

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
May 19, 2014

The Board of County Commissioners for Lewis County, Washington, met in regular session on Monday, May 19, 2014, at 10:00 a.m. **Commissioners F. Lee Grose, Edna J. Fund, and P.W. “Bill” Schulte** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, May 12, 2014. **Commissioner Fund** seconded the motion.

Motion Carried 3-0

NOTICE

Commissioner Fund made a motion to approve the Notice Agenda items one through three. **Commissioner Schulte** seconded the motion.

- 1. Call for Bids: For the Skate Creek Road S. MP. 0.53 Bridge No. 12 Scour Mitigation project. Bids are due to the Clerk of the Board by 11:00 a.m., on June 10, 2014. Resolution No. 14-155**

Tim Elsea, Director of Public Works, stated this contract will provide for the improvement of Skate Creek Road S. MP 0.53 Bridge No. 12 Scour Mitigation by placing riprap, large woody debris, streambed boulders, and streambed barbs, and other work in accordance with the Contract Plans, and the 2014 WSDOT Standard Specifications. Bids submitted after 11:00 a.m. will not be considered for this project. Contract documents will be available for viewing on Lewis County's website after the successful execution of the Bid Call.

- 2. Notice of Hearing: Regarding applications for classification of various land parcels under RCW 84.34. Hearing will be on or after 10:00 a.m., on Monday June 2, 2014. Resolution No. 14-156**

Jason Morgan, Assessor's Office, stated this is putting parcel into open space timber. Applications have been reviewed and this is for all open space timber lands.

- 3. Notice of Hearing: Regarding an application for Community Development Block Grant (CDBG) funding from the State Department of Commerce. Hearing will be held on or after 10:00 a.m., on Monday, June 9, 2014. Resolution No. 14-157**

Tim Elsea, Director of Public Works, stated Lewis County Public Works wishes to apply for CDBG General Purpose Grant funding to construct another reservoir at the

Vader Water Treatment Plant site. An additional storage reservoir is identified and supported in the current Water System Plan for the Vader-Enchanted Valley water system (Water System #90900E). This secondary reservoir will eliminate the existing storage capacity deficiency, improve system pressures, allow options to remove the existing reservoir from service for repairs and cleaning, and provide efficient operation options when raw water is turbid. This is a \$750,000 grant application.

Motion Carried 3-0

CONSENT

Commissioner Schulte made a motion to approve the Consent Agenda items four through seven. **Commissioner Fund** seconded the motion.

4. Resolution No. 14-158 Approval of warrants for payment.

Chairman Grose stated this Resolution approves 145 regular warrants for a total payment against the County in the amount of **\$341,726.73**. This also approves 241 payroll warrants dated May 20, 2014 for a total payment against the County in the amount of **\$217,919.00**.

5. Resolution No. 14-159 Cancellation of warrants.

Chairman Grose stated this Resolution is a cancellation of one warrant to Centralia College in the amount of \$175 which will be voided and reissued.

6. Resolution No. 14-160 Proposed changes to adopted right of way acquisition procedures.

Tim Elsea, Director of Public Works, stated when acquiring road right of way, Lewis County follows procedures approved by the Washington State Department of Transportation (WSDOT) that are in accordance with Federal Highway Administration (FHWA) and WSDOT regulations. Changes in requirements for acquisition by the FHWA and WSDOT require that the procedures be updated. The basic idea behind the changes in our procedure is that in order to acquire through the threat of eminent domain, you have to wait until after the NEPA process is completed. This will allow us to go out and negotiate with the property owner on a voluntary basis before getting to that point.

7. Resolution No. 14-161 Bid award for the culvert material purchase for the Cousins Road Culvert Replacement Project.

Tim Elsea, Director of Public Works, stated Cousins Road is in need of a replacement culvert at mile post 3.35. This contract will allow Lewis County to purchase

a 14-foot span by 5-foot high, 50-foot long precast concrete 3-sided culvert with precast footings and wingwalls. A Call for Bids was made on April 29, 2014 and was sent to all companies on the Small Works Roster in the Underground Utilities, Box Culverts and Culverts category. The project was also listed on Lewis County's website. Public Works received 2 responsive bids for this project on May 13, 2014. Granite Precasting & Concrete provided the lowest responsive bid of \$65,758.00 (including taxes). The Engineer's Estimate for this material culvert purchase was \$70,000.00 (including taxes). The lowest responsive bid is under the Engineer's Estimate. Public Works staff recommends acceptance of the low bid provided by Granite Precasting & Concrete.

Motion Carried 3-0

HEARING

Hearing: Franchise to Puget Sound Energy-Resolution No. 14-162

Commissioner Grose announced the hearing and went over the procedures. He asked staff for a report.

Larry Unzelman, Public Works, stated this is regarding a proposed extension of a franchise to Puget Sound Energy for construction, operation and maintenance of water lines for the Jackson Prairie Gas Storage Project. RCW 36.55 authorizes the Board of County Commissioners to grant franchises for use of county road rights-of-way for the construction and maintenance of various utilities. County Code Titles 5 & 12 provide for the regulation of use of County rights-of-way for utilities located in or using County rights-of-way. Lewis County entered into a 49-year Franchise Agreement with Washington Water Power Company, Washington Natural Gas Company and El Paso Natural Gas Company, dated March 15, 1965, to construct, operate, maintain, and/or replace water mains with necessary service lines on certain roads for the Jackson Prairie Gas Storage Project. The lines generally run from the plant south to the Cowlitz River. Puget Sound Energy is the Operating Agent of the Jackson Prairie Gas Storage Project, which is owned by Puget Sound Energy, Avista Corp. and Northwest Pipeline, GP, and, as Operating Agent is authorized to enter into a new franchise agreement on behalf of itself and co-owners Avista Corp. and Northwest Pipeline, GP. Puget Sound Energy has applied for a new franchise to replace the franchise granted in 1965. The County and Puget Sound Energy require additional time beyond the termination date of the 1965 franchise agreement to negotiate the terms of a new franchise. To be compliant with RCW 36.55 and Lewis County Codes 5 & 12, the parties propose to extend the terms of the 1965 franchise agreement in its current format during this time of negotiation. This Resolution would authorize the BOCC to enter into an agreement with Puget Sound energy to extend the existing franchise under the existing terms through December 31, 2014.

Chairman Grose asked if anyone would like to speak and there were none. He closed the question-and-answer period and opened the formal hearing.

Larry Unzelman asked that his previous comments be adopted into the record.

Ron Averill, Centralia, pointed out the reason for the decision to bring the franchises time frame to a 5-year period.

Chairman Grose asked if anyone would like to speak and there were none. He closed the formal hearing.

Commissioner Fund moved to approved Resolution #14-162. **Commissioner Schulte** seconded the motion.

Resolution #14-162 Granting a proposed franchise extension to Puget Sound Energy for construction, operation and maintenance of water lines for the Jackson Prairie Gas Storage Project.

Motion Carried 3-0

HEARING: Shoreline conditional use permit-Resolution No. 14-163

Commissioner Grose announced the hearing and went over the procedures. He asked staff for a report.

Karen Witherspoon, Community Development, stated Lewis County received an application on April 3, 2014, for a shoreline substantial development (SHD14-0003) and shoreline conditional use permit (SHD14-0004) and provided notification of the public hearing on April 16 and 23 of 2014. The hearing is scheduled before the Board of County Commissioners on May 19, 2014 in the Commissioners Hearing Room. Washington State Department of Fish & Wildlife proposes to install 20 net pens in a 2 X 10 net pen grid on the surface of Mayfield Lake. Each net pen is 20 feet by 20 feet with a 2-foot walkway surround. The full dimension of the net pen array is 46 feet by 222 feet between the log boom and the Mayfield Dam. This array will be stabilized to the shore with log spars or tension lines and may be anchored in places to the bottom using preformed concrete blocks. The walkways will be accessed by a gangway and/or float. The net pens will be used for the holding and future release of 2 million Chinook salmon fingerlings into the Cowlitz River system below the Mayfield Dam in each of the next two years (2014 & 2015). The staging area to deploy the net pens is a man-made landmass adjacent to Mayfield Lake. The project will be within the shorelines jurisdiction of the Cowlitz River and Mayfield Lake and/or its associated wetlands. Lewis County's Shoreline Master Program designates the Cowlitz River, within the project area of unincorporated Lewis County, as a Conservancy Environment.

Chairman Grose asked if anyone would like to speak and there were none. He closed the question-and-answer period and opened the formal hearing.

Karen Witherspoon asked that her previous comments be adopted into the record.

Randy LeDuc stated he is in favor of this project.

Chairman Grose asked if anyone would like to speak and there were none. He closed the formal hearing.

Commissioner Schulte moved to approve Resolution 14-163. **Commissioner Fund** seconded the motion.

Resolution 14-163 Approve Shoreline Substantial Development and Shoreline Conditional Use Permit.

Motion Carried 3-0

PUBLIC COMMENT

Phillip Harju, Cowlitz Indian Tribe, stated the tribe has engaged the State Parks and Recreation Commissioner over the years and have been unsuccessful. We are have petitioned to change the name of Lewis and Clark State Park to Cowlitz Trails State Park.

There being no further business, the Commissioners' public meeting adjourned at 10:27 a.m. on May 19, 2014. The next public meeting will be held Monday, June 2, 2014.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

ATTEST:

F. Lee Grose, Chairman

Karri Muir, CMC, Clerk of the Board
Lewis County Commissioners

Edna J. Fund, Commissioner

P.W. Schulte, Commissioner