to appeal the administrative decision, signed July 12, 2014 by Michael S. Turner, Hearings Examiner, that denied our request for a variance to allow for mitigation and impact to wetland buffers at the project site (Parcel No. 76031001002) in accordance with Critical Areas and Resource Lands Ordinance 147 and amendments. With consultation from Washington State Department of Ecology the identified wetland has been categorized as a Category II wetland requiring a 75 foot buffer setback. In accordance with Pacific County Ordinance 164 this written appeal has been made within 14 days from the date of Administrative Decision dated July 12, 2014.

Sincerely,



Robert S. Bogar, M.S.
WA Licensed Hydrogeologist

FILED
AT THE REQUEST OF
14 JUL 24 PM 1:06
PACIFIC COUNTY
COMMISSIONERS

HEARINGS EXAMINER
FOR PACIFIC COUNTY STATE OF WASHINGTON

In re:)	No. PL140013LB
Critical Areas and Resource Lands Variance)	
)	Administrative Decision
)	
Submitted by: Robert Bogar, Applicant)	
and Mark Mayko, Property Owner.)	
<u>DPA #76031001002</u>)	

The applicant, Robert Bogar, requests a variance to Pacific County Ordinance 147, Critical Areas and Resource Lands (hereinafter CARL) on behalf of property owner Mark Mayko. The variance is being requested in order to construct a new single-family residence and on-site septic system (OSS) in Category III Wetland buffer. The proposed new 2,400 square foot home with OSS will be located within Category II Wetland buffer. The applicant proposes mitigation for impacts on the Category III Wetland buffer by purchase of credits from Ecological Land Services' Long Beach Mitigation Bank (LBMB) which has been approved by Pacific County and the United States Army Corp of Engineers..

FINDINGS OF FACT:

1. This is an application for a CARL variance to allow construction of a new 2,400 square foot single-family residence with OSS located within Category III Wetland buffer.
2. Matt Reider, Planner for the Pacific County Department of Community Development testified and adopted his Staff Report as part of that testimony.

Administrative Decision

Page 1

07/11/2014

PL140013LB

3. The applicant proposes to mitigate impacts to Category III Wetland buffer by purchasing credits from the Long Beach Mitigation Bank (LBMB), which has been approved by Pacific County and the U.S. Army Corp of Engineers.
4. The proposed project is located on the eastern side of Sandridge Road in Oysterville, which is in Section 10, Township 12 North, Range 11 West, W.M., Pacific County, Washington. The short legal description is ESPY UN-04 01 0B; INC COMMON AREA, Pacific County, Washington and has Tax Parcel ID #76031001002.
5. The subject property does not have an address assigned, but is east of 32608 Sandridge Road.
6. The property is privately owned by Mark J. and Patricia Mayko.
7. Access to the subject property is by a 10 foot easement per short plat No. 92-33.
8. The subject property is approximately 900 feet in length and 131 feet in width. A common area extends 200 feet west from the east boundary line for the entire width of the parcel. The property borders on Willapa Bay and is currently undeveloped. The dunal ridge extends to about 75 feet east of the west boundary of the property, supporting wetland communities of vegetation and gradually sloping east to Willapa Bay.
9. The Wetland Delineation focused on the westernmost 150 feet of the proposed property as the center and east appeared to the wetland delineation investigator to be occupied by fresh water wetlands transitioning to saltwater wetlands of Willapa Bay.
10. The proposed project site is designated Conservancy Environment.
11. The proposed development will occur in 100-year flood zone designated as A5 (Elevation 11) per FIRM community-panel No. 530126 0031B (Map Revised 9/27/1985).
12. The subject property contains Category III wetlands, as delineated by Robert Bogar with Critical Areas. Category III wetlands surround the upland portion of the subject

property and require a 50 foot buffer from the wetland boundary to upland development. The upland site extends 75 feet east from the western property boundary for the entire width of the property. The upland portion of the property contains 9,825 square feet. Mitigation for impacts to Category III Wetland buffers must be at a 1.5:1 ration.

