

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
December 20, 2010**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, December 20, 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, December 13, 2010. **Commissioner Averill** seconded the motion.

Motion carried 3-0

CONSENT

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

1. Resolution No. 10-323 Approval of warrants and payroll for payment.

Commissioner Averill stated this approves 183 warrants issued by the Auditor's Office for a total of \$641,018.95. Also, approves 265 warrants for draws on County Net Pay for a total of \$228,066.00.

2. Resolution No. 10-324 Adoption of a Health Savings Account Section 125 Cafeteria Plan.

Julie Fitzpatrick, Auditors Office, stated the County is making available to county employees a High Deductible Medical Plan for 2011. The employees who select the High Deductible Plan may elected to fund their own Health Saving Account (HSA). This resolution adopts and approves the HSA cafeteria plan under section 125 of the Internal Revenue Code 19.86 as amended to come effective January 1, 2011 pursuant to the adoption agreement and related plan documents.

3. Resolution No. 10-325 Establishing Capitalization level for intangible and tangible assets.

Suzette Smith, Auditors Office, stated this Resolution establishes capitalization levels for intangible and tangible assets for the Governmental Accounting Standards GASB statement number 51, effective for Lewis County on January 1, 2011. It will also rescind Resolution No. 01-454 that established the capital asset level at \$5,000.00 for Lewis County. The intangible capital asset level proposed is \$500,000.00, the tangible capital asset level proposed is \$5,000.00, and the infrastructure asset level proposed is \$50,000.00.

Commissioner Schulte asked Suzette to explain further as to what this means.

Suzette Smith stated intangible capital assets are copy rights, patents, and software internally created or externally purchased. There was confusion in the language of the prior GASB Statements and Statement 51 clears this up. Tangible assets are the buildings and structures and infrastructure are our roads, bridges, and tunnels.

Commissioner Averill stated we did have one of these covered previously in Resolution No. 01-454 so we are now rescinding the old and doing a new resolution which has both tangible and intangible assets plus infrastructure assets. GASB also requires establishing a policy for small and attractive assets which we already have in Resolution No. 02-494.

4. Resolution No. 10-326 Approving the mileage rate for 2011.

Commissioner Averill stated this approves a change in the mileage reimbursement rate from \$0.50 per mile to \$0.51 per mile for Lewis County employees who drive their privately owned vehicle on approved county business. This rate is consistent with the new rate established by the Internal Revenue Service for federal employees. The new rate is effective January 1, 2011.

5. Resolution No. 10-327 Cancellation of a warrant.

Suzette Smith, Auditors Office, stated this approves cancellation of four Auditor Office warrants, valued at a total of \$4,518.98, which were lost or destroyed and authorizes their reissue.

6. Resolution No. 10-328 Approval of medical rates paid by Lewis County for non-union employees for 2011.

Commissioner Averill stated this Approves the rate Lewis County pays as the employer's contribution for medical and dental fees for non-union full time and eligible part time county employees in an amount not to exceed \$835.00 toward 2011 insurance premiums. The employer's contribution for union contract employees is negotiated separately. Some of those contracts are less than the \$835.00; this does not raise those contracts they were set by the negotiation.

7. Resolution no. 10-329 Re-appointing a member to the Pacific Mountain Workforce Council.

Commissioner Averill stated this approves the reappointment of Bob Guenther (Chehalis) to a new two year term on the Pacific Mountain Workforce Council (PMWC) with a term expiring on December 31, 2012. The PMWC manages workforce training and employment opportunities for residents in Lewis, Thurston, Mason, Grays Harbor and Pacific Counties. Lewis County has five representatives on the PMWC.

8. Resolution No. 10-330 Re-appointing members to the Lewis County Planning Commission.

Robert Johnson, Community Development, stated this resolution approves the re-appointment of Mike Mahoney and Arne Davis to the Lewis County Planning Commission for four year terms. Both terms are set to expire at the end of the year. Mike Mahoney represents District 1 and Arne Davis represents District 2 on the Planning Commission.

9. Resolution No. 10-331 Amendment to the 2011 Salary Grid.

Dawna Truman, Budget Office, stated she is requesting an amendment to the 2011 Salary Grid. When the Salary Grid was originally passed during our 2011 budget adoption we overlooked the minimum wage which needed to be added under Step C on the casual help grid at \$8.57.

10. Resolution No. 10-332 Approving the Prosecuting Attorney to represent the Lewis County Sheriff in a litigation case.

Paulette Young, Risk Office, stated this resolution approves a request for litigation defense and indemnification for Sheriff Steve Mansfield.

Commissioner Averill stated this approval is with the exception of and subject to review in the event of any award of punitive damages, based upon actions taken during the course and performance of his duties as sheriff. The Lewis County Prosecuting Attorney is hereby requested and authorized to provide legal defense in accordance herewith and the Lewis County Risk Manager, pursuant to RES 10-151, is authorized to serve as adjuster for this complaint.

11. Resolution No. 10-333 Approval of assigning County Road Project numbers.

Rod Lakey, Public Works, stated pursuant to RCW 36.75.050, the Board of County Commissioners shall by resolution, and not otherwise, order the survey, establishment, construction, alteration, or improvement of county roads; the county road engineer shall prepare all necessary maps, plans, and specifications; therefore, showing the right-of-way widths, the alignments, gradients, and standards of construction. The projects proposed are;

CRP 2160 Countywide 3R Program

CRP 2161 Countywide Miscellaneous Safety & Guardrail Program

CRP 2162 County Road Safety Program

All county road projects scheduled for construction in 2011 have been adopted as part of the 2011-2016 Six Year Transportation Improvement Program, by Resolution 10-295 on November 15, 2010. The signing of the attached resolution will establish official County Road Project (CRP) numbers for the preliminary engineering, right-of-way, and construction improvements of those projects that are new under the 2011-2016 Six Year Transportation Improvement Program.

12. Resolution No. 10-334 Approving an agreement with WS DOT for a Title VI Non-Discrimination Agreement.

Tim Elsea, Public Works, stated this Resolution directs the County Engineer to sign and prepare all reports necessary to keep Lewis County in compliance with the Title VI Non-Discrimination program established with the Washington State Department of Transportation. The federal government requires each local agency that receives federal funds to establish a Title VI Non-Discrimination Program (49 CFR Part 21 and 23 CFR 200). Lewis County established this program with the Washington State Department of Transportation (WSDOT) under Resolution No. 06-061 on February 13, 2006. WSDOT is now asking for an updated agreement.

Commissioner Averill stated this principally provides that disadvantaged business under federal funded contracts will be afforded full opportunity to submit bids in response to an invitation and will not be discriminated against on grounds of race, color, national origin, or sex.

Tim Elsea stated it also assures that they will not be discriminated against regardless of whether those programs are federally funded.

13. Resolution No. 10-335 Approving an extension to a personal service agreement with Comstor Productivity Center, Inc.

Larry Unzelman, Public Works, stated The County entered into a Personal Services Agreement with Comstor Productivity Centers, Inc. on January 5, 2009, scheduled to terminate after one year. The agreement is to provide services to digitally image important historical documents, drawings, maps and other large format documents to increase access and usability of the data. The work was not completed and the agreement was extended through January 5, 2011 to complete the work. Although the project is substantially complete, the need remains for miscellaneous scanning. This proposed extension to the agreement would extend the agreement through January 5, 2012. Work shall not exceed a total cost of \$5,000 during the term of this extension. The extension is signed by Comstor Productivity Centers, Inc. and the Public Works Director/County Engineer. This resolution would ratify the signature of the Public Works Director/County Engineer.

Commissioner Averill stated this work is to prepare documents for archive records.

14. Resolution No. 10-336 Approving a contract with the WA State Department of Commerce.

Michaëlle Sorlie, Social Services, stated this is a contract between Lewis County and the WA State Department of Commerce to provide homelessness prevention assistance. The funds under this program are intended to target individuals and families who would be homeless but for this assistance. These funds are American Recovery and Reinvestment Act funds (ARRA). This is a budget amendment; this contract is already in place but funds are being moved from one category

(prevention financial assistance) to another to reflect actual money spent in a past year.

Commissioner Averill stated there is no increase or decrease of funding; we are simply moving money from one fund to another.

15. Resolution No. 10-337 Approving the Lewis County Combined Unit represented by Teamsters 252 to modify their Health and Welfare Insurance.

16. Resolution No. 10-338 Approving the Lewis County Assessor's Unit represented by Teamsters 252 to modify their Health and Welfare Insurance.

17. Resolution No. 10-339 Approving the Lewis County Juvenile Detention Unit represented by Teamsters 252 to modify their Health and Welfare Insurance.

Archie Smith, Human Resources, spoke on items 15, 16, and 17 stating item 15, Resolution No. 10-337 Approving the Lewis County Combined Unit represented by Teamsters 252 to modify their Health and Welfare Insurance. Item 16, Resolution No. 10-338 approving Lewis County Assessor's Unit represented by Teamsters 252 to modify their Health and Welfare Insurance. Item 17, Resolution No. 10-339 Approving the Lewis County Juvenile Detention Unit represented by Teamsters 252 to modify their Health and Welfare Insurance.

Through the collective bargaining process all three of these groups have requested and been approved by the BOCC in a meeting to look at and move their insurance provider from WCIP/WCIF to either the Teamsters Welfare Trust or Teamster UEFT. There is no increase to the existing contracts because the contracts have a maximum employer contribution each one being distinct in each contract. However, the Teamsters plans does have a rule, in which, there is no option to opt out. This could result in a budgetary increase on some departments or programs. Example, the combined unit has a couple of people who are not enrolled in the insurance plan for 2010. If they do not enroll in the insurance plan for 2011 it could be a cost savings, under the Teamsters plans they have to enroll and the County has to pay for everybody whether they are in the plan or not.

18. Resolution No. 10-340 Declaration of surplus property.

Michael Strozyk, Central Services, stated quarterly Lewis County declared property in the County as surplus under Lewis County Code 3.30. The fourth quarter surplus is 120 items, all having value of less than \$2,500.00. By declaring the items surplus it allows the county to move them around within the county and also to other Governmental entities and non-profit organizations. Lewis County Code 3.30 covers surplus property disposal and how the BOCC has to declare it.

Motion carried 3-0

HEARING: 2010 5th BUDGET AMENDMENT

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

Dawna Truman, Budget Office, stated the 5th 2010 budget amendment has been published in the East County Journal on December 8th and 15th.

CURRENT EXPENSE:

Revenue: \$9,900

Expenditures: \$738,886

Fund balance: \$(728,986)

- **Treasurer:** \$7,200.00 Increasing expenditures and use of fund balance to cover increased costs for inter-fund postage, travel and banking fees. Increasing expenditures for bonds and insurance to pay the Treasurer's Bond for 2011 (the invoice needs to be paid before Dec 31, 2010).
- **Superior Court:** \$8,000.00 Increasing expenditures and use of fund balance to cover increased costs for professional services and \$41,843.00 increasing expenditures and use of fund balance for extra help and legal jurors due to an increased number of trials.
- **District Court:** \$9,900.00 Increasing expenditures and increasing revenue for an Administration Office of the Courts (AOC) grant that will allow District Court to purchase 11 desktop computer and monitors.
- **Indigent Defense:** \$165,000.00 Increasing expenditures and use of fund balance for professional services to cover costs associated with Indigent Defense.
- **Sheriff:** Change in line items, BARS account correction from the 3rd budget amendment.
- **Coroner:** \$11,943.00 increasing expenditures and use of fund balance for extra help, supplies and professional services due to an increase in call volume and complex cases.
- **Transfers:** \$10,000.00 increase transfer out to Fund 121 for planning services provided by the Cowlitz- Wahkiakum Council of Government (CWCOG).
\$25,000.00 increasing transfer out to Fund 310 for ADEPT final module.
\$150,000.00 increase transfer out to Fund 121 to cover non-permit related planning services. \$100,000.00 Increase transfer out to Fund 190 due to a timing issue with reimbursable grants. \$139,996.00 increase transfer out to Fund 507 due to expenses for a 2007 flood project at the Southwest Washington Fair. Facilities will receive Insurance funds for the paving project. When insurance funds are received they will be transferred back into the Current Expense Fund. \$70,004.00 increase transfer out to Fund 507 due to unanticipated expenses on multiple buildings

OTHER FUNDS:

Revenue: \$808,794.00

Expenditures: \$611,872.00

Fund balance: \$196,922.00

- **Treasures O&M:** \$19,718.00 increasing expenditures, increasing revenue and use of fund balance due to an increase in costs due to the number of delinquent parcels. Overtime for the revenue supervisor at the Southwest Washington Fair was higher than anticipated.
- **Community Development Fund 121:** \$10,000.00 increasing revenue and expenditures for South County Utility Planning. Planning services will be provided by the Cowlitz-Wahkiakum Council of Government (CWCOG). \$150,000.00 Increasing expenditures for planning services and increasing transfer in from Current Expense.
- **Distressed Counties Fund 130:** \$50,000.00 increasing expenditures and use of fund balance for grant award to the City of PeEll from .09 funds including construction of a gazebo and street lights to promote tourism.
- **Community Development Block Grant Fund 140:** \$312,654.00 increasing revenue and expenditures for Community Development Block Grant for the Lewis County Water District #1 water system improvements. Project costs and grant has increased significantly since the original grant award in 2007. Change to noticed amount added \$92,654 to revenue and expenditures.
- **Public Health Fund 190:** \$2,500.00 increasing expenditures for extra help and use of fund balance. The Clinic nurse will be on extended leave therefore a casual Nurse will be brought in to cover the clinic for the remainder of 2010, the casual Nurse will also be assisting with ARRA immunization duties due to lack of staff. \$100,000.00 Increasing transfer in from Current Expense due to timing issue on reimbursable grants.
- **Capital Facilities Plan Fund 310:** \$25,000.00 increasing transfer in from Current Expense for ADEPT final module. ADEPT is the permitting system used by Community Development, Public Works and Public Health.
- **ER&R Fund 501:** \$26,000.00 increase expenditures and use of fund balance for a sick and vacation payout that was not budgeted. \$16,000.00 increase expenditures and use of fund balance to replace two fuel pumps at area road shops.
- **Facilities Fund 507:** \$139,996.00 increase transfers in from Current Expense by \$139,996.00 due to an increase in expenditures for a paving project at the SWWF. The repair was needed due to damage from the 2007 flood. Insurance funds will be received for this project, when these funds come in they will be transferred out to Current Expense for the amount that was loaned to cover the project in this budget amendment. \$70,004.00 increase Transfer in to cover unforeseen expenses on multiple buildings.
- **Vader Water System Fund 623:** Change in line items only, the budget for 623 was originally set up to include Interfund charges but after further review by the Auditor's Office it was decided that there should be no Interfunds charged to an Agency Fund. These budgeted amounts will be moved to the corresponding line items that are not considered Interfund account numbers.

ALL FUNDS: NOTICED AMOUNT

REVENUE: \$724,900.00

EXPENDITURES: \$ 1,258,104.00

FUND BALANCE: \$533,204.00

**Changes –\$1,140.00 increase in revenue for Treasurers O&M for reimbursable salaries for the revenue supervisor at the Southwest Washington Fair.
\$92,654.00 increase in revenue and expenditure in Fund 140 CDBG**

ALL FUNDS: FINAL AMOUNT

REVENUE: \$818,694.00

EXPENDITURES: \$1,350,758.00

FUND BALANCE: \$532,064.00

Commissioner Grose asked regarding the use of the fund balances, how much is recoverable in the form of insurance payments.

Dawna Truman stated \$139,996.00 is reimbursable from an insurance payment. When that money comes back it will be deposited into the facilities fund and then transferred back into current expense.

Chairman Schulte 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.

Dawna Truman asked that her previous comments be adopted into the record.

Chairman Schulte asked if there were any other statements for public testimony. There were none. He closed the hearing and asked for a motion to approve Resolution No. 10-341.

Commissioner Grose made a motion to approve Resolution No. 10-341.

Commissioner Averill seconded the motion. Candace Hallom, read the item into the record.

Resolution No. 10-341 Lewis County 2010 Budget, Emergency and Supplemental Appropriations to and Transfers within Current Expense and Various Funds.

Commission Averill stated this has been a real moving target in the last couple of month. He thanked the budget and finance office for their diligence in this process.

Motion Carried 3-0

<p>HEARING: ORDINANCE 1220 ADOPTING OF INTERNATIONAL BUILDING CODES</p>
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Chairman Schulte announced the hearing and asked for a staff report.

Robert Johnson, Community Development, stated The Washington State Building Code Council (Council) adopted the International Building Code (IBC) in 2009 and then amended them. The 2009 IBC has been incorporated into the Revised Code of Washington, which local governments are required to incorporate into their development codes as adopted by ordinance. The County noticed this

public hearing on November 29, 2010 and has copies of the code and amendments on record with the County Auditor. This ordinance adopts by reference the Building Code, Residential Code, Plumbing Code, Fire Code, and Mechanical Code as well as any appendixes by the County. We are adopting Appendix G, dealing with residential swimming pools, spas, and hot tubs and Appendix J, which is part of the building code relative to grading. This also amends Lewis County Code 15.05, amending the date and any references changing it from the 2006 to the 2009 version.

Commissioner Grose stated there are further restrictions in this with regard to burning in the County that he does not care for. He does not favor anything that allows for abuse of the citizens of this County with regard to the ability of one person to make decisions giving them all the authority and power, such as the chief building officer. It opens up a situation that we try to prevent in most of our codes and laws.

Commissioner Averill asked who in the State adopted the Code.

Fred Chapman, Community Development, stated the Legislature adopted the Code making it affective July 1, 2010. Our adoption of the Fire Code is the County's version amended back in 2003. We did not adopt the administrative elements of the Fire Code. We still administer the burning regulations in our programs for fire and burning under the County's adopted version.

Commissioner Grose stated there are no problems with the person in the position currently. The concerns is the next person who is in that position we may have a problem with. He asked what could happen if the County did not adopt this.

Fred Chapman stated there could be impact monetarily; the State mandated back in 2003 that all cities, municipalities, and Counties adopt the model codes. It was an effort to bring standardization into the process.

Chairman Schulte 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.

Robert Johnson asked that his previous comments be adopted into the record.

Chairman Schulte asked if there were any other statements for public testimony. There were none. He closed the hearing and asked for a motion to approve Resolution No. 10-342.

Commissioner Averill made a motion to approve Resolution No. 10-342.

Commissioner Grose seconded the motion. Candace Hallom, read the item into the record.

Ordinance No. 1220 An Ordinance of the County of Lewis, Amending Portions of Ch. 15.05 of the Lewis County Code, Adopting the 2009 Edition of the International Building Code, and Repealing all Other Ordinances and Code Provisions or Parts Thereof in Conflict Therewith.

Motion Carried 2-1

There being no further business, the Commissioners' public meeting adjourned at 10:52 a.m. on December 20, 2010. The next public meeting will be held Monday, December 27, 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:

P.W. Schulte, Chairman

Clerk of the Board
Lewis County Commissioners

Ron Averill, Commissioner

F. Lee Grose, Commissioner