

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
August 23, 2010**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, August 23, 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 Grose** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, August 16, 2010. **Commissioner Averill** seconded the motion.

Motion carried 3-0

<b>PUBLIC COMMENT</b>
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Don Freeman, Chehalis, WA spoke in favor of a Noise Ordinance in Lewis County. He submitted written testimony and a copy of the Cowlitz County Noise Ordinance.

Ron Nilson, Mineral, WA opposes the Commissioners stand point on the development of 2200 acres of land in the Mineral Lake Area. He submitted a letter dated August 20, 2010. He also noted that this was not his testimony from this morning's meeting. He would prepare that and provide it to the BOCC at a later time. **Commissioner Grose** and **Schulte** both let Mr. Nilson know that the Lewis County Board of County Commissioner's support the land rights of property owners. They will not interfere with how people want to develop their land.

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

**1. Notice of Intent: Regarding the necessary acquisition of right of way of additional Cline Road right of way for slide repair. Resolution No. 10-207**

**Larry Unzelman, Public Works**, Resolution 10-137, passed by the Board of County Commissioners on June 7, 2010, instructed the County Engineer to acquire all necessary rights of way for the slide repair on Cline Road. The ownership of the additional right of way needed for the slide repair project is currently identified on Assessor's records as unknown. After researching the title the ownership has been determined to be vested in the Cowlitz River Development Company. The president of the company was contacted and he informed Lewis County that the company is no longer active and that it was made up of numerous shareholders with varying interests, about which he has no information.

After consulting with the Prosecutor's Office it was determined that the only available option is to initiate condemnation which will include publication of the County's intent

to acquire the property. RCW 8.25.290 requires notice of planned final action (condemnation) be given by publication once a week for two successive weeks and every property owner of record shall be notified by certified mail fifteen days before the final action. The notice must also describe the date, time, and location of the final action at which the potential condemner will decide whether or not to authorize the condemnation of the property. The attached resolution would direct the Public Works Department to give required notice of final action. After these requirements have been met, a resolution notifying the Board of such will be presented with a recommendation to authorize condemnation on September 13, 2010.

Motion carried 3-0

<b>CONSENT</b>
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**Commissioner Grose** made a motion to approve Consent Agenda items two through six. **Commissioner Averill** seconded the motion. Karri Muir, Clerk of the Board read the items into the record.

**2. Resolution No. 10-208                      Approval of warrants and payroll for payment.**

**Commissioner Averill stated** this resolution approves 196 warrants issued by the Auditor's Office for a total of \$1,573,412.86; and, approves 285 payroll/benefits warrants issued by the Auditor's Office for a total of \$244,426.00 (including automatic deposits).

**3. Resolution No. 10-209 Approving an inter-agency agreement between Lewis County, Lewis County Noxious Weed Control Board and the State Department of Agriculture for the management of invasive knotweed species.**

**Bill Wamsley, Weed Extension** stated this resolution is for continued work on the Chehalis and Cowlitz Rivers. The amount of the funding is \$35,686.00.

**Commissioner Averill** asked if this was a long-term agreement. He also asked if the Nisqually River has this type of work being done on it.

**Mr. Wamsley** stated the Department of Agriculture authorizes these funds every year. The Pierce County Conservation District and the Pierce County Noxious Weed Board take care of the Nisqually River.

**4. Resolution No. 10-210                      Approving a modification to a participating agreement with the US Forest Service, Gifford Pinchot National Forest for noxious weed education.**

**Bill Wamsley, Weed Extension,** stated this funding was approved by the USFS Resource Advisory Committee.

**Commissioner Averill** asked if this was also a continuation of funding.

Mr. Wamsley stated it was.

**5. Resolution No. 10-211 Election related to the allocation and use of funds under Public Law 106-393 (Title III Funding).**

**Commissioner Grose** stated this resolution approves the Lewis County election in regard to allocation of Title II & III funding under the Secure Rural Schools and County Self Determination Act of 2000 (P.L. 106-393). The County opts to return no funds and to allocate 11% of the project funds for Title II projects; and, 4 % of the project funds for Title III projects. Federal Law requires the county to decide how Title II & III funds will be allocated annually. Notification is made of the election to the Washington Association of Counties, who will submit the information to the Governor of the State of Washington and the Supervisor of the Gifford Pinchot National Forest. He also noted that with this funding, fire equipment has been bought for almost every Fire District in East Lewis County. This is supposed to be the last year for this funding, but Commissioners and School Districts are working to secure the funding for future years.

**6. Resolution No. 10-212 Approving a grant agreement with the City of Chehalis to accept Distressed Counties funding.**

**Commissioner Grose** stated this resolution approves a grant agreement between Lewis County and the City of Chehalis to provide \$20,000.00 of Distressed Counties (.09) funding for the repair and expansion of the Market Boulevard Irrigation System project. The application was recommended for approval by the Distressed Counties/Rural Economic Development Public Facilities Advisory Committee.

**7. Resolution No. 10-213 Approving a form of a contingent loan agreement with the LC Public Facilities District.**

**Rose Bowman, Lewis County Treasurer,** stated the loan agreement continues to be negotiable until finalized. The Public Facilities District (PFD) went out with an RFP to build a building for the Events Center. Because the PFD is a new entity they do not have a financial history that would allow them to sell a bond. They need someone to stand behind them in order for them to do this. Lewis County is going to back their bond. This resolution will approve the loan agreement and back the bonds.

**Commissioner Averill** stated we are offering the County's credit rating to get a better rate on the bonds. He also noted that the PFD has a special revenue source; they receive a portion of the state sales tax collected in all of Lewis County. This is how the bond debt will be repaid. No expenditures from Lewis County Operating Funds are anticipated.

**Ms. Bowman** pointed out that the PFD has minimal expenses.

Motion carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:45 a.m. on August 23, 2010. The next public meeting will be held Monday, August 30, 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

**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