13. Notice of the Application was published in the Chinook Observer on May 7, 2014. A notice of Administrative Hearing was posted in three locations near the site on May 7, 2014.
14. A public hearing was held on July 3, 2014. The applicant, Mr. Mayko, the property owner, a representative of the Pacific County Department of Community Development and several other interested persons attended.
15. The Pacific County Shoreline Master Program (SMP) regulates development along the shoreline of Willapa Bay, which includes setbacks from the forest line. The proposed development would not encroach on any required setback from the forest line or shoreline of Willapa Bay.
16. Mark Mayko testified that he owned the property and had purchased it for the purpose of building a home for his retirement. He further testified that the property is assessed at \$185,000.
17. Robert Bogar testified regarding mitigation. The LBMB credits necessary to adequately mitigate the wetland buffer impacts of the proposed development are disputed.
18. Dick Sheldon testified as a representative of the Willapa Bay Oyster Growers Association in opposition to the requested variance. He disputed that the wetlands are property classified, contending that they are Class I Wetlands, not Class III.
19. Dick Sheldon testified that he has been active in monitoring property development in the area of the subject property for many years and was not aware of any variances

similar to that being requested which had been granted in the general vicinity of the subject property.

20. Dick Sheldon testified that the proposed OSS is proposed to be placed within a required 300 foot setback from Wetlands.
21. Dick Sheldon testified that the Willapa Bay Oyster Growers Association opposes granting the requested variance because it will adversely impact the local salt marsh, they are concerned that the proposed site does not meet elevation requirements, it will not meet other code and County Ordinance requirements and it will set a precedent which will result in a cumulative adverse impact much greater than the adverse impact of this one development.
22. Ann LeFors testified that no special circumstances relate to the subject property in that all 18 properties in the Espy Plat are similar. She further testified that granting this variance would result in cumulative effect due to the precedent set for the other properties similarly situated in the vicinity.
23. Ann LeFors expressed concern that the required mitigation sequence was not followed and that any well would have to be placed in a low area to meet the separation requirements between septic drain fields and wells.
24. Ann LeFors testified that, if allowed, this development would result in a permanent impact to the wetland buffers. Granting this variance based upon the only special condition and circumstances being that development will impact wetland buffers would set a precedent for all other properties with the same "special conditions and circumstances" to apply for a variance resulting in impacts to wetland buffers on many properties.
25. Ann LeFors testified that the lot does not meet the current minimum width requirements so this lot is a legal but non-conforming lot.
26. Jim Owens testified that he is the property owner to the west of the subject property and sold it to the current owners. He further testified that there is a deed restriction

requiring all development to be on the north 1/2 of the subject property. Mr. Mayko testified that there was not deed restriction. It is clear that there is a dispute regarding where on the subject property development is allowed.

27. The applicant provided no evidence that the preferred sequence of mitigation was followed, or even considered. The applicant offers his proposal for mitigation through purchase of credits from the LBMB, but no evidence that any effort was made to minimize the need for mitigation of the magnitude of mitigation needed.
28. The applicant provides no evidence that the alternative of taking no action to avoid the need for mitigation is not available. The applicant seems to assume that since development will require mitigation, that taking no action and eliminating the need for mitigation is not an available alternative.

CONCLUSIONS OF LAW:

1. The proposed project is within the jurisdiction of the Pacific County Shoreline Master Program because it will occur within the 100 year flood plain.
2. Single family residential development is allowed as a principal use in the Conservancy Environment. However, since the proposed development will occur within wetland buffer, it will require a CARL variance.
3. Development is not a right unless all applicable laws, rules and regulations are complied with. Some parcels cannot be developed because any development would violate one or more laws, rules or regulations.
4. Pursuant to CARL Ordinance Section 1 D.1., "... any proposed critical area alteration that cannot adequately mitigate its impacts to a critical area shall be denied."
5. Pursuant to CARL Ordinance Section 1 D.2. the preferred sequence of mitigation is as follows:
 - a. Avoid impact altogether.

- b. Minimize impacts by limiting the degree or magnitude of the action through limiting the degree or magnitude of the action, using appropriate technology, or taking affirmative steps to avoid or reduce impacts.
 - c. Rectify the impact by repairing, rehabilitating, or restoring the affect environment to the pre-existing condition.
 - d. Reduce or eliminate the impact over time by preservation and maintenance operations during the action.
 - e. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments.
6. A SMP variance would be required because the lot width at the property line nearest high-water is less than the 200 feet required under SMP Section 11 B.1.a.
7. Before granting a variance to the Shoreline Master Program, the criteria listed under WAC 173-27-170 must be satisfied:
- a. A variance permit is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in the applicable master program where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of the master program will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020.
 - b. The applicant must demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect; and
 - c. Variance permits for development located landward of ordinary high water mark (OHWM) or landward of any wetland may be authorized provided the applicant can demonstrate the following:

- i. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property;
 - ii. That the hardship described in (i) is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicants' own actions;
 - iii. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;
 - iv. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
 - v. That the variance requested is the minimum necessary to afford relief; and
 - vi. That the public interest will suffer no substantial detrimental effect.
- d. Consideration shall be given to the cumulative impact of additional requests for like actions in the area. The total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.
8. Under the Pacific County CARL Ordinance, a variance "shall" be granted in the event the person requesting that variance can demonstrate that the requested variance conforms to all of the following:
- a. Special conditions and circumstances exist which are peculiar to the land; and

- b. Literal interpretation of the CARL Ordinance deprive the requester of rights commonly enjoyed by other properties conforming to the terms of the Ordinance; and
 - c. The special conditions and circumstances do not result from the actions of the requester; and
 - d. Granting the requested variance will confer no special privilege that is denied by the CARL Ordinance to other lands, structures, or buildings under similar circumstances; and
 - e. The variance requested is the minimum necessary to afford relief; and
 - f. The requested variance will not create significant impacts to critical areas and resource lands and will not be materially detrimental to the public welfare or contrary to the public interest.
9. The applicants have not met all of the criteria required for a CARL Ordinance variance.
- a. The applicants provide no evidence that any special conditions and circumstances exist which are peculiar to the subject property. They provide evidence that the subject property has no area available to develop which is not within wetlands or wetland buffers, but no evidence that this is a unique characteristic relative to other parcels on the Long Beach Peninsula. Others at the public hearing testified that this parcel is in fact similar to other parcels in the vicinity.
 - b. The applicants provide no evidence that the CARL Ordinance would deprive them of rights commonly enjoyed by other properties conforming to the terms of the CARL Ordinance. They testify that they will not be able to develop the property as they wish and as they expected to, but fail to provide evidence of any right they are deprived of that is enjoyed by others who conform to the CARL Ordinance.

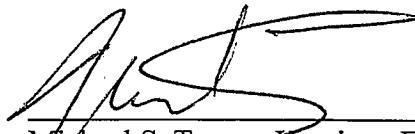
- c. The applicants have done nothing to create special conditions and circumstances which are peculiar to the subject property.
 - d. Granting the requested variance will confer on the applicants a special privilege that is denied by the CARL Ordinance to other lands, structures, or buildings under similar circumstances. All other lands under similar circumstances would be denied the right to develop because of the impact on wetland buffers, thus the applicant would have a right to develop the property that no other similar property would have.
 - e. The applicants provide no evidence that the requested variance is the minimum necessary to afford relief. They provide no evidence that other configurations requiring less encroachment, a smaller footprint, or other means of mitigation were considered.
 - f. There is evidence that to afford the relief requested the variance may create significant impacts to critical areas and resource lands. There was testimony at the public hearing that granting the requested variance would set precedent which would result in requests for similar variances for many similar parcels in the vicinity of the subject property. This would result in a much greater cumulative impact to critical areas and resource lands. Evidence was presented that such cumulative effects would be detrimental to the public welfare and contrary to the public interest. This view was expressed by several persons at the public hearing.
10. The burden of proof is on the applicants for the CARL Ordinance variance. The applicants have failed to satisfy the burden of proof required.

CONCLUSION:

Based upon the above stated Findings of Fact and Conclusions of Law, the applicant has failed to meet his burden of proving that all six of the required variance

criteria set forth in Section 3 J. of the Pacific County CARL Ordinance have been met and the proposed variance should be denied.

Dated: July 12, 2014.



Michael S. Turner, Hearings Examiner

The decision is final, but may be appealed as provided in Section 13, Pacific County Ordinance No. 145. A party may appeal the decision to the Board of County Commissioners if (1) a written appeal is filed with the Board of County Commissioners within fourteen (14) calendar days of the date of the decision and (2) any applicable fee is paid. The fee for an appeal is \$200.00.

The complete case file is available for review at the following:

Place: Long Beach Administrative Facility, DCO

Days: Mondays and Wednesdays

Times: 7:30 a.m. - 4:00 p.m.

