

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
November 14, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, November 14, 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, November 7, 2011. **Chairman Averill** seconded the motion.

Motion Carried 2-0

NOTICE

Commissioner Grose moved to approve Notice Agenda items one through three. **Chairman Averill** seconded the motion. Candace Hallom read the items into the record.

- 1. Notice of Hearings: Regarding Fund 623 Vader Water System 2011 Budget. The first hearing will be to remove Fund 623 Vader Water System from the adopted 2011 County Budget, and the second hearing will be for the purpose of fixing the 2011 budget for Fund 623 Vader Water System. Hearings will be held on or after 10:00 am on Monday, November 28, 2011. Resolution No. 11-375**

Dawna Truman, Budget Director, stated the Board of County Commissioners will be meeting on November 28, 2011 at 10:00 in the Lewis County Historical Courthouse to hold two public hearings for the purpose of taking public comment on the 2011 Vader Water System Budget. The first hearing will be for the purpose of removing the budget for fund 623 Vader Water System from the 2011 Lewis County Budget and the second hearing for the adoption of the 2011 budget for fund 623. Copies of the 2011 budget for the Vader Water System will be available in the Budget Department. Notice of Hearing will be published in The East County Journal on November 16th and 23rd & in The Chronicle on November 17th and 24th 2011.

- 2. Notice of Hearing: Regarding Ordinance 1227, amending Title 17, of Lewis County Code to add a new Chapter 17.300 Compliance. Hearing will be held on or after 10:00 am on Monday, November 28, 2011. Resolution No. 11-376**

Robert Johnson, Director of Community Development, stated adoption of Ordinance 1227 will add a new Chapter to Lewis County Code (LCC) 17.300 “Compliance”, implementing new processes and penalties for violation of county code. A hearing will be held on or after 10:00 am on Monday November 28, 2011. The new code provides general enforcement powers associated with health and safety, public roads, building and construction, subdivision of land, and land use and development.

In addition, procedures for compliance are enhanced and additional penalties for non-compliance are included with monetary penalties up to a maximum of \$1,000 for each violation. Additional flexibility is added, including the authority for making infractions a misdemeanor or gross misdemeanor. Any new penalties are in addition to those already contained within other code provisions.

Commissioner Grose stated this is not designed to be a punitive measure as much as it is to encourage people to take responsible action. We have 400 plus code compliance violations in the County and we don't have the man power to deal with them. This is a method by which we can add a little weight to encourage code compliance.

3. Notice of Hearing: Regarding Ordinance 1228, to adopt amendments to the Lewis County Comprehensive Plan maps and text. Hearings will be held on or after 10:00 am on Monday, December 5, 2011. Resolution No.11-377

Robert Johnson, Director of Community Development, stated the proposed action will amend the Comprehensive Plan, adding text and map amendments and Title 17 the Lewis County Code, adding a new Chapter 17.20F "Urban Reserve Overlay District" to facilitate the future adoption of the South Lewis County Sub Area Plan, and amend the official zoning map to include two urban reserve overlay districts in the south county area – one at the Interstate 5/Highway 505 intersection at Exit 63, and one north of Toledo (see the attached map). Hearings will be held on or after 10:00 am on Monday, December 5, 2011. The County has been working on a number of amendments to the County Comprehensive Plan and Development Regulations that implement the Comprehensive Plan. But, under the Growth Management Plan the County is only authorized to adopt Comprehensive Plan amendments once a year. We have a number of these that will be coming out for public hearing.

Motion Carried 2-0

CONSENT

Commissioner Grose moved to approve Consent Agenda items four through twelve. **Chairman Averill** seconded the motion. Candace Hallom read the items into the record.

4. Resolution No. 11-378 Approval of warrants for payment.

Chairman Averill stated this approves 2 Special Purpose Warrants (Vader Water System) for \$12,061.40 and 238 warrants issued by the Auditor's Office for \$667,215.35, totaling \$679,276.75.

5. Resolution No. 11-379 Approving a grant from the Department of Commerce for Victim Services.

Glenn Carter, Prosecutors Office, stated every year the Prosecutors Office and the County have an obligation to provide services to victims of felony crimes in Superior

Court. The Prosecutors Office is the office for which those services are provided. Annually, we received a grant from the Department of Commerce for that purpose. We were concerned this year that with the budget cuts at the State level we would not receive the grant, however, we have received that grant which is back effective July 1, 2011. This grant is used to fund a part time secretary for victim services. The grant is in the amount of \$39,127.00. We hope to provide some service to victims in District Court as well.

6. Resolution No. 11-380 Appointing a member to the Lewis County Developmental Disabilities Board.

April Kelley, Public Health and Social Service, stated the Developmental Disabilities Advisory Board, according to RCW 71A.14.020, is to include members that are representatives in public, private, or voluntary agencies, representatives of local governmental units, and citizens knowledgeable about developmental disabilities or interested in services to persons with developmental disabilities in the community. The board currently consists of ten members. This appointment is to increase the number of members to eleven. Homero Flores (Chehalis) is a school psychologist who works with students with developmental disabilities in Lewis County. Homero will bring knowledge and perspective from the local education system and is a stakeholder in District 2. The Developmental Disabilities Board has approved the appointment and requests approval from the BOCC.

7. Resolution No. 11-381 Approving up to \$10,000 additional funding from Fund 198, Stadium Funds to the Lewis County Historical Museum.

Chairman Averill stated this approves an additional grant of not more than \$10,000.00 from Fund 198 (Lodging Tax) to the Lewis County Historical Museum. The Museum's accounting of funds has registered some concerns and it is evident in looking at the books that there is a need to have an audit done by an outside agency which works with 501C(3) type activities. The Historical Museum does not have the money to pay for an appropriate type audit so we have agreed by this Resolution to provide up to \$10,000.00 for such an audit to take place.

8. Resolution No. 11-382 Approving a grant agreement with the East Lewis County Public Development Authority to accept funding under RCW 82.14.370, Distressed Counties Fund.

Dawna Truman, Budget Director, stated The East Lewis County Public Development Authority in partnership with the Cowlitz River Valley Historical Society has applied for funds to conduct the "White Pass Byway Visitor Center" project, which is necessary in order to accomplish local business retention and expansion. The application has been recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee for grant funding in the amount of \$23,000. It is in the best interest of the citizens of Lewis County that these funds be authorized in order

to allow completion of this project to support employment growth and provide for important job retention.

9. Resolution NO. 11-383 Approving a grant agreement with the Port of Chehalis to accept funding under RCW 82.14.370, Distressed Counties Fund.

Dawna Truman, Budget Director, stated that the Port of Chehalis has applied for funds to conduct the “Redevelopment of 195 Ribelin Road” project, which is necessary in order to accomplish local industrial expansion. The application has been recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee for grant funding in the amount of \$405,013.00. It is in the best interest of the citizens of Lewis County that these funds be authorized in order to allow completion of this project to support employment growth and provide for important job retention. Approval of the resolution allows Lewis County to enter into a Grant Agreement with the Port of Chehalis for the “Redevelopment of 195 Ribelin Road” project, using monies from the “Distressed Counties Fund”, pursuant to RCW 82.14.370.

Chairman Averill stated there is an unoccupied building on Ribelin Road and there is a potential tenant from Pierce County who is looking to relocate to the Port of Chehalis to run a wood products manufacturing enterprise and it is anticipated the firm will employ up to 30 personnel. This project is necessary to accomplish local business retention and expansion. The application has been recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee.

10. Resolution No. 11-384 Accepting a deed of additional right of way for Young Road, Mossyrock, WA.

Larry Unzelman, Public Works, stated property owners 2008 MDB LLC have submitted an application to subdivide their property near Mossyrock. The property has frontage on Young Road, being a county road. A previous survey created a gap in ownership between Young Road and the property owners land causing an access issue. To resolve this access problem the Owners of the property in the gap, Martin D. Babare and Evelyn Babare have deeded the property to Lewis County as additional right of way for Young Road. It appears to now be in the best public interest to accept this right of way into the county road system as a part of Young Road.

11. Resolution No. 11-385 Bid award for the used Telehandler for the SWWA Fairgrounds.

Tim Elsea, Director of Public Works, stated a Call for Bids was issued by the BOCC on October 24, 2011 by Resolution No. 11-339 for the purchase of one used Telehandler for the Southwest Washington Fairgrounds. The proposal was advertised in the East County Journal, Dailey Journal of Commerce (Portland & Seattle), and the Lewis County website. Public Works received 3 bids 1 of which was non-responsive. Based upon a scoring tool sample sent to Lewis County by Municipal Research and

Services Center (MRSC), Tyler Rental provided the best responsive bid of \$46,666.75 including sales tax and delivery. Tim stated purchasing a used piece of equipment can be tricky. In going out to do this we did not want to spend funds for purchasing a brand new Telehandler. We contacted MRSC and asked them what the best process would be for going out to purchase a used piece of equipment so that we can be sure we are getting the right comparison.

12. Resolution No. 11-386 Approval of purchase for LiDAR topographic elevation data through Puget Sound LiDAR Consortium inter-local purchasing agreement.

Larry Unzelman, Public Works, stated the Public Works Department and other county offices have a need for LiDAR-based elevation data in several locations of the western portion of the county. LiDAR data is a very efficient method of acquiring highly-detailed digital elevation data over large areas using airborne laser survey equipment. This elevation data is compatible with the county's GIS and can be used to support multiple county interests: Floodplain management & flood modeling; the Transportation Improvement Program, preliminary engineering, property management, & surface water management; economic development, comprehensive plan, & growth management; and emergency management; geologic hazard identification, & natural resource management. This resolution would grant authority to the Public Works Department to acquire 106 square miles at a total cost of \$65,000.00, the area necessary to close data gaps in western Lewis County and the I-5 corridor. This acquisition would be implemented through the existing inter-local purchasing agreement that the county has with Kitsap County, who acts as the lead agency for the Puget Sound LiDAR Consortium; the same method was used for all previous LiDAR acquisitions and will both ensure compatibility and give us the best value. We will combine our areas of interest with two other regional LiDAR projects being flown by WSDNR and FEMA to get the best possible rate.

Chairman Averill stated this data will also supplement previous data in the upper Chehalis Basin to improve the accuracy of the hydrology study being conducted for the Chehalis River Basin Flood Authority by Watershed Science and Engineering.

Motion Carried 2-0

HEARING

Hearing- Adoption of the Six Year Transportation Improvement Program and Annual Construction Program-Resolution No. 11-387

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

Tim Elsea, Director of Public Works stated Pursuant to RCW 36.81.121, all cities and counties are required to prepare, adopt, and submit a six-year transportation improvement program. Copies of this program are to be furnished to WSDOT, CRAB, and the Transportation Improvement Board. The requirements for the Annual

Construction Program are contained in WAC 136.16. This part of the WAC is intended to provide for an evaluation of compliance with the county forces construction limits outlined in RCW 36.77.065. The 2012 Annual Construction Program includes the following construction projects:

- Approximately 5 miles of Cement Treated Base with a Bituminous Surface Treatment by county forces
- Coughlin Road Bridge Deck Replacement
- Koontz Road Widening
- King Road Rehabilitation
- Skate Creek Road S., MP 0.53, Bridge #12 Scour Mitigation
- Airport Road Reconstruction

A hearing for the six-year program must be held prior to the adoption. The public hearing was held November 14, 2011 pursuant to notice published in The Chronicle and The East County Journal, November 2nd and 9th and on the County website.

Additionally, Lewis County staff presented the proposed 2012-2017 STIP at the monthly Mayors meeting with the Board of County Commissioners on October 11th, the Planning Commission meeting on October 11th, and the Lewis County Transportation Strategy Council meeting on October 17, 2011.

Rod Lakey provided details on the STIP and its requirements. The STIP included 42 projects totaling \$57,403,000.00 and the majority of this is funded—this is a combination of County funding, State funding, and other. All federal funds have to be listed on the STIP to be eligible for reimbursement. He then explained what projects were completed last year.

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.

Tim Elsea and Rod Lakey asked that their previous comments be adopted into the record.

Chairman Averill stated we are getting a lot better at getting around and talking to the community about our projects. He is encouraged by the fact that when we went in front of the Planning Commission they took a more direct interest in this. This is our plan where we talk about our roads. We in Lewis County take good care of our roads. There are some roads that need more work than others but in general we do very well and we want to keep up with that practice. This is a very important planning document for us.

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. 11-387. **Chairman Averill** seconded the motion. Candace Hallom read the item into the record

Adoption of the 2012 Annual Construction Program and Six Year Transportation Improvement Program for the Years 2012-2017. Resolution No. 11-387

Motion Carried 2-0

There being no further business, the Commissioners' public meeting adjourned at 10:58 am on November 7, 2011. The next public meeting will be held Monday, November 14, 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