

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
November 23, 2015**

The Board of County Commissioners (BOCC) for Lewis County, Washington, met in regular session on Monday, November 23, 2015, at 10:00 a.m. **Commissioners Edna J. Fund, Gary Stamper, and P.W. “Bill” Schulte** were in attendance. **Chair Fund**, called the meeting to order, determined a quorum, and proceeded with the flag salute. **Commissioner Stamper** moved to approve the minutes of the 10:00 a.m., Monday, November 16, 2015 Business Meeting. **Commissioner Schulte** seconded the motion.

Motion carried 3-0.

Notice

Commissioner Schulte moved to approve Notice Agenda item one. **Commissioner Stamper** seconded the motion.

- 1. Notice of Hearing: Regarding the necessary acquisition of additional road right of way for the Highway 603 Stabilization Project. Hearing will be held on or after 10:00 a.m. on December 14, 2015. Resolution No. 15-332**

Tim Elsea, Director of Public Works, stated that the Lewis County Transportation Improvement Plan(TIP) includes the Highway 603 Stabilization Project. On February 24, 2014, the Board of County Commissioners (BOCC) passed Resolution 14-066, instructing the County Road Engineer to acquire all necessary right of way for the Highway 603 project under its eminent domain authority. Offers to acquire additional right of way were made to all owners of land required for the project. The original property owner was in agreement, however title clearing delayed the transaction and it was never finalized. The property has since gone into foreclosure, and negotiations with the new owner, Wilmington Savings Fund Society, have not been successful. The County and this property owner have reached an impasse for acquisition of the necessary right of way, and the only available option is to initiate condemnation. RCW 8.25.290 requires that notices and publications be made prior to the BOCC taking final action to authorize condemnation of the property. This resolution instructs the Public Works Department to proceed with all necessary notifications and publications required by RCW 8.25.290; then report back when requirements are met, at which time, authorization of condemnation will be considered.

Motion carried 3-0.

Consent

Commissioner Schulte moved to approve the Consent Agenda items two through ten. **Commissioner Stamper** seconded the motion.

2. Resolution No. 15-330 Extending deadline to petition to the Lewis County Board of Equalization.(tabled from November 9, 2015)

Commissioner Schulte, stated the current deadline to petition the Board of Equalization (BOE) is thirty days. This resolution will extend the deadline to petition to sixty days. The BOCC looked into this and with the date that the tax assessments are coming out, the BOCC believe that the citizens of Lewis County should have an adequate amount of time to appeal their assessments, if they choose to do so. When you push the tax assessment mailings out till December what you do in effect is compress the time that is available to petition. Commissioner Schulte counted out the calendar days and with holidays, weekends, and a couple days that people take for travel there would only be 15 days available that citizen can turn petition into BOE office in December. If we extend it another 30 days what we do is add another 20 days for citizens to appeal their property taxes. January has two holidays and eight weekend days. So if we extend this for the good of the people of Lewis County we in affect allow them 35 days that BOE office will be open to accept applications for the appeal process.

Commissioner Stamper, stated that he attended a conference last week and had the opportunity to discuss the matter with other Assessors, budget people as well as Treasure's from other counties and they indicated that passing this would have very little affect, if any to anyone.

3. Resolution No. 15-333 Approving an agreement with the WA State Office of Public Defense

Commissioner Fund, stated this resolution is to approve an agreement between Lewis County and Washington State Office of Public Defense for Public Defense Improvement Funds in the amount of \$96,165 for use in the calendar year 2016.

4. Resolution No. 15-334 Approval of warrants for payment

Suzette Smith, Chief Accountant for Finance Office, stated that this resolution approves warrants 736014-736105 (92 regular warrants) be approved for a total payment against the County in the amount of \$221,162.08.

5. Resolution No. 15-335 Authorizing the intial placement of a casual Assistant Planner on the Salary Grid

Archie Smith, Human Resource Administrator, stated due to the vacancy of a technical position in the Lewis County Community Development Department, the Director of Community Development is requesting to hire a casual Assistant Planner. The Lewis County Salary Grid (13 Step M Grid) maximum pay for a casual employee would not be competitive to hire a skilled assistant planner. The Director of Community Development is requesting that the Casual Assistant Planner be placed at Grade 14 on the Lewis County Salary Grid (13 Step M Grid.)

6. Resolution No. 15-336 Salary adjustment for non-represented employees.

Archie Smith, stated in July of 2015, Washington State PERS (Public Employees' Retirement System) increased employee contribution by 1.2%. The BOCC will increase the 2015 salary grid for non-represented employees by 1.2%, effective November 1, 2015.

Commissioner Fund, stated this again was something that was done state level.

Archie Smith, stated this was done at state level and was imposed on the county. The County Commissioners nor any other elected official had no option or control over this.

7. Resolution No. 15-337 Approving a MOU with the Association of Lewis County Deputy Prosecuting Attorneys.

Archie Smith, stated a Memorandum of Understanding (MOU) between The Association of Lewis County Deputy Prosecuting Attorneys, representing the Criminal Division of the Prosecutors Office is being presented for approval by the BOCC. In accordance to Section 16.3 Benefits Reopener, the parties have come to an agreement: Effective November 1, 2015, the employees will receive a maximum of \$1,000 per employee per month for health and welfare contribution and a base wage adjustment of 1.2%.

8. Resolution No. 15-338 Bid award for the removal of all structures and debris located at 158 Kennicott Road, Chehalis, WA.

Tim Elsea, Director of Public Works, stated this resolution awards a bid in the amount of \$12,366.00 to T-Jags Trucking and directs the Public Works Department to enter into an agreement. Resolution 15-272, passed September 28, 2015, called for sealed bids for the removal of all structures and debris located at 158 Kennicott Road, Chehalis. Three bids were received that met the bid requirements. A bid from T-Jags Trucking in the amount of \$12,366.00 was the lowest responsible bid received and it appears to be in the public's best interest to accept this bid. This resolution would award the bid in the amount of \$12,366.00 to T-Jags Trucking of Rochester, WA and direct the Lewis County Public Works Department to enter into an agreement for the removal of all structures and debris located at 158 Kennicott Road, Chehalis.

9. Resolution No. 15-339 Executing a contract to fund a new reservoir for the Vader-Enchanted Valley Water System with the Department of Commerce.

Tim Elsea, Director of Public Works, stated this resolution will approve a contract to fund a new reservoir for the Vader-Enchanted Valley Water System with the Department of Commerce (Commerce). Lewis County Public Works made application per Resolution 15-159 for a Community Development Block Grant (CDBG) General

Purpose Grant in May, 2015. The project is to construct a new reservoir for the Vader-Enchanted Valley water system. The project cost is estimated at \$730,000 with \$717,000 from CDBG funding and \$13,000 from Vader Utility Fund 420. Commerce announced award in August 2015 for \$717,000 and the County received the contract on November 4, 2015. Local approval by the BOCC is needed to execute the contract with Commerce and before commencement of engineering and construction. The project may need up to \$13,000 from Vader Utility Fund 420 over the course of the project duration (approximately 3 years). This amount is our local match of primarily project management efforts which is already in the proposed 2016 Budget.

10. Resolution No. 15-340 Approving Contract Amendment No. 1 to Program Agreement No. 1563-42483 with the Department of Social and Health Services(DSHS).

Danette York, Director of Health & Social Services, stated this resolution is to approve Contract Amendment #1 to Program Agreement #1563-42483 between the Department of Social & Health Services (DSHS) and Lewis County. This amendment adds funding for prevention services and provides guidelines for the selected community of Morton. This contract amendment of \$45,600 adds dedicated Marijuana Account funding for prevention services and provides guidelines under the Community Prevention and Wellness Initiative for the selected community of Morton. The Division of Behavioral Health and Recovery (DBHR) contracts with county governments to coordinate, subcontract, and monitor prevention programs at the local level. The contract is effective July 1, 2015 - June 30, 2017.

Commissioner Stamper, asked if this is only for the Morton School District or can surrounding districts benefit?

Danette York, stated that this program is for the Morton School District. The dollars being added to the contract will go under that contract, but we are able to use them throughout the county. We can use it broadly under the Community Prevention & Wellness Initiative (CPWI) grant. We will be requesting to use it for all school districts, not just Morton. Ms. York noted we are in the process of applying for a regional grant through the Washington State Department of Health for more marijuana prevention dollars as well.

Commissioner Schulte, introduced the elected officials that were in attendance at the meeting, Mayor Lonnie Willey from Pe Ell and Council woman Delores Lee from Pe Ell, and we have commissioner Jerry Lux, Chehalis an elected fire commissioner and president of the Fire Commissioners Association.

Commissioner Fund, welcomed and thanked them for being here today.

Motion Carried 3-0.

Hearing

Franchise to operate and maintain telecommunication facilities on County rights of way to Public Utility District No. 1 (PUD No. 1). Resolution No. 15-341

Chair Fund, called for staff report and went over the hearing process.

Tim Elsea, Director of Public Works, stated this resolution will approve a franchise to construct, operate and maintain telecommunication facilities on County rights of way in Lewis County, Washington to Lewis County Public Utility District No. 1 (PUD #1) Lewis County Code 12.20 and RCW 36.55 require that all utility installations on county road rights of way be authorized by a franchise/license from the County. An application for a license has been received from PUD #1 to construct, operate, and maintain telecommunication facilities within county rights of way. A hearing was set by Resolution 15-302 on November 2, 2015 to give all required notices to the public.

Chair Fund, asked if there were any questions.

Ron Averill, Centralia, stated he wanted to clarify that normally when we look at PUD #1 we are thinking of electricity and this particular franchise is for cable network for fiber cable isn't it?

Tim Elsea, stated that is correct.

Chair Fund, closed the question and answer portion of the hearing and opened the formal hearing.

Tim Elsea asked that his previous comments be adopted into the record.

Chair Fund, asked if there was anyone who would like to speak for or against the franchise. There was no one. She closed the hearing and asked for a motion to approve Resolution No. 15-341.

Commissioner Schulte moved to approve Resoluton No. 15-341. **Commissioner Stamper** seconded the motion.

Motion Carried 3-0.

Franchise to operate and maintain telecommunication facilities on County rights of way to Public Utility District (PUD) No. 1 of Thurston County. Resolution No. 15-342

Chair Fund, called for staff report and went over the hearing process.

Tim Elsea, stated I would like to correct an scrivener's error and that the agenda states that this is a franchise to operate and maintain telecommunications facilities. I had that incorrect it should be water systems facilities and it was noticed correctly in the legal

paper. I did speak with Glenn Carter, Civil Prosecuting Attorney, this morning and he said it was fine to go forward with this hearing even though it was incorrect on the agenda because it was a scrivener's error and was noticed correctly as water systems facilities. This is a franchise to construct, operate, and maintain water system facilities on County rights of way in Lewis County. Lewis County Code 12.20 and RCW 36.55 require that all utility installations on county road rights of way be authorized by a franchise/license from the County. An application for a license has been received from PUD No. 1 of Thurston County to construct, operate, and maintain water system facilities within county road rights of way. A hearing was set by Resolution 15-303 on November 2, 2015 to give all required notices to the public.

Chair Fund, asked if there were any questions.

Chair Fund, asked how many facilities are there in Lewis County?

Tim Elsea, stated there are approximately seventy water systems that Thurston County PUD operates in Lewis County.

Commissioner Stamper, stated this is common practice but he was a bit surprised and didn't think Thurston County would buy our Lewis County water systems.

Tim Elsea, stated it is certainly predates me. They own some water systems and operate other water systems in Lewis County.

Ron Averill, Centralia, stated he thinks that most people when they look at public utilities districts they are thinking of electrical. However, public utilities districts are also authorized to do water, sewer, and fiber cable. We have had a lot of concern about Thurston County PUD owning and operating water districts in Lewis County. Thurston County is the only one in the area that does water and they don't do it just in Thurston County they have systems in Mason County and Grays Harbor County, but that is what they concentrate on because PSE provides their electricity up there. We have had concerns about this particular thing because they are coming in and water systems, water rights and my question is I thought we did a MOU with them and we addressed the issue water rights. Is that correct?

Tim Elsea, stated he doesn't have any information on that. He will get that information and get back to Mr. Averill.

Commissioner Schulte, stated we did a MOU.

Ron Averill, Centralia stated we made it clear that water rights were a concern to us. Not having them come in and helping people run their systems. He believes that we have to inspect any of the Group B Systems.

Chair Fund, asked if there was anyone who would like to speak for or against the franchise. There was no one. She closed the hearing and asked for a motion to approve Resolution No. 15342.

Tim Elsea asked that his previous comments be adopted into the record.

Commissioner Schulte moved to approve Resoluton No. 15-342. **Commissioner Stamper** seconded the motion.

Motion Carried 3-0.

There being no further business, the BOCC's business meeting adjourned at 10:25 am on November 23, 2015. The next public meeting will be held Monday, November 30, 2015. Please note that minutes from the BOCC's meetings are not verbatim. A recording of the meeting may be purchased at the BOCC's Office.

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

ATTEST:

Edna J. Fund, Chair

**Karri Muir, CMC, Clerk of the Board
Lewis County Commissioners**

P.W. Bill Schulte, Vice-Chair

Gary Stamper, Commissioner