

PA Update

May 21, 2019

2 p.m.

Present: Commissioner Jackson, Commissioner Stamper, Commissioner Fund, David Fine, Jonathan Meyer, Eric Eisenberg, Sara Wibowo, Amber Caulfield, Janelle Kambich, County Manager Erik Martin, Wayne Whiton, Becky Butler

Guest: Dr. Lindsey Pollock

Recorder: Rieva Lester

Jonathan Meyer discussed staffing. He said he has two ITA positions open: a paralegal and a DPA.

Eric Eisenberg discussed the agenda for the meeting.

Commissioner Stamper made a motion to strike the word "open" from the agenda for the May 21, 2019, PA Update.

Commissioner Fund seconded.

Motion passed 3-0.

Eric said he has spoken with Great Rivers Behavioral Health Organization (GRBHO) regarding the ITA contracts. He said GRBHO has proposed paying a higher case rate. He said Superior Court has signed off on the contract. Eric suggested ratifying the contract amendment via resolution.

Eric said an affiliate of US Cellular is interesting in leasing a portion of the fairgrounds for a cell tower. He said his office and others are reviewing a proposed offer.

Eric said the Skookumchuck project is negotiating an agreement to cross a county road (***) Big Hanaford***) and also will be beginning the permit process for grading.

Eric said he is working with Community Development regarding woman who is seeking quick turn-around regarding a permit for an accessory dwelling unit (ADU).

Eric clarified that fixing the Toledo Senior Center's doors as a repayment of the overpayment would not be a gifting of public funds.

Eric discussed amending the contract with the Lewis County Seniors Board.

David Fine discussed a proposed update to the defense and indemnity resolution and outlined the changes it would include, such as broadly defining who would be covered, decreasing the time in which the individual would have to alert the county of the summons, etc.

David noted that court judges are state employees, not county employees.

David discussed defense and indemnification and civil penalties related to Open Public Meeting Act (OPMA) violations.

David suggested using a “Chinese wall” regarding discussions surrounding the scope of the County Manager’s authority, having legal representation for the board separate from the legal representation for Erik as the commissioners and Erik outline the County Manager’s delegation of authority.

Jonathan said the Law and Justice Committee is mandatory and that a county commissioner is required to participate in the Law and Justice Committee. However, he said, commissioners can identify a representative. Jonathan said he would ask WAPA to consider legislation to make it non-mandatory. Jonathan noted that Chief Nielsen leads the group, which hasn’t met in two or so years.

Jonathan left at 2:47 p.m.

Amber Caulfield discussed the proposed dissolution of two special purpose districts.

Erik left at 2:48 p.m.

Amber said the next step regarding the proposed dissolution would be to have a public hearing no later than Sept. 1. She noted that the notice of the hearings also must be posted within the diking districts.

Erik returned at 2:49 p.m.

Amber said Thurston County also would have to be notified regarding the diking drainage district.

Amber said the Joint Diking District (Hanaford) requested the dissolution, whereas the Auditor’s Office presented the Davis Lake Drainage District due to inactivity.

Amber said an annexation regarding the Davis Lake district failed. She noted that there is a very small number of individuals qualified to sit on that district’s board – only the owners of the 20 original parcels.

Amber said Vader has supplied a proposed District Court contract. She said Vader’s attorney has proposed having Vader pay no fees to the courts or PA’s Office and in exchange District Court would be the entity to collect any monies that would come from the cases. Amber said language regarding active cases still needs to be clarified.

Amber said Vader has seen 14 cases during its two high-mark years but averages seven per year.

David left at 3:07 p.m.

Commissioner Stamper said a citizen has concerns about a potential sale of a blueberry farm to the Tribe. Cullen noted that GE Toledo still owns the property in question.

Commissioner Fund asked what the process would be for a fireworks ban. Erik said he believes state law allows for local jurisdictions to ban fireworks but that he believes it requires at least a year’s notice.

Eric discussed a letter the Cowlitz Indian Tribe had sent regarding PacifiCorp and Cowlitz PUD. He said he would reach out to PUD Manager Chris Roden for background information.

At 3:22 p.m., Commissioner Jackson announced that the Board was going into Executive Session under RCW 42.30.110(1)(i) for 10 minutes to discuss any relevant Cortland / Hupy / Green litigation.

Executive Session ended at 3:32 p.m. Commissioner Jackson announced that no decisions had been made.

Meeting ended at 3:33 p.m.