

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
March 4, 2013**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, March 4, 2013 at 10:00 a.m. **Commissioners Bill Schulte, F. Lee Grose and Edna J. Fund** were in attendance. **Chairman Schulte** 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, February 25, 2013. **Commissioner Grose** seconded the motion.

Motion Carried 3-0

NOTICE

Commissioner Grose moved to approve Notice Agenda items one through four. **Commissioner Fund** seconded the motion.

- 1. Call for Bids: For sealed bids for County Legal Printing. Bids are due to the Clerk of the Board, on April 3, 2013, by 9:30 am. Resolution No. 13-070**

Karri Muir, Clerk of the Board, stated this is a call for bids for the 2013-2014 Legal printing contract. Bids will be opened on April 8, 2013 at this meeting.

- 2. Request for Qualifications: To develop a remedial action plan for Lewis County Motor Pool site. Requests are due to the Public Works Department by 5:00 pm, on March 18, 2013. Resolution No. 13-071**

Tim Elsea, Director of Public Works, stated this resolution will give notice that a Request for Statements of Qualifications has been issued to develop a remedial action plan for the Lewis County Motor Pool site. Underground contamination of volatile organic compounds was discovered at the Lewis County Motor Pool site in 1998. Lewis County contracted with Pacific Northern Environmental to permanently decommission a 12,000 gallon underground fuel storage tank and conduct site assessment at the Lewis County Motor Pool site in November 1998. Excavation activities were limited in 1998 because of the close proximity of utilities, county building and public street. Analytical results of the removed materials showed petroleum hydrocarbon contamination in the gasoline range above Method A Cleanup Levels. Free product was not observed in the excavation prior to backfilling. This RFQ is issued to continue the work left off in 1999 which was to characterize the extent of the contamination and develop a remedial plan. This was a cold case file for Department of Ecology. They found it and brought it to us and asked if we would develop a remedial action plan.

- 3. Notice: Calling for the On Call Consultant Roster for Architectural Engineering and/or Professional Services Assistance needs for future projects. Resolution No. 13-072.**

Tim Elsea, Director of Public Works, stated publishing of Lewis County's On Call Consultant Roster and Approval of Public Works Director as Approving Authority for Category Changes. The attached resolution will allow the opening of the On Call Consultant Roster to obtain applications from businesses interested in having their business placed on one or more of the rosters. The On Call Consultant Roster allows the County to consider consultants for projects requiring architectural, engineering and/or professional services. On Call Consultant projects shall be awarded from the On Call Roster in accordance with the requirements of RCW 39.80. Approve the Resolution to publish Lewis County's On Call Consultant Roster and authorize the Public Works Director to add or change categories.

4. Notice of Hearing: Regarding applications for classifications of various land parcels under RCW 84.34. Hearing will be held on or after 10:00 am, on March 18, 2013. Resolution No. 13-073

Susan Johnson, Assessor's Office, stated 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. Those growing timber under the Open Space Timber Act those applications come to the Board of County Commissioners for approval and that is what will be heard on March 18, 2013.

Motion Carried 3-0

CONSENT

Commissioner Fund moved to approve Consent Agenda item five. **Commissioner Schulte** seconded the motion.

5. Resolution No. 13-074 Approving a contract to purchase aerial photos and related software services from Pictometry.

Tim Elsea, Director of Public Works, stated Approving contract to purchase aerial photos and related software and services from Pictometry against GSA Contract Number GS-35F-0801N Resolution approving acquisition of aerial photographs, software, and services from Pictometry, over nine years. The County has a need for aerial photos along with software and services to utilize them. Orthophotos are the usual straight-down photos that are commonly used; oblique aerials are "birds-eye" photos that allow for a more natural interpretation of the image and provide significant data not shown in the ortho-photos. This data is compatible with the county's GIS and can be used to support multiple county interests. At the Board's direction, the Public Works Dept. has gathered outside partners and drafted a contract with Pictometry. The attached resolution approves a 9-year, three-flight agreement with Pictometry to acquire 1221 sq. miles at an after-tax cost of \$367,045.83 over nine years (\$40,782.87/year). Additional contracting totaling \$90,720 (\$10,080/yr.) is planned in order to: 1) buy "Change Find" (building footprint layer derived from the aerials), and 2) have Pictometry

host the data/software over the internet. These amendments have been a part of the project and funding model since 10/10/12 approval. Signing the base contract before us now is important to secure our place in Pictometry's busy spring flying schedule and ensure leaf-off flights. Centralia, Chehalis, Napavine, Tacoma Power, and LC PUD have all agreed to participate, totaling \$22,044/yr in contributions to help fund all the deliverables.

Sheriff Mansfield stated we recently completed a revision of the Emergency Management Mapping System in which we are using the technology from 2008. We paid around \$3,000.00 for that. Pictometry apparently does something similar and they can use the technology to include in our Emergency Management Mapping System in the future which will be a cost savings. He supports this Resolution.

Commissioner Grose stated In my life time, I have witnessed dramatic changes, some good and some not so good. I can remember thinking at the time the Endangered Species Act was passed that it was not necessarily a good thing and that it would have consequences down the road. The same with the Growth Management Act and all of the regulations that have been passed down for its implementation. Where would we all be without computers, cellular phones and I-pads? The technology we have today can be invasive as well. Has anyone in here not turned off your cell phone just because you knew you were going to be interrupted when you didn't want to be? I think probably not. Now we have the technology to take three dimensional aerial photos of the landscape in the form of PICTOMETRY. To me, this is an invasion of our privacy that is beyond our personal control. While it has been decried as a savior of government; that it will save thousands if not millions of dollars; that it will help first responders get to the area in distress more rapidly and provide care more quickly; that it will give surveyors the ability to pinpoint (more or less) specific properties without getting out of the office; and that it will allow properties to be assessed without a visual inspection it also provides a means by which an individual's space may be invaded. All of these are positive developments from the view of county government; that is if they do indeed save money and I personally have my doubts about that over time. But the future "unintended consequences" of the adoption of this technology by Lewis County, regardless of how great it seems, are what bothers me. Call me a throwback if you want but I believe the potential of this technology evolving to the point of invading the privacy of our citizens is very real. I question the benefit of this technology when I weigh it against this potential and feel that I cannot in good conscience support this resolution.

Commissioner Fund stated she understands what Commissioner Grose is saying and knows that this is a balancing act. She feels at this point it is better for us to do this, saving money and saving lives, Technology can benefit us and this is a way we can use it to help.

Motion Carried 2-1

Commissioner Grose moved to approve Consent Agendas six through nine.
Commissioner Fund seconded the motion.

6. Resolution No. 13-075 Bid award for the surplus property located off Ray Road near Toledo, WA.

Tim Elsea, Director of Public Works, stated Resolution would accept the one and highest bid received for surplus property located off Ray Road near Toledo and direct Public Works to order title insurance, accept payment and prepare a deed. Resolution 13-015, passed by the Board of County Commissioners on January 14, 2013, declared surplus and called for sealed bids for the proposed sale of property located off Ray Road near Toledo. One bid was received in the amount of \$10,100.00 by R. Arnold, of 140 Ray Road, Toledo, WA. The bid received was above the minimum bid amount of \$10,000.00 and included a \$500.00 bid deposit. It is the recommendation of Public Works Department that the bid for \$10,000.00 be accepted for the surplus property located off Ray Road near Toledo. After acceptance of the bid the Public Works Department will request payment from bidder then prepare a Quit Claim Deed for review and signature by the Board of County Commissioners. Recommended that the bid for the Ray Road property in the amount of \$10,100.00 by R. Arnold is accepted, and the Public Works Department is hereby directed to order title insurance, accept payment and prepare a Quit Claim Deed for review and signatures by the Board of County Commissioners.

7. Resolution No. 13-076 Approving the proposed vacation of a portion of the Fred Mohoric Road.

Tim Elsea, Director of Public Works, stated the attached Resolution would instruct the County Engineer to examine a portion of the Fred Mohoric Road and report his findings regarding a request for the vacation of the right of way. The only property owner abutting the unmaintained Fred Mohoric Road No. 926 has requested that the County vacate a portion of said unmaintained right of way. Any and all interests other than the requesting party will be evaluated as part of the Engineer's Report. The requesting party has deposited a check to cover administrative and publication costs of the vacation, non-refundable 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. Instruct the County Engineer to examine said road as required by RCW 36.87.010 and LCC 12.15 and report his opinion to the Board of County Commissioners.

8. Resolution No. 13-077 Approving warrants for payment.

Commissioner Grose stated this Resolution approves 291 warrants in the amount of \$480,868.71 and six Special Purpose Warrants for the Vader Water System in the amount of \$2,498.06 for a total of \$483,366.77.

9. Resolution No.13-078 Appointment of members to the Timberland Regional Library Trustee Board (TRLB).

Commissioner Fund stated John Braun and Commissioner Fund were previously appointed to the TRLB and there is a need to appoint two new members to fill those unexpired terms. We received really good applications for those two positions. We have selected Hal Blanton, Packwood and Regina King, Centralia to fill the two vacancy on this Board

Regina King stated she is really excited to be in this position. This position is one in which she has been wanting for years. She has been involved in the Library and really appreciates this opportunity to service on this Board.

Motion Carried 3-0

HEARING

HEARING: Rental agreement with the East Lewis County Transfer Station

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

Tim Elsea, Director of Public Works, stated Lewis County, as the owner of the property, and the Lewis County Disposal District #1, a quasi-municipal corporation, entered into a rental agreement for the East Lewis County transfer station in Morton on August 1, 1996. This agreement expired December 31, 2012. In accordance with RCW 36.34.160, a notice of an intention to lease was published for a three week period and we have received not other rental agreements for this property. This Resolution would authorize the lease of the property in Morton from the County to the Lewis County Disposal District #1. A renewal agreement has been prepared in which all terms and conditions remain the same as the 1996 agreement, including the monthly rental payment of \$1,859.00, which will be effective January 1, 2013 and will expire December 31, 2017.

Chairman Schulte asked if there were any other questions. There were none. He 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.

Chairman Schulte asked if there was anyone who wished to speak for or against Resolution No. 13-079. There were none. He asked for a motion to approve.

Commissioner Fund made a motion to approve Resolution No. 13-079.

Commissioner Grose seconded the motion.

Resolution No. 13-079 In the Matter of approving a Rental Agreement with the Lewis County Solid Waste Disposal District #1 for the East Lewis County Transfer Station in Morton

Motion Carried 3-0

Hearing: Rental agreement with the Central Transfer Station

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

Tim Elsea, Director of Public Works, stated Lewis County and Lewis County Disposal District #1 entered into a rental agreement for the Central Transfer Station on April 1, 1994. Although the City of Centralia owns the property, at the Central Transfer Station, Lewis County owns all of the structures. This agreement is a rental agreement for the structures and all facilities located at the central transfer station in Centralia Washington. A rental agreement for the property itself is handled through a separate agreement with the city of Centralia. The Rental Agreement for the facilities and structures expired December 31, 2012. This agreement will be retroactive to January 1, 2013 and will be a five-year agreement running through December 31, 2017. In accordance with RCW 36.34.160, a notice of an intention to lease was published for a three weeks period. A renewal agreement has been prepared in which all terms and conditions remain the same as the 1994 agreement, except that the new agreement calls for monthly rental payments of \$51,000 payable to the County by the District. The 1994 agreement had monthly rental payments set at \$38,700, which was renegotiated, as allowed in Section III of the Agreement, and the County and District agreed to an increased payment amount of \$51,000 per month, beginning January 1, 2010. The new agreement states that the monthly rental payment will remain at \$51,000 and the first payment will be retroactively due January 1, 2013. The new agreement will expire December 31, 2017.

Ron Averill, Centralia, stated it is important to point out that the figure of \$51,000 appears large it also pays for the construction of the buildings themselves at the facility which were bonded and we have to pay those off. The other aspect is that payment is also going into a special fund for future costs.

Chairman Schulte asked if there were any other questions. There were none. He 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.

Chairman Schulte asked if there was anyone who wished to speak for or against Resolution No. 13-080. There were none. He asked for a motion to approve.

Commissioner Grose made a motion to approve Resolution No. 13-080.

Commissioner Fund seconded the motion.

Resolution No. 13-080 In the Matter of Approving a Rental Agreement with the Lewis County Solid Waste Disposal District #1 for Facilities and Structures Located at the Central Transfer Station in Centralia, WA

Motion Carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:44 am on March 4, 2013. The next public meeting will be held Monday, March 11, 2013, 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

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

F. Lee Grose, Commissioner

Edna J. Fund, Commissioner