

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
June 2, 2014**

The Board of County Commissioners for Lewis County, Washington, met in regular session on Monday, June 2, 2014, at 10:00 a.m. **Commissioners F. Lee Grose, Edna J. Fund-via phone, and P.W. "Bill" Schulte** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, May 19, 2014. **Commissioner Fund** seconded the motion.

**Motion Carried 3-0**

**PUBLIC COMMENTS**

**Public comment: John Anderson, Packwood, WA**, discussed the concerns of poor services (phone, DSL, and internet) with CenturyLink in Packwood. He feels the problem is higher up with the managers at CenturyLink. **Commissioner Grose** commented that this is a very serious problem and we are working on it.

**Commissioner Schulte** asked Dick Larman to come up and that he might have some contacts that could help. **Dick Larman** stated part of the issue is the backbone that causes redundancy is the fiber that is not "lit". Someone has to pay to have the light signal paid for. He will call CenturyLink on the issue. He feels another talk with PUD would help, maybe a possible third carrier.

**Public comment: Darold Sjoblom, Winlock WA**, to reconsider stance on marijuana grow operations, no tax revenue is being generated. **Commissioner Grose** stated there is a Federal Law against Marijuana.

**NOTICE**

**Commissioner Schulte** made a motion to approve the Notice Agenda item one. **Commissioner Fund** seconded the motion.

1. **Notice of Hearing: Regarding a traffic ordinance lowering the maximum speed limit on Tennessee Road and a portion of Shorey Road in Lewis County. Hearing will be held on or after 10:00 a.m., on Monday, June 16, 2014. Resolution No. 14-164**

**Tim Elsea, Director of Public Works**, stated that this resolution will provide notice of a hearing date for consideration of an ordinance revising the maximum speed limit on Tennessee Road and a portion of Shorey Road in Lewis County, defining offenses, and providing penalties.

Citizen concerns have prompted a traffic investigation by the Lewis County Public Works Traffic Engineering Department to evaluate the speed limits on Tennessee Road and a portion of Shorey Road. An investigation was conducted, and a summary of the recommendation from this report for adjustments to the current speed limit is as follows:

Tennessee Road - Reduce maximum speed limit from 50 mph to 40 mph

Shorey Road - Reduce maximum speed limit from 50 mph to 40 mph.

Eric Martin, traffic engineer for Public Works did a traffic engineering analysis on the two roads and the 40 mph speed limit would be appropriate. Also, web based software is beneficial.

### **Motion Carried 3-0**

### **CONSENT**

**Commissioner Schulte** made a motion to approve the Consent Agenda items two through eight. **Commissioner Fund** seconded the motion.

- 2. Resolution No. 14-165 Approval of warrants for payment. Chairman Grose stated this resolution approves 373 regular warrants for a total payment against the County in the amount of \$1,052,279.28.**
- 3. Resolution No. 14-166 Approval of a grant agreement with Lewis County Economic Development Council to accept funding under RCW 82.14.370 "Distressed Counties Fund" exclusively for financing certain personnel costs of the council.**

**Dick Larman, Lewis County EDC**, stated these dollars come biannually for this request provided under the .09 RCW for administrative cost for the economic council costs, strictly for salary and benefits for in-house staff and accounting.

- 4. Resolution No. 14-167 Approving contract amendment No. 1 to the interagency agreement with the Washington Traffic Safety Commission.**

**Danette York, Director of Public Health and Social Services**, stated that Washington Traffic Safety Commission contracts with local entities to provide coordination of services to decrease traffic safety deaths and injuries through enforcement and education. This is done by coordinating extra law-enforcement patrols that focus on increasing the use of seat belts, decreasing speeding and reducing incidents of driving under the influence. The county coordinator is also responsible for the distribution of car seats and education on car seat installation.

**5. Resolution No. 14-168 Re-appointment and appointment of members to the Veteran's Advisory Board.**

**Danette York, Director of Public Health and Social Services**, stated this resolution will reappoint Tadd Belden and Appoint James Marden and Donald Keeler to the Veterans' Advisory Board from July 1, 2014 - June 30, 2016, and appoint William Anholt to the board through June 30, 2015. The Veterans' Advisory Board was organized per Resolution 06-189. Per Lewis County Veterans Advisory Board bylaws, membership on the board comprises of no less than seven regular members and two alternate members The Lewis County Veterans' Advisory Board consists of seven members and one alternate. The Board members serve at large and are not numbered. The Board will continue to recruit for a Veteran to fill the alternate vacant position.

**Commissioner Grose** stated we have made some changes to the board, and this seems to be beneficial and is working out well.

**6. Resolution No. 14-169 Appointment of the Fiscal Administrator.**

**Archie Smith, Human Resources Administrator**, stated that during the reorganization of the Budget Fiscal Department, and the creation of the Fiscal Department, Carma Oaksmith, was a unanimous decision for the appointment to the Fiscal Administrator position. The resolution approves the contract agreement between Lewis County and Ms. Oaksmith. Full details may be reviewed in the terms of the contract.

**Commissioner Grose** stated Carma Oaksmith has been doing the job since November of 2013; she has worked a lot of extra hours and is the unanimous candidate for this position. The moral in the office is doing very well.

**7. Resolution No. 14-170 Bid award for the 2014 Countywide Hot Mix Asphalt Project.**

**Tim Elsea, Director of Public Works**, stated this contract provides for the improvement of Pe Ell McDonald Road (MP 2.94 to MP 6.35) in Lewis County by pulverization, cement stabilization and other work in accordance with the Contract Plans, and the 2014 WSDOT Standard Specifications. A Call for Bids was made on April 28, 2014. The project was advertised for three consecutive weeks in the East County Journal and the Daily Journals of Commerce (Seattle and Portland). The project was also listed on Lewis County's website. Public Works received two responsive bids for this project on May 20, 2014. Lakeside Industries, Inc. provided the lowest responsive bid of \$755,398.85. The Engineer's Estimate for this project was \$866,430.00. The lowest responsive bid is below the Engineer's Estimate. Public Works staff recommends acceptance of the low bid provided by Lakeside Industries, Inc.

**8. Resolution No. 14-171 Bid award for the Leudinghaus Bridge No. 87 (Mays Bridge) Project.**

**Tim Elsea, Director of Public Works**, stated this contract provides for the improvement of 1,150 feet of Leudinghaus Road, 287 feet of Hatchery Road by constructing a new access road between SR 6 and Leudinghaus Road 528 feet long to include a 200-foot steel through truss bridge, structural earth walls, clearing and grubbing, excavation, asphalt concrete pavement, installing beam guardrail, installing 3-sided culvert, placing riprap, construction of storm water facilities, and other work in accordance with the contract provisions and the 2014 WSDOT Standard Specifications. A Call for Bids was made on April 14, 2014. The project was advertised for three consecutive weeks in the East County Journal and the Daily Journals of Commerce (Seattle and Portland). The project was also listed on Lewis County's website. There were five addenda so the bid date was extended two weeks in order to accommodate the additional review of the addenda. Public Works received seven responsive bids for this project on May 20, 2014. Quigg Bros, Inc., Aberdeen, WA, provided the lowest responsive bid of \$6,270,422.50. The Engineer's Estimate for this project was \$4,493,427.50. The lowest responsive bid is above the Engineer's Estimate by 39.5%. A bid analysis determined that the bids were competitive, accurately reflect the market cost to build the bridge project as specified, and that rebidding would not likely result in a substantially lower bid. Public Works staff recommends acceptance of the low bid provided by Quigg Bros., Inc. subject to FEMA participation in the additional cost of the bridge.

**Tim Elsea** stated a conference was held on the cost overruns. Mobilization was part of the bid that was over. This cost overrun was discussed and determined okay. The super structure was another item that was over on the bid. After discussion the amount was determined reasonable.

**Commissioner Grose** asked why the extra cost.

**Tim Elsea** stated the cost of the steel and also the erection of the project.

**Commissioner Schulte** stated the Chandler Bridge estimate was over four million and the contractor came in between 2.5 million and 3 million, if you wait seven years inflation will catch up to you.

**Tim Elsea** stated this is a TrueTruss steel structure, the painting is more expensive and there is a lot of roadway work to be done.

**Motion carried 3-0**

**Hearing**

**Chairman Grose** announced the hearing and went over the procedures. He asked staff for a report.

**Hearing: Applications for classifications of various land parcels - Resolution No. 14-172**

**Dianne Dorey, Lewis County Assessor**, stated that RCW 84.34 gives property owners an opportunity to be taxed at a current use value set by the Department of Revenue rather than the Assessor's assessed values if they are devoting their land to certain current uses. The applications for those growing timber under the Open Space Timber Act come to the Board of County Commissioners for approval. She went over applications for transfer from designated forest land into open space timber and new applications for transfer open space farm and agriculture into open space timber for several properties. No new applications at this point they are all transfers.

**Commissioner Grose** asked if there were any questions regarding the classifications of various land parcels. He asked a few questions regarding the parcels.

**Ron Averill** asked about new law and when will it take effect

**Ms. Dorey** stated it takes effect June 12, 2014.

**Commissioner Schulte** asked what changed in the law.

**Ms. Dorey** stated SB 6910-all land that used to go under open space can stay under designated forest lands, this will save time and money.

**Chair Grose** closed the question and answer portion of the hearing and opened the formal hearing.

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

**Commissioner Grose** asked if anyone would like to testify on the classifications of various land parcels. There was no one. He closed the hearing and asked for a motion to approve Resolution No. 14-172.

**Commissioner Schulte** made a motion to approve Resolution No. 14-172.

**Commissioner Fund** seconded the motion.

**Motion carried 3-0**

### **Hearing**

#### **Hearing: Ordinance 1253-Regarding Lewis County Code Title 17, Setback Regulations**

**Commissioner Grose** announced the hearing, went over the procedures and asked for a staff report.

**Lee Napier, Director of Community Development**, stated there are many lots in rural parts of the county that were subdivided prior to zoning. Often, the lots contain covenants that show minimum setbacks which were considered the de facto standard setback in the development. At the request of citizens, Community Development

proposed to the Planning Commission code revisions related to the side and rear yard setback provisions.

Ordinance 1253 describes amendments to four sections of Lewis County Code Title 17. The amendments are summarized below.

(A) 17.10.214 is an existing section related to the definitions of setbacks and yards. Internal briefing with staff revealed conflicting language in the existing code. The proposed changes are intended to improve the ease of understanding for both staff and the public.

(B) Section 17.145.020 currently specifies setbacks in a narrative format. This amendment would: (1) modify the side and rear residential setbacks and put the setbacks into a table format, (2) add criteria for an administrative reduction and (3) include a reference to additional setback requirements.

(C) 17.155.065 is a new section that specifies how setbacks are applied to nonconforming lots.

(D) Currently section 17.160.050 includes three parts: (1) sets requirements for Home Occupations, (2) specifies criteria for a Temporary Second Dwelling and (3) establishes the process for gaining Administrative Approval

This amendment would move the Administrative Approval and Administrative Reduction Process from 17.160.050(3) into its own separate section, 17.160.55, so it could easily be referenced by the setbacks code section and other sections of the zoning code. This new section would also be streamlined to make it easier to use.

**Lee Napier** went over the ordinance and the sections that were added and explained each one. She noted that there was very good public participation at the various workshops.

**Commissioner Grose** stated this ordinance will impact the entire county.

**Commissioner Grose** asked if there were any questions on Ordinance 1253. There were none. He closed this portion of the hearing and opened the formal hearing.

### **Resolution No. 14-173-Adopting a category of fees for administrative reduction**

**Lee Napier, Director of Community Development**, stated each year the Schedule of Fees is reviewed to determine if fees cover costs of specific items/services. This action amends the 2014 Fee Schedule by adding a fee associated with a new service, administrative reduction. Administrative reductions are a new provision in Title 17. The new provision was enacted with the passage of Ordinance 1253.

**Commissioner Schulte** asked if the fees could be reviewed before the ordinance is passed.

**Lee Napier** stated the fee schedule is adopted annually, the process was fine yet we were charging a fee that was too high. Different review process and the fee should not be as high. The fee will match the service that matches the approval process, base fee of \$280. Administrative approval still stands.

**Lee Napier** asked that her comments be adopted into the record.

**Commissioner Grose** asked if there was anyone who would like to speak for or against Ordinance 1253. There were none. He closed the hearing and asked for a motion to approve.

**Commissioner Schulte** moved to approve Ordinance 1253.  
**Commissioner Fund** seconded the motion.

**Motion carried 3-0**

### Hearing

#### **Hearing: Ordinance 1254-Renewing a moratorium upon establishments involved in the production, processing and retail management of marijuana and related products**

**Lee Napier, Director of Community Development**, stated The Board of County Commissioners, set a hearing date (June 2, 2014) to consider renewing the moratorium upon establishments involved in the production, processing and retail sale of marijuana and related products.

The moratoria is adopted pursuant to the authority of RCW 36.70A.390. This is the method by which local governments may preserve the status quo, so that new plans and regulations will not be rendered moot by intervening development.

The County will need an additional six-month period to conduct an appropriate land use analysis and to develop appropriate recommendations for the Lewis County Planning Commission to consider regarding the issues.

**Lee Napier** stated on December 9, 2013 the board passed Ordinance 1249 which established the first six month moratorium related to this activity requesting that it be renewed an additional 6 months to review this issue.

**Commissioner Grose** stated this is primary a zoning issue we trying to resolve.

**Lee Napier** stated we are working with the planning commission for land use control.

**Commissioner Grose** stated for the public's information the planning commission has had many changes in the last four or five years.

**Lee Napier** asked that her comments be adopted into the record.

**Commissioner Grose** asked if there was anyone who would like to speak for or against Ordinance 1254. There were none. He closed the hearing and asked for a motion to approve.

**Commissioner Schulte** moved to approve Ordinance 1253.  
**Commissioner Fund** seconded the motion.

**Motion carried 3-0**

There being no further business, the Commissioners' public meeting adjourned at 10:51 a.m. on June 2, 2014. The next public meeting will be held Monday, June 9, 2014.

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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F. Lee Grose, Chairman

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

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Edna J. Fund, Commissioner

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P.W. Schulte, Commissioner