

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
November 19, 2012**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, November 19, 2012 at 10:00 a.m. **Commissioners F. Lee Grose, Bill Schulte, and Ron Averill** 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, November 5, 2012. **Commissioner Averill** seconded the motion.

Motion Carried 3-0

PUBLIC COMMENT

Chairman Grose asked for public comment and there was no comment.

PROCLAMATION

Commissioner Averill moved to approve Proclamation Agenda item one. **Commissioner Schulte** seconded the motion. Commissioner Averill read the Proclamation into the record.

1. Proclamation: Pancreatic Cancer Awareness Month

Commissioner Averill stated this proclaims the month of November 2012 as Pancreatic Cancer Awareness Month. Pancreatic cancer is the fourth leading cause of cancer death in the United States and is the only major cancer with a five-year relative survival rate in the single digits, at just six percent. There has been little improvement in the survival rates for pancreatic cancer over the last forty years. In 2012 pancreatic cancer will afflict more than 43,920 Americans, 74% of whom will die within one year of their diagnosis, and 94% of whom will die within five years of diagnosis. The Lewis County Board of County Commissioners urges all citizens to join in the national effort to raise awareness of the devastating effect of pancreatic cancer, and they encourage citizens of Lewis County to become aware of legislation enacting a national strategic plan for defeating this devastating disease.

Brian Hellings stated until a year ago he was not aware of anyone with pancreatic cancer but he has it. He is now beyond the first year of diagnosis and his motto is "it might get me someday but it's not going to be today". If you look back 20 to 25 years breast cancer and prostate cancer were in the same boat of bleak survival. When American's know something can be done we do it. There are no early detections which is one of the big problems. Even though the statistics are daunting those who have it are not ready to give up and we want to make sure we attack this disease vigorously.

Commissioner Averill stated he feels very strongly about the work that Mr. Hellings is doing and wished him the best of success.

Motion Carried 3-0

CONSENT

Commissioner Schulte moved to approve Consent Agenda items two through ten. **Commissioner Averill** moved to amend that motion and requested to table item 4 Resolution No. 12-348. **Commissioner Schulte** agreed to the amendment **Commissioner Averill** seconded the motion. Candace Hallom, Administrative Assistant, read the items into the record.

2. Resolution No. 12-346 Approval of warrants and payroll for payment.

Commissioner Averill stated this approves 9 Special Purpose warrants (Vader Water System) for \$26,014.68 and 240 warrants issued by the Auditor's Office for \$936,122.27, totaling \$962,136.95.

3. Resolution No. 12-347 Authorizing the legal defense and indemnity of a Lewis County employee.

Commissioner Averill stated this approves a request by the Lewis County Sheriff's Office to provide defense and indemnification, pursuant to RES 03-042 and 04-164, for Deputy Matthew McKnight who has been named as a defendant in the matter of Steven O Petersen, as Personal Representative of the Estate of Steven V Petersen, deceased and on behalf of its beneficiary, L.P., a minor child versus Lewis County a political subdivision of the State of Washington: and Deputy Matthew McKnight, Civil Action # 3:12-CV-5908 JRC for actions allegedly taken in the course and performance of his duties for Lewis County. The law firm of Patterson Buchanan Fobes Leitch & Kalzer, Inc. P.S. is requested and authorized to provide legal defense as designated by the Washington Counties Risk Pool. The Lewis County Risk & Safety Administrator is authorized to serve as adjuster for this complaint.

4. ~~Resolution No. 12-348 Approving funding from Fund 198 Stadium Fund to agencies for tourism related activities.~~ Tabled

5. Resolution No. 12-349 Appointment of the Lewis County Community Emergency Coordinator for hazardous materials.

Ross McDowell, Emergency Management, stated as a result of the new requirements of Emergency Support Function No. 10 the State has developed a new position of Community Emergency Coordinator (CEC). Ross was recommended for this position by the Lewis County Local Emergency Planning Committee (LEPC) and by Sheriff Steve Mansfield. The responsibilities for this position are still in the development stage but the CEC will be the person notified by E911 of any hazardous material spill and then ensure the plan is put into effect. The CEC will also partner with all of the private agencies that have hazardous material coordinators.

6. Resