

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
February 22, 2010**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, February 22, 2010, at 10:00 a.m. **COMMISSIONERS P.W. SCHULTE, RON AVERILL and F. LEE GROSE** were in attendance. **Chairman Schulte** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Averill** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, February 8, 2010. **Commissioner Grose** seconded the motion.

Motion carried 3-0

<b>Notice</b>
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**Commissioner Grose** made a motion to approve Notice items one through three **Commissioner Averill** seconded the motion. Karri Muir, Clerk of the Board read the items into the record.

**1. Request for Qualifications: Regarding a contract for a Veterans Benefits Specialist.**

**Danette York, Health**, stated this is a Veterans Benefits Specialist who will provide assistance to qualified Veteran's in obtaining information and applying for service benefits to which they may be qualified. This person will attend the Veterans Relief Funds Meeting and attend the Veterans Advisory Board Meetings. This position will have a \$1,000.00 reimbursement for the individual who will be stationed in the Health Building.

**Commissioner Averill** asked if this person would spend at least one day a month in Morton. He also asked when the RFQ was due.

**Ms. York** stated this person will go to Morton one day a month. The due date for the RFQ's has been changed to March 2<sup>th</sup>.

**Commissioner Averill** stated we had a meeting with the State VA Department, because of the training that is required to do this job appropriately. To be knowledgeable of all the State and Federal regulations that applies to Veteran's benefits, this individual will be trained with help from the State, if they are not already. This will allow us to give better support to our Veterans who are in trouble. The funding that the County can provide to indigent Veteran's is very limited. In most cases these people need considerably more support, which is available from both, the Federal and State areas. We are working strongly with the State in order to strengthen our capability to help our Veterans. Originally the Veterans Department said they would help us in the funding of this position for at least one year, however budget constraints have pushed that off, so the funding is not going to happen until later this year. In the mean time the fund is strong enough to support this position and we need to go ahead with it.

**Chairman Schulte** asked if Ms. York had heard anything on the location of the Veteran's Clinic that is suppose come into our area.

**Ms. York** stated she has not heard anything.

**2. Request for Qualifications: For a facilitation and coordination service in support of the Chehalis River Basin Flood Control Authority to form a multi-jurisdictional flood district. Qualifications will be opened on or after 10:00 am on March 15, 2010.**

**Bob Johnson, Community Development**, stated this RFQ is on behalf of the Flood Authority. This is for someone to address the formation of a flood district. This person or firm will be experienced in the various ways flood districts or flood zone districts can be formed within the County. The other part is to help the County facilitate and form a flood district.

**Commissioner Averill** stated we need to keep moving on the formation of some type of basin wide district that cooperates with each other. We need to have something where all three counties work together to solve the flooding issues. The emphasis is to determine what direction we need to take and then help us to put together the implementation papers to get the district formed.

**3. Request for Proposals: For flood storage facility and economic feasibility analysis in support of the Chehalis River Basin Flood Authority. Proposals will be opened on or after 10:00 am on March 15, 2010.**

**Bob Johnson** stated this RFP is for someone to do an analysis on upstream storage design and incorporate this with the existing Twin City projects and look at the feasibility of incorporating upstream storage into this project.

**Commissioner Averill** emphasized at the last Flood Authority meeting the message was we need a solution that takes in consideration both levee systems and water retention. The Corp of Engineers is operating a plan for the Twin Cities with water retention and levees. This isn't enough for a solution. The only way to get it changed is to have Congress changed the WRDA Bill. We are operating under a problem in so far as the Corp of Engineers has already got a plan which has been authorized and appropriations have started on it. While this plan has some water retention in it, it is not enough water retention to meet our objectives. There is only one way to get the plan changed, and that is to convince our Congressional Delegation that the WRDA Bill needs to be revised to put more water retention in it. The purpose of the coordinated study is to give us the data that we can go to our Congressional Delegation with and say here is how the two projects can complement each other and we can accomplish this within a one to one cost benefit ratio.

**Mr. Johnson** stated in conjunction with the existing PUD Phase IIB Study it would set the ground work for going back to Congress and asking for a change in the WRDA Bill.

**Chairman Schulte** asked if the Board Advisory Committee will review the RFP's and rank order them and give that to the Flood Authority.

**Mr. Johnson** stated that was correct.

**Chairman Schulte** stated that Mr. Johnson needs to be an advocate for the water retention plans

**Commissioner Averill** pointed out that Dave Mueller will be on this committee as well.

Motion carried 3-0

**Commissioner Averill** made a motion to approve Consent items four through ten. **Commissioner Grose** seconded the motion. Karri Muir, Clerk of the Board read the items into the record.

**4. Resolution No. 10-044 Designating time and place for property tax foreclosure sale.**

**Michelle Travis, Treasure Office** stated the Treasurer's Office has obtained a Judgment and Order of Sale foreclosing upon its tax liens. RCW 86.64.80 requires the County legislative authority direct the time and place of the sale. The Treasurer's Office would like to suggest 9:00 am, Friday, March 26, 2010 in the Commissioners Hearing room.

**Commissioner Averill** stated the legislative authority for the County is the BOCC **Chairman Schulte** stated the tax properties that are being foreclosed on may have issues so it is "buyers beware".

**Ms. Travis** stated that is correct.

**5. Resolution No. 10-045 Ratification of the 2010-2011 Coordinated Prevention Grant agreement with the WA State Department of Ecology.**

**Rod Lakey, Public Works** stated an agreement was made with the WA St. DOE to implement a Moderate Risk Waste, Recycling and Organics Programs within Lewis County. Funding is secured with this agreement in the amount of \$120,762.00 with a match of \$40,254.00. This funding supports recycling programs.

**Commissioner Averill** pointed out that this was authorized by the Board at another meeting.

**6. Resolution No. 10-046 Approving an inter-local agreement with PUD No.1 for funding of a Phase IIB study to determine the feasibility of two water retention projects.**

**Bob Johnson, Community Development**, stated that Lewis County acts as lead agency for the Flood Authority. PUD received funding for phase I and IIA water retention studies. This is the second phase that would include an environmental health portion of the study. This is vital to the Flood Authority as they look for solutions to the flood issues.

**Commissioner Averill** this is an area where the Flood Authority has been working with PUD on upper basin water storage for some time. The PUD funded Phase I of this study that showed that there was feasibility for putting dams in the upper basin that would provide some protection down river. The Flood Authority covered Phase IIA, at a cost of \$250,000.00 and approved the funding of Phase IIB at another \$230,000.00. This study is providing necessary information that we need. He knows that people are concerned about both the cost and the time that studies take. But unfortunately there are many hurdles that we have to overcome. It is necessary to get approvals from many different

entities and reviews. All of these require a great deal of proof that it will work and what it will cost and how we can move toward doing that. Despite the fact that we could not get the Corp of Engineers to agree that this study contributed to their general investigation study that they are working on, and pointed out that the Flood Authority studies could apply and should qualify for in-kind monetary credit. The Flood Authority agreed and said we cannot wait any longer; we need to go on with Phase IIB.

**Mr. Johnson** stated the Federal Government has a specific process and timeline in ways they do things. The PUD is working with the Corp to make sure that the information that comes out of the Phase IIB study is acceptable to the Corp of Engineers with respect to the process and the kinds of data needed.

**7. Resolution No. 10-047 Bid award for the South Lewis County Airport Striping Project.**

**Bob Johnson, Community Development** stated this is a ratification of a bid award for a restriping project at the South County Airport to Apply-A-Line, Inc for \$39,692.84.

**8. Resolution No. 10-048 Approving a Collective Bargaining Agreement between Teamsters 252 representing the Juvenile Probation and Clerical.**

**Archie Smith, Human Resources** stated this group went from a four tiered insurance payment to a single composite rate. The rate stays within the budgetary constraints that are had in the 2009 calendar year.

**Commissioner Averill** stated the County's contribution for health insurance is not to exceed \$985.03.

**Mr. Smith** stated it is actually \$984.15. This is changed in the copies for signature.

**9. Resolution No. 10-049 Approving a Collective Bargaining Agreement between Teamsters 252 representing the Supervisors Group.**

**Mr. Smith** stated this contract is the same and remains status quo. The primary issues are due to economic issues. We maintained the insurance rate that was offered in 2009 and they have settled at the same rate for 2010 which is \$857.97.00. He noted that all three of the contracts include a step increase and no COLA's.

**Commissioner Averill** noted that the numbers are different because of bargaining with different units of the Teamsters 252.

**10. Resolution No. 10-050 Approving a Collective Bargaining Agreement between Teamsters 252 representing the Combined Group.**

**Mr. Smith** stated this contract was on a two tiered rate structure and now will be on a single composite rate structure. That rate is \$839.03.

**Commissioner Grose** stated he appreciates the efforts of the bargaining teams and the unions recognizing the plight of the financial situation in the County. He appreciates the efforts of the team and the union's willingness to recognize the situation as it is and work with us on it.

Motion carried 3-0

**Bid Opening**

**Bid Opening**

**Newaukum Bridge Replacement Project**

**Chairman Schulte** announced the bid opening.

**Rod Lakey, Public Works** went over the project specifications. The Engineers Estimate for this project is \$3,246,220.60. There were two addendums with this project. There is also a Disadvantaged Business Goal (DBG) on this project of 5%. All bidders must submit their DBG utilization form with their proposals.

<b>Contractor</b>	<b>Address</b>	<b>Amount</b>
Vetch Construction, LLC	Camano Island, WA	\$2,396,956.61
Scarsella Bros, Inc	Seattle, WA	\$2,189,788.25
Rognlin's Inc	Aberdeen, WA	\$2,153,027.65
Construct Company	Sumner, WA	\$2,792,257.00
Granite Const. Company	Tumwater, WA	\$2,728,714.15
Quigg Bros, Inc	Aberdeen, WA	\$2,377,884.00
Nutter Corporation	Vancouver, WA	\$3,035,436.22
Five Rivers Const., Inc	Longview, WA	\$2,872,642.08
Mowat Const Company	Clackamas, OR	\$2,573,374.10
Oregon St Bridge Company Co.	Stayton, OR	\$2,806,442.00
2KG Contractors, Inc	Milwaukie, OR	\$2,629,321.00
Rodarte Const. Inc	Auburn, WA	\$2,863,362.00
C.A. Carey Corporation	Issaquah, WA	\$2,894,609.40

**Mr. Lakey** stated since this has DBG, this bid has to be looked at by Local Programs. We hope to bring back an award in two weeks.

**Hearing**

**Hearing**

**Franchise to AT&T Corporation**

**Chairman Schulte** announced the hearing and asked for a staff report.

**Larry Unzleman, Public Works** stated this hearing is to consider granting a Telecommunications License to AT&T for use of a portion of Highway 603 right of way north of Winlock. This license will renew the rights of AT&T Corporation to occupy a Highway 603 right of way.

**Commissioner Averill** asked if this is a renewal and if the old term expired

**Mr. Unzleman** stated is a renewal and the term has expired.

**Commissioner Averill** stated this is a non-exclusive use franchise. The term is for five years.

**Chairman Schulte** asked if there were any other questions. There was none. He closed the question and answer portion of the hearing and opened the formal hearing.

**Mr. Unzleman** asked that his comments be adopted into the record.

**Chairman Schulte** asked if there was anyone who wanted to speak for or against Resolution No. 10-051. There was no one.

**Commissioner Averill** moved to approve Resolution No. 10-051. **Commissioner Grose** seconded the motion. Karri Muir, Clerk of the Board read the item into the record.

Motion carried 3-0

<b>Hearing</b>
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**Hearing**

**Open Space Land Classifications**

**Chairman Schulte** announced the hearing and asked for a staff report.

**Dianne Dorey, Lewis County Assessor**, stated they are presenting various parcels to transfer between Designated Forest Land and Open Space Farm and Ag to Open Space Timber. These are done periodically to bring people into compliance with the Open Space Timber Program, over which the BOCC has authority to grant transfers. She noted there are a few parcels with less than five acres, which is what is required to be in the program, because they are being added to acres that are already in the program.

**Commissioner Averill** stated there is an anomaly in the laws which create two or three different forms of timber programs. The Assessor's Office Association has been working with the State Legislature for several years to try to end this anomaly. There may be people that are confused when they hear about Forest Lands of Long Term Commercial Significance and Timber Land Programs and trying to figure out what is the difference. The difference is just size of acreage.

**Ms Dorey** stated that is correct. One of the reasons we are trying to combine the programs is that the Assessor has the authority to grant the Designated Forest Land Program, which are 20 acres and above and the BOCC has the authority to grant those between 5-19.99 acres.

**Commissioner Averill** stated we had an audit by the DOR and discovered that the BOCC did not have the authority over certain types of Open Space Land Designations, except for Open Space Timber. That is why we are holding today's hearing.

**Chairman Schulte** asked if there were any questions. There were none. He closed the question and answer period and opened the formal hearing.

**Ms. Dorey** asked that her comments be adopted into the record.

**Chairman Schulte** asked if there was anyone who wanted to speak for or against resolution No. 10-052. There was no one. He closed the hearing and asked for a motion to adopt Resolution 10-052.

**Commissioner Averill** noted that he asked Community Development check the land use designations against our formal land use designations. All of these are appropriate.

**Commissioner Grose** made a motion to approve Resolution No. 10-052.

**Commissioner Averill** seconded the motion. Karri Muir, Clerk of the Board read the item into the record.

Motion carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:59 am on February 22, 2010. The next public meeting will be held Monday, March 1, 2010, 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

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**ATTEST:**

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P.W. Schulte, Chairman

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Clerk of the Board  
Lewis County Commissioners

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Ron Averill, Commissioner

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F. Lee Grose, Commissioner