

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
December 22, 2014**

The Board of County Commissioners (BOCC) for Lewis County, Washington, met in regular session on Monday, December 22, 2014, at 10:00 a.m. **Commissioners F. Lee Grose, P. W. “Bill” Schulte, and Edna J. Fund** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Fund** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, December 15, 2014. **Commissioner Schulte** seconded the motion.

Motion Carried 3-0

PUBLIC COMMENT

Ron Averill, Lewis County Farm Bureau, discussed a meeting he had on Friday regarding the Willipa Trails.

Meilee Anderson, Mineral, spoke in support of Visit Rainier and asked the County Commissioners to continue to participate in this regional program.

April Doolittle, Morton, spoke in support of Visit Rainer and asked the BOCC to consider funding Visit Rainer.

NOTICE

Commissioner Schulte made a motion to approve the Notice Agenda items one and two. Commissioner Fund seconded the motion.

- 1. Call for Bids: for the purchase of five (5) retrofitted cargo containers for the Solid Waste Division of Public Works. Bids are due to the Clerk of the Board of County Commissioners on or before 11:00 a.m., Tuesday January 20, 2015. Resolution No. 14-336**

Tim Elsea, Director of Public Works, stated Solid Waste’s used waste oil collection system needs to comply with Washington State Senate Bill 6501, passed in 2014 and signed by the Governor on March 31, 2014. This bill requires local governments to have best management practices in place to prevent polychlorinated biphenyl (PCB) or other types of contamination in used oil collection sites. This contract is for the purchase of five (5) retrofitted cargo containers. The company awarded the contract will retrofit the containers according to specifications as described in the Request for Sealed Bid. A dual-tank used waste oil collection system will be enclosed in each container; therefore, the specifications allow for the prevention of spills and creation of a ventilation system. All cargo containers will be located at remote collection sites, which will allow for easy mobility when and if the oil tank systems need to be relocated.

- 2. Notice of Hearing: Regarding a non-exclusive franchise to Hampton Lumber Mills, Washington, Inc., to construct, operate and maintain stormwater facilities within Klasey Road right of way in Lewis County, WA. Hearing will be held on or after 10:00 a.m., on Monday, January 12, 2015. Resolution No. 14-337**

Tim Elsea, Director of Public Works, stated this resolution sets January 12, 2015 as the date for hearing on the matter of granting a franchise to Hampton Lumber Mills, Washington, Inc. 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 from the County.

Motion Carried 3-0

CONSENT

Commissioner Schulte moved to separate consent item number three from the rest of the consent items and consider it separately. The BOCC agree to discuss separately.

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

- 4. Resolution No. 14-339 Approval of warrants and payroll for payment.**

Chairman Grose stated this Resolution approves 309 regular warrants for a total payment against the County in the amount of \$628,922.83. This also approves 237 payroll warrants dated December 19, 2014 for a total payment against the County in the amount of \$219,993.00.

- 5. Resolution No. 14-340 Election of the 2015 Board of County Commissioners Chair and Vice-Chair.**

Chairman Grose stated this resolution will appoint Edna J. Fund as Chair and P.W. Bill Schulte as Vice-Chair for the 2015 calendar year.

- 6. Resolution No. 14-341 Approving a mileage rate change for Lewis County.**

Chairman Grose stated the mileage rate paid to employees for using personal vehicles is changing to \$0.575 effective January 1, 2015, due to the update by the Internal Revenue Service.

- 7. Resolution No. 14-342 Election to receive Secure Rural Schools and Community Self Determination Funding allocation of Title II and Title III funds for Federal fiscal year 2014.**

Chairman Grose stated the resolution allows for the allocation and use of funds for Title II and Title III for the Secure Rural Schools and Community Self Determination Funding. Congress did not reauthorize the Secure Rural Schools, which will be taken up

by Congress in 2015. The county must elect to either receive the SRS funding or return to 25% of actual receipts from the forest, with notification to the Governor's Office. The county must also elect to allocate from 15 to 20% of the full county payment to Title II (RAC approved projects) and Title III (specific county approve projects) with no more than 7% allocated to Title III and with notification to the Governor's Office. The County will not participate in Title III.

8. Resolution No. 14-343 Approving a grant/loan agreement between Lewis County and the City of Chehalis to accept funding under RCW 82.14.340 "Distressed Counties Fund" for economic development and public facilities for the Arkansas Way Extension project.

Matt Matayoshi, EDC, stated this is a .09 application with the City of Chehalis for an extension of Arkansas Way that will open up 19 acres for development. They are requesting \$842,000 part loan and part grant.

9. Resolution No. 14-344 Approving a grant agreement between Lewis County and the Tacoma Rail Working Group to accept funding under RCW 82.14.340 "Distressed Counties Fund" for economic development and public facilities.

Matt Matayoshi, EDC, stated this is a .09 application with the Tacoma Rail Working Group for a feasibility planning grant to look at acquiring Tacoma Rail Facilities.

Commissioner Schulte stated this is one of three different groups that are putting money into this feasibility study. It is a back-up. We have been waiting a year for an answer on a federal grant for this. If it does not come in or come in on time, then we have this back-up plan to be able to pay for this feasibility study.

10. Resolution No. 14-345 Approving a grant agreement between Lewis County and the Economic Development Council to accept funding under RCW 82.14.340 "Distressed Counties Fund" for economic development and public facilities.

Matt Matayoshi, EDC, stated this is an application from the EDC to do extensive marketing in 2015 and to also do a strategic plan for the organization to move forward as we look at ways to more effectively retain, expand, and recruit business to Lewis County.

11. Resolution No. 14-346 Appointment of a member to the Lewis County Planning Commission.

Lee Napier, Director of Community Development, stated the Lewis County Planning Commission is comprised of seven volunteers who review proposed comprehensive plans and land use regulations on behalf of the citizens of Lewis County. The Planning Commission conducts public hearings concerning land use and zoning issues and makes recommendations to the BOCC about how these land use issues should be

resolved. This is a request to consider appointing Leslie Myer, Centralia, to a position previously held by Amy Davis.

12. Resolution No. 14-347 Approving contract Amendment “B” to the Consolidated Homeless Grant (CHG) between Washinton State Department of Commerce (DOC) and Lewis County.

April Kelley, Social Services Manager, stated this provides funds for emergency shelter and services to families and individuals at-risk of or experiencing homelessness in Lewis County. Lewis County Social Services is the lead agency for the CHG. This is a grant which Lewis County contracts with local service providers to provide shelter and services to homeless and at-risk persons and families in Lewis County.

13. Resolution No. 14-348 Proposing a vacation of an unused portion of Highway 603 right of way, Chehalis, WA.

Tim Elsea, Director of Public Works, stated the attached resolution would instruct the County Engineer to examine an unused portion of Highway 603 right of way, Chehalis, and report his findings regarding a request for the vacation of the right of way. The property owners abutting the unused portion of Highway 603 right of way have requested that the County vacate a portion of the right of way. Any and all interests other than the requesting parties will be evaluated as part of the Engineer’s Report. The requesting parties have deposited a check to cover administrative and publication costs of the vacation, nonrefundable once this resolution is signed, regardless of the findings and recommendations of the Engineer. Passing this resolution would instruct the Engineer to examine the road, evaluate the request, and file an Engineer’s Report, as required by RCW 36.87.010 and LCC 12.15. A copy of the request from the property owner is attached.

14. Resolution No. 14-349 Proposing the sale of various tax title properties.

Tim Elsea, Director of Public Works, stated the attached resolution would direct the County Treasurer to offer the various tax title properties for sale to the highest and best bidder by public auction. This resolution proposes sale of tax title properties that were conveyed to Lewis County by the County Treasurer following an unsuccessful attempt to sell the properties at public auction. No specific use has been made of the properties by the County in the past nor is any use foreseen in the future. The Public Works Department is recommending once again offering the list of tax title properties for sale by public auction. The attached resolution would direct the County Treasurer to include the list of properties in the next tax sale.

Dianne Dorey, Lewis County Assessor, commented on the tax title properties.

15. Resolution No. 14-350 Intiating County Road Projects and assigning County Road Project (CRP) numbers.

Tim Elsea, Director of Public Works, stated the resolution would establish County Road Project (CRP) numbers that authorize the preliminary engineering, right of way purchase, and construction of projects as part of the 2015 Annual Construction Program (ACP).

Pursuant to RCW 36.75.050, the BOCC shall by resolution, and not otherwise, order the survey, establishment, construction, alteration, or improvement of county roads and bridges; 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. All county road projects scheduled for design and/or construction in 2015 have been adopted as part of the 2015 Annual Construction Program (ACP) and 2015-2020 Six-Year Transportation Improvement Program (TIP), by Resolution 14-306 on November 17, 2014. The 2015 ACP represents the first year of the 2015-2020 TIP. The signing of the attached resolution will establish official CRP numbers and authorize the preliminary engineering, right of way, and construction improvements for the 2015 Countywide 3R Program, 2015 County Safety Program, and 2015 Misc. Safety and Guardrail projects. The CRP number will follow the project through completion.

16. Resolution No. 14-351 Rejecting all bids for the Solid Waste Tipping Floor Scale Project.

Tim Elsea, Director of Public Works, stated Lewis County issued a call for bids for the Solid Waste Tipping Floor Scale Project by Resolution 14-300 on November 17, 2014. Two (2) bids were received and opened on December 16, 2014. Public Works follows the WSDOT 2014 Standard Specifications for our projects. Chapter 1-02 covers bid procedures and conditions. One of the bids received was not properly executed and is required by Chapter 1-02.13(f) to be declared irregular and rejected. The other bid was also irregular (Chapter 1-02.13(k)) because it did not constitute a definite and unqualified offer to meet the material items of the Bid invitation. RCW 43.19.1911(1) allows for the rejection of all bids if a compelling reason exists.

Motion Carried 3-0

Commissioner Schulte made a motion to approve the Consent Agenda item three. Commissioner Fund seconded the motion.

3. Resolution No. 14-338 Approving funding from the Tourism Promotion Fund 198 to agencies for tourism related activities per RCW 67.28.180

Commissioner Fund state the purpose of this Resolution is to approve funding from the Tourism Promotion Fund to agencies for tourism-related activities. In the past I have proposed that we take a look at our contracts and make sure that what we are paying for is within lodging tax parameters. I would suggest that we reinstate Visit Rainier on this funding.

Commissioner Fund read a letter from C.J. Neer, Destination Packwood, into the record.

Commissioner Fund read a letter from Maree Lerchen into the record.

Commissioner Schulte stated that from 2009 to 2014 Destination Packwood, Visit Rainier, and White Pass Scenic Byway have received \$804,375.00 from the County. This year we are proposing to give Destination Packwood \$5,800 more than they received the previous year and White Pass Scenic Byway \$16,500 more than they received last year for a total increase of \$24,800. In the proposed Resolution, Visit Rainier has a target number of \$0. Commissioner Schulte said this may seem harsh but encouraged Visit Rainier to review their policies and approach to this cooperation and resubmit next year. We have shown that we have supported the east end with this funding.

Chairman Grose stated the speakers that spoke this morning all have a vested interest in Visit Rainier. We were left with little choices. The Legislature stipulated that we would either fund all of the recommendation as recommended or we could pick out individual ones that we would not fund.

Commissioner Fund stated she believes that it will not help the countywide effort for lodging tax advisory funds to not go to Visit Rainier because they are part of the three-legged stool that we have in order to coordinate a countywide effort. She said she would be voting against not giving Visit Rainier funding.

Motion Carried 2-1

HEARINGS

Hearing: Franchise over certain roads in Lewis County for the Olympic Pipeline Company-Resolution No. 14-352

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

Larry Unzelman, Real Estate Service Manager, stated 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 from the County. An application for franchise renewal has been received from Olympic Pipeline Company, to construct, operate, repair, relocate, maintain and remove petroleum products facilities upon, under, along and across road rights of way in the County. This Franchise covers their existing pipeline running north-south through the County east of Interstate 5. A hearing was set by Resolution 14-296 on November 10, 2014 to give all required notices to the public.

Commissioner Grose asked if there were any questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

Larry Unzelman asked that his previous comments be adopted into the record.

Commissioner Grose asked if anyone else would like to testify. There was none. He closed the hearing and asked for a motion.

Commissioner Schulte moved to approve Resolution No. 14-352. **Commissioner Fund** seconded the motion.

Resolution No. 14-352 Approving a Franchise over Certain Roads in Lewis County for Olympic Pipe Line Company, A Delaware Corporation, Operated by BP Pipelines North America.

Motion Carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:48 a.m. on December 22, 2014. The next public meeting will be held Monday, January 5, 2015.

Please note that minutes from the BOCC's meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' 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