

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
August 8, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, August 8, 2011 at 10:00 a.m. **Commissioners Ron Averill and F. Lee Grose** were in attendance, **Commissioner P.W. "Bill" Schulte** was absent. **Chairman Averill** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Grose** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, August 1, 2011. **Chairman Averill** seconded the motion.

Motion carried 2-0

NOTICE

Commissioner Grose made a motion to approve Notice Agenda item one. **Chairman Averill** seconded the motion. Candace Hallom read the item into the record.

- 1. Notice of Hearing: Regarding calling a Special Election for a Port of Winlock Formation Proposition. Hearing will be held on August 22, 2011, at 6:00 pm, at the Winlock Community Building. Resolution No. 11-249**

Chairman Averill stated this provides notice that a hearing will be held on or after 6:00 pm on August 22, 2011 at the Winlock Community Building to consider whether or not to place a measure on the November 8, 2011 ballot to form a Port District, with boundaries coextensive with Winlock School District #232; and, to elect three port commissioners who shall be elected at large. The Lewis County Auditor has certified that a petition has been filed with the requisite 10 percent of voters in the proposed district; and, the Lewis County Board of County Commissioners must (RCW 53.04.010) hold a public hearing to take testimony on whether formation of the Port District would be in the public interest and confirm the boundary of the district. If the Board finds that formation of the Port District would be in the public interest, it must place a measure on the ballot allowing voters within the boundaries of the proposed district to approve or reject creation of the district with a simple majority vote. The public will have the opportunity to ask questions and provide testimony prior to a decision by the Lewis County Board of County Commissioners.

Motion Carried 2-0

CONSENT

Commissioner Grose made a motion to approve Consent Agenda items two through fourteen. **Chairman Averill** seconded the motion. Candace Hallom read the items into the record.

- 2. Resolution No. 11-250 Approval of warrants for payment.**

Chairman Averill stated this approves 253 warrants issued by the Auditor's Office for \$828,035.85.

3. Resolution No. 11-251 Appointing members to the Lewis County Lodging Tax Advisory Committee.

Commissioner Grose stated this approves the appointments of seven members to the Lewis County Lodging Tax Advisory Committee for a term of three years, ending December 31, 2013. By law this committee has to be composed of at least two members who are users of the taxes collected and at least two members who collect lodging taxes. We have elected to appoint a seven member board which will replace a five member board. The following citizens of Lewis County are hereby appointed:

- Ellen Berdan Salkum
- Maree Lerchen Packwood
- Carolyn J Neer Packwood
- Dean McLeod Salkum
- Charles Duncan Chehalis
- Ramona Sheppard Mineral
- Dan Kay Chehalis

4. Resolution No. 11-252 Establishing an advisory committee to the Board of Health.

Danette York, Director of Health and Social Services stated this Resolution establishing a seven member Board of Health Advisory Committee. Lewis County Board of Health is establishing an advisory committee to be a voice of the community and make recommendations to the Board of Health. The following citizens have expressed a desire to be on the committee:

- Isaac S. Pope, MD Chehalis
- Lily Lo, MD Centralia
- Ron Pollock Chehalis
- Don Haviland, Sr. Chehalis
- Richard F. Price, MD Packwood
- Cherie Rusk Salkum
- Neal Kirby Centralia

These seven individuals represent different agency's that do work through the Health Department.

Chairman Averill stated the Board of Health in 1991 was a health district that included representatives in the County. In 1994 or 1995 the County decided to do away with the health district and went to a health board with the three County Commissioners as the board. Recently Dr. Pope came to the Board and made some critical remarks about how the Health Board is progressing without having any body on the Board who understands medicine. He believed there should be an advisory committee; the Board of Health agreed that there is a need to appoint an advisory committee. The advisory committee will focus on issues that affect public health such as: animal control, environmental health, community

health, water quality, food sales and service, and social services including chemical dependency, developmentally disabled, and mental health. We are appointing this board without any terms. The advisory committee will establish their bylaws and terms will be created at that time.

5. Resolution No. 11-253 Approving a grant agreement with the Port of Chehalis to accept funding under RCW 82.14.370, Distressed Counties Fund.

Chairman Averill stated this approves a grant agreement between Lewis County and the Port of Chehalis to accept (.09) Distressed Counties Funding (RCW 82.14.370) in the amount of \$50,000.00 for the Port of Chehalis Curtis Rail Line Tie Replacement Project. The project is necessary in order to accomplish local industrial retention and expansion to support employment growth and provide for job retention. The application has been recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee.

6. Resolution No. 11-254 Approving a grant agreement with the City of Winlock to accept funding under RCW 82.14.370, Distressed Counties Fund.

Commissioner Grose stated this approves a grant agreement between Lewis County and the City of Winlock to accept (.09) Distressed Counties Funding (RCW 82.14.370) in the amount of \$246,300.00. One of the issues he has had with many public works projects since he took office is we have funding for planning and studying, we have money for building things but we cannot bridge that gap between planning and construction. We have been deadlocked in the South County plan because we haven't been able to get engineering and design completed. This is the first step to get engineering and design done to connect the sewer connection between the Winlock Industrial Park and the City of Winlock Waste Water Treatment Plant. Hopefully, this will be enough to get that engineering and design done so we can move to the next step in applying for grants or loans to get the construction completed.

7. Resolution No. 11-255 Approving a grant agreement with the Port of Centralia to accept funding under RCW 82.14.370, Distressed Counties Fund.

Chairman Averill stated this approves a grant agreement between Lewis County and the Port of Centralia to accept (.09) Distressed Counties Funding (RCW 82.14.370) in the amount of \$145,000.00 to conduct the Port of Centralia Lum Road Rail Spur Project. The project is necessary in order to accomplish local industrial retention and expansion to support employment growth and provide for job retention. The application has been recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee.

8. Resolution No. 11-256 Approving a grant agreement with the City of Mossyrock to accept funding under RCW 82.14.370, Distressed Counties Fund.

Chairman Grose stated each year the Distressed Counties Fund has agreed to set aside \$100,000 for tourism. This project is not a tourism project although the outcome is tourism related. This project is to connect water and sewer to a new planned community center in

Mossyrock. This is a \$30,000.00 grant to the City of Mossyrock to extend their water and sewer to a new expansion of the public community center.

9. Resolution No. 11-257 Approving a Collective Bargaining Agreement with Teamsters 252 representing E911 Communications.

Archie Smith, Human Resources Administrator, stated the Collective Bargaining Agreement with teamster 252, representing E911/Communication group is being presented for approval by the BOCC. The contract will be a one year agreement dating from 01/01/2011 to 12/31/2011. For the 2011 calendar year the Employer Health and Welfare financial contributions were not changed. The current monthly employer contribution for medical insurance is \$835.00. There is no COLA for the year and Step increases are provided. Other issues that were addressed during negotiation were:

- Clarified the layoff FMLA procedure.
- Updated the Military Leave clause to comply with the State requirement.
- Clarified designated beneficiary language.
- Basic housekeeping procedures.

Chairman Averill spoke on items ten through fourteen. Lewis County is the fiscal agent for the Chehalis Basin Flood Authority. At the last legislative session the Legislature approved \$1.32 million for the Flood Authority to continue its series of studies that have been underway since its formation in 2008. Because we are at the end of one state fiscal year and the start of another fiscal year we are required to go back and extend some projects that were still in progress so they can finish their work and still get paid for it. What is being presented this morning on item ten is an overall coverage agreement with the Office of Financial Management (OFM). OFM is designated by the capital budget to be the holder of the money for projects done by the Flood Authority. The Flood Authority at the last meeting approved several other contracts which are on the agenda today.

10. Resolution No. 11-258 Approving an inter-local agreement with the State Office of Financial Management to provide \$1.32 million in funding for Lewis County, acting as the lead agency for the Chehalis River Basin Flood Authority.

Robert Johnson, Director of Community Development, stated this Resolution approves an inter-local agreement with the State Office of Financial Management for \$1.32 million funding for the Flood Authority which may be used for administrative costs, studies, consultants and facilitators as necessary. The State now requires performance based contracts. Within this contract, there are a number of tasks that the Flood Authority has agreed to. The Flood Authority is tasked with developing a work plan for this fiscal year as well as the next fiscal year.

11. Resolution No. 11-259 Approving a Personal Service Agreement with West Consultants to complete, test and calibrate a Flood Early Warning System.

Robert Johnson, Director of Community Development, stated this will continue and allow completion of the Early Flood Warning System. It will also add calibration, testing, and monitoring of the system. This agreement is not to exceed \$55,512.51.

12. Resolution No. 11-260 Approving a Personal Service Agreement with Gordon Thomas Honeywell for consulting and support services to the Chehalis River Basin Flood Authority.

Robert Johnson, Director of Community Development, stated the original contract is a three month contract which may be extended to the fiscal year. The contract is not to exceed \$91,040.00.

Chairman Averill explained that Ms. Fowler offered to have a three month contract so that she can prove her value. Then if the board would like to extend that contract they can do that.

13. Resolution No. 11-261 Approving a Personal Service Agreement with SBGH- Partners, LLC for consulting and support services to the Chehalis River Basin Flood Authority.

Robert Johnson, Director of Community Development, stated the two people who are consultants with this firm are technical experts in the area of fish and wildlife and ecology. That is one thing that has been lacking with the Flood Authority as they did not have anyone who could do that technical review. SBGH- Partners will be coordinating with the Tribe and other agencies to get review of technical materials.

Chairman Averill stated on the Governor's staff Keith Phillips who is the Natural Resources person for the Governor provided the oversight of the Flood Authority. One of the charges he gave to the Flood Authority is that even though the Chehalis Tribe withdrew from the Flood Authority, their participation in these projects was important. We need to have coordination with the tribes during this process. This is a task that we are giving SBGH to help us in that coordination.

14. Resolution No. 11-262 Approving a Personal Service Agreement with Anchor QEA for Fish Studies.

Robert Johnson, Director of Community Development, stated this is a continuation of the fish studies which has been on going. They are anticipated to be completed in December. This resolution will authorize a contract between Anchor QEA and Lewis County, not to exceed \$427,500.06, to perform fish studies, prepare reports and provide other deliverables as may be agreed, consistent with the 2011 State Capital Budget appropriation and the submitted scope of work and budget submitted by Anchor QEA.

Motion Carried 2-0

RFQ

RFQ- Hydraulic Modeling for the Chehalis River Basin Flood Authority

Robert Johnson, Director of Community Development, stated we published notice for the Request for Qualifications on July 25, 2011. We have received four statements of qualifications. He opened the qualifications and said they will be reviewed by SBGH who

will make a recommendation to the Flood Authority Executive Board. There are a number of efforts within the basin to do hydraulic modeling. The Governor's office wants to make sure that all of these efforts are coordinated so this can be done in the most efficient manner.

Chairman Averill stated the time period for the hydraulic modeling is running somewhat behind. At the last meeting of the Flood Authority the Flood Authority provided approval to its executive committee to make a recommendation of selection. What we have is a case where hydrology is well established for the upper basin but from Grand Mound area down we have very poor data. That needs to be improved and we need to get that done by mid spring so we can start looking at other projects coming up.

Request for Qualification were received from the following:

West Consulting, Bellevue, WA
NHC-Northwest Hydraulic Consulting, Seattle, WA
Amec, Earth & Environment, Portland, OR
Watershed Science & Engineering, Seattle, WA

HEARING

Hearing: Non Exclusive Franchise to Gladys Larson

Chairman Averill announced the hearing and asked for a staff report.

Larry Unzelman, Public Works stated Gladys Larson, has requested a non-exclusive franchise for the construction, operation and maintenance of irrigation facilities on Coughlin road right of way in Lewis County. The County recently acquired additional right of way for Coughlin Road for stream bank stabilization. Part of the Larson's irrigation facilities are located on what is now county road right of way. This nonexclusive franchise will authorize the use of the road right of way for 5 years for this purpose. Resolution 11-215, passed by the BOCC on July 11, 2011, set August 8, 2011 as the date for hearing on the matter. This franchise is being granted pursuant to and in conformance with RCW 36.55 and Lewis County Code 12.25 through 12.50, for a non-exclusive Franchise to construct, operate and maintain water system facilities within County Rights-of-Way. RCW 36.55 requires that no hearing be held on a proposed franchise grant until 5 days after the last publication date, and 15 days after posting of the notice thereof in three public places. Publication must be twice in the official newspaper for publication in the County. Publication occurred on July 13 and 20, 2011 and the franchise was posted in three public places.

Chairman Averill stated this pipe for irrigation was there prior to obtaining the easement from the Larson's. The pipe was later discovered and therefore we have to have agreements of easements for our public property.

Chairman Averill asked if there were any more questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

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

Chairman Averill asked if there were any other statements for public testimony. There were none. He closed the hearing and asked for a motion.

Commissioner Grose made a motion to approve Resolution No. 11-263. **Commissioner Averill** seconded the motion. Candace Hallom read the item into the record

In the Matter of a Non-Exclusive Franchise to Gladys Larson to Construct, Operate and Maintain Irrigation Water Facilities on Coughlin Road Right-of-Way in Lewis County, Washington. Resolution 11-263

Motion Carried 2-0

There being no further business, the Commissioners' public meeting adjourned at 10:58 am on August 8, 2011. The next public meeting will be held Monday, August 15, 2011, at 10:00 a.m.

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:

Ron Averill, Chairman

Karri Muir, Clerk of the Board
Lewis County Commissioners

P.W. Schulte, Commissioner

F. Lee Grose, Commissioner