County representative to contact about the case:

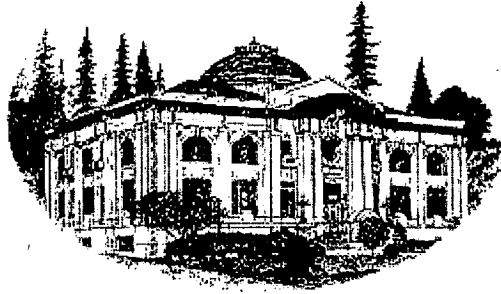
Name: Matt Reider Telephone Number: 360-642-9382

Pacific County Department of Community Development

PLANNING • ENVIRONMENTAL HEALTH • BUILDING

SOUTH BEND OFFICE
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PACIFIC COUNTY COURTHOUSE
National Historic Site

LONG BEACH OFFICE
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*"Pacific County is an equal
opportunity provider and
employer."*

STAFF REPORT

DATE: July 3, 2014

TO: Mike Turner, Hearings Examiner

FROM: Matt Reider, Planner

RE: Ordinance 147 Critical Areas and Resource Lands Variance (CARL Variance) for Robert Bogar, Applicant and Mark Mayko, Property Owner. Permit Application No. PL140013LB (DPA No. 76031001002).

Request: Mark Mayko is proposing a home site and onsite septic system (OSS) in category 3 wetland buffer.

As mitigation for the proposed encroachment, the applicant is proposing to mitigate for buffer impacts by purchasing off-site, in-kind wetland mitigation bank credits at a 3:1 ratio. The credits will be purchased from Ecological Land Services who own the County and United States Army Corp of Engineer approved Long Beach Mitigation Bank (LBMB).

*Correction
1.5:1*

Location: The project site is located within Section 10, Township 12 North, Range 11 West, W.M. in Pacific County on the eastern side of Sandridge Road, in Oysterville. Assessor's Parcel No. 76031001002. The legal description is described as ESPY UN-04 01 0B; INC COMMON AREA. The property does not have an assigned address yet but is located east of address 32608 Sandridge Road and can be accessed by 10 feet wide easement per short plat No. 92-33.

Site Characteristics: The entire parcel is approximately 900 feet long by 131 feet wide. A common area extends 200 feet west from the east boundary line and encompasses the entire width of the parcel. The building site is located on the western-most side of parcel (76031001002), described as upland boundary as delineated by Robert Bogar in his "Wetland Delineation" (delineation) dated July 20, 2013. The delineation is attached in the appendix of this staff report. On page 4 of the delineation first paragraph, states the "site topography is characterized by a subtle north/south dune with the highest elevations within 50 feet of the west project site boundary. The dunal ridge extends to about 75 feet east of the west boundary as described below in this report [,] supporting wetland communities of vegetation and a gradually sloping east to Willapa Bay." Wetlands extend out to the bay.

Shoreline Designation: The site is located within the Conservancy Environment designation. Section 3.B.15 of Pacific County Shoreline Master Program lists the following for Shoreline Policies- Conservancy Environment:

- a) Prohibit or restrict activities and uses which would substantially degrade or permanently deplete the physical or biological resources of the area.
- b) Restrict new development to that which is compatible with the natural or biological limitations of the land and water.
- c) Prohibit activities or uses which would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation, or adversely affect wildlife or aquatic life.
- d) Encourage agricultural and recreational activities which will not be detrimental to the natural shoreline character.
- e) Allow single family residential development as a principal use in the Conservancy environment.
- f) Ensure that developments within the Conservancy environment are compatible with uses and activities in adjacent (including aquatic) environments.

Flood Plains: According to FIRM community-panel No. 530126 0031B (Map Revised 9/27/1985), the proposed development will occur in 100-year-flood zone designated as A5 (Elevation 11). The index states A1-A30 are "areas of 100-year flood; base flood elevations and flood hazard factors determined" (FIRM explanation of zone

(FIRM explanation of zone designations, community panel number 5301260031B). If the Critical Areas and Resource Lands Variance is approved, the applicant will be required to obtain a floodplain permit from Pacific County Department of Community Development before construction of proposed development. No additional fill will be permitted for construction of new single family residence (Ordinance 167 section 5.f.5). At the time of application for floodplain permit, the applicant will need to provide a pre-flood elevation certificate that shows the base flood elevation. Ordinance 167, Flood Prevention requires, the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level (Section 5.f.1.a).

Critical Areas and Resource Lands: The site contains Category III –wetlands as delineated by Mr. Bogar with Critical Areas Consulting. Category 3 wetlands require a 50 foot buffer from wetland boundary to upland development. The existence of Category 3 wetlands surround the upland portion of Mr. Mayko's property and therefore will require buffer impact mitigation for the entire proposed building and OSS site. The upland site extends 75 feet east from the western property boundary and is the entire width of the parcel, 131 feet. The upland area is 9,825 feet. The required mitigation is at a 1.5:1 ratio as regulated by Ordinance 147B – AN ORDINANCE OF PACIFIC COUNTY, WASHINGTON WHICH AMENDS PACIFIC COUNTY CRITICAL AREAS AND RESOURCE LANDS ORDINANCE NO. 147A BY REPEALING PROVISIONS PERTAINING TO DEMONSTRATION PROJECT WETLAND BANKS. The required off-site, in-kind mitigation would equal 14,737.50 credits/ square feet.

SEPA and Public Notification: SEPA procedures did not apply to this proposal as New Single Family Residences and normal appurtenances (OSS) are categorically exempt (WAC 197-11-800(1)(d) and WAC 197-11-800(2)(e)).

Notice of Application was published in the Chinook Observer May 7th, 2014. A notice of Administrative Hearing was also posted in three locations near the site on May 7th, 2014. CARL Variances require a Type II hearing by Pacific County Ordinance 164, Procedures for Processing Land Use Development Actions. Postponement of hearing did not require new public notice posting.

Analysis: Previous Shoreline Management Programs (SMP) regulated the limits of development to elevations higher than 8.38 feet. The current SMP does not define a set elevation that constrains development. Instead, setbacks for residential development are 25 feet from the forest line along Willapa Bay.

The SMP, Section 2.12 states that "FOREST LINE - means where along the tidal waters of Willapa Bay the ordinary high water mark coincides with the occurrence of the upland forest, the boundary between coastal wetlands and upland is understood to be the 'forest line'; along a shore subject to erosion, the boundary is the 'line of extreme high tide'; along a shore that has been altered by diking, filling, or bulkheading, the boundary is the 'line of extreme high tide'"

"Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water (RCW 90.58.030 (2)(c)).

The dilemma with Mr. Mayko's property is that the land has been cleared of all but one tree. The existing forest line is two parcels to the north and on the adjacent parcel to the south. Running an imaginary line from the north forest line to the south coincides with a field determination made by Rick Mraz a Shorelands and Wetland Specialist with WA Dept. of Ecology. Letter from Mr. Mraz will be submitted at the hearing.

On June 24th, 2014, staff members from the county, WA Dept. of Ecology and Mr. Bogar made an on-site visit to Mr. Mayko's property. Those in attendance walked the site and focused their attention to the eastern side of the property in order to determine the Ordinary High Water Mark (OHWM). At that meeting, Mr. Mraz felt strongly that the OHWM occurs where there is a strong vegetation change. A smaller indicator is a faint wrack line of where tidal events have deposited vegetation and debris on the upland portion of the property. Pictures included in the appendix of this staff report show the vegetation change and faint wrack line. The apparent change in vegetation as mentioned before occurs on the western side of the berm. Mr. Bogar will be the best person to ask the species name of the two species that are apparent in the attached photos.

It was also mentioned that overtopping does occur during extreme high tide events. The term overtopping is used because a small berm runs North and South across Mr. Mayko's property. Some salt tolerant species were found west of the berm, providing

indication that salt water is able to influence the wetland during extreme high tide events.

Gorse and Foxglove are non-native invasive species present on the property. It was mentioned during the onsite visit that the extent of salt tolerant vegetation does not go any further west of the gorse and foxglove. The gorse and foxglove do not extend any further east of the western property boundary by more than 330 feet.

The proposed development will occur beyond the 25 foot setback from the forest line or OHWM of Willapa Bay. The case presented at the hearing is for buffer impacts to category 3 wetlands which occur around and in the western boundaries of the property. As stated before the proposed building site is in a 100 year flood zone and will require floodplain permits. Shorelands extend 200 feet landward of the 100 year flood zone (RCW 90.58.030(2)(d)).

CRITICAL AREAS AND RESOURCE LANDS VARIANCE

Section 3(J) of Ordinance 147 outlines the criteria (findings) that shall be met prior to Pacific County granting a Critical Areas and Resource Lands Variance request. These are outlined as follows:

1. Special conditions and circumstances exist which are peculiar to the land.

Very little upland area is available for development. The majority of upland area lies within 50 feet from the delineated wetland, inside the wetland buffer. Due to the presence of wetlands to the west, North, and South, the applicant wishes to mitigate for the entire upland boundary.

2. The literal interpretation of the provisions of this Ordinance would deprive the person seeking the variance of rights commonly enjoyed by other properties conforming to the terms of this Ordinance.

The literal interpretation of this ordinance (147) would prevent construction unless a variance was granted due to wetland buffer requirements. The property is zoned Rural residential (RR), which prohibits tent camping on vacant lots (section 21.j. Ordinance 162). Overnight stays are limited to Recreational Vehicle use only. Surrounding properties have single family residences on them even though surrounding properties have wetland communities on site. The constraint with Mr. Mayko's site is that the entire upland portion is covered by wetland buffer.

3. Special conditions and circumstances exist which do not result from the actions of the person seeking the variance.

The person seeking the variance has not changed or influenced the property since he purchased it. The only activity that has been conducted is spraying of the Gorse.

4. The granting of the variance requested will not confer on the person seeking the variance any special privilege that is denied by the Ordinance to other lands, structures, or buildings under similar circumstances.

Each variance request is heard and decided upon by review of its own particular merits. The granting of this variance will provide the property owner the option to construct a single family residence on his property. An existing gravel road already runs along the southern property boundary, providing access to the bay.

5. The variance requested is the minimum necessary to afford relief.

Given the physical characteristics of the property it appears that the variance is the minimum necessary to afford relief.

6. To afford relief, the requested variance will not create significant impacts to critical areas and resource lands and will not be materially detrimental to the public welfare or contrary to the public interest.

The applicant is requesting this variance to build a single family residence and onsite septic system. The entire upland boundary will be mitigated for by purchasing of off-site, in-kind mitigation credits from Long Beach Mitigation Bank. The property owner will most likely want to be able to mow and clear the upland vegetation to allow for a grass lawn. Conditions can be placed, if approval is granted, to allow protection of the property's wetland community.

SMP POLICIES- SHORELANDS JURISDICTION

SECTION 3 –INTRODUCTION TO POLICIES

Subsection B.4, Conservation: a) Develop and implement management practices that will ensure a sustained yield of renewable resources of the shorelines while preserving, protecting, enhancing and restoring unique and nonrenewable shoreline resources,

environments, or features; b) reclaim and restore areas which are biologically and aesthetically degraded to the greatest extent feasible; c) preserve scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection.

Subsection B.8, Wetlands: a) Preserve and protect wetlands to prevent their continued loss and degradation; g) give preference to in-kind and on-site replacement of wetland functions and values. Where in-kind and/or on-site replacement is not feasible or practical due to the characteristics of the existing wetland or property, mitigation of equal or greater ecological value should be provided off site; h) require an applicant to monitor mitigation plans, and to take corrective action if necessary, in order to ensure long-term success of mitigation projects.

Subsection B.15, Conservancy Environment: a) prohibit or restrict activities and uses which would substantially degrade or permanently deplete the physical or biological resources of the area; c) prohibit activities or uses which would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation, or adversely affect wildlife or aquatic life; d) encourage agricultural and recreational activities which will not be detrimental to the natural shoreline character.

Staff reviewed the delineation for the proposed development. The above mentioned policies found in the SMP appear to correlate with the OSS and CARL Variance application provided by Mr. Mayko and Mr. Bogar in that the proposed project plans on mitigating wetland buffer impacts. No impacts to the wetlands are proposed.

SECTION 11 – Residential Development

B. Conservancy Environment

1. Multi-family and single-family residences are permitted on conservancy shorelines subject to the following regulations:
 - a. Minimum lot width at the property line nearest high water shall not be less than 75 percent of the square root of lot area or 200 feet, whichever distance is greater.
 - b. Residential structures shall be setback 25 feet landward from the forest line on tidal waters of Willapa Bay. On man-made canals and lakes residential setbacks shall be 25 feet from the ordinary high water mark. On natural lakes and rivers, residential setbacks shall be 100 feet from the ordinary high water mark.

- c. No residential structure shall exceed a height of 35 feet above average grade level.
- d. Parking facilities shall not be constructed shoreward of the upland side of a residential structure.

It appears that all regulations outlined in Section 11.B will be met if variance is granted.

CONCLUSION:

Staff recommends that the Hearings Examiner conduct the required public hearing, take testimony as is pertinent to the application, review the submittal materials and make the necessary Findings of Fact, Conclusions of Law and Conditions of Approval (if necessary).

Questions regarding this project and/or staff report can be addressed to Matt Reider, Planner, (360) 875-9356, or by email at mreider@co.pacific.wa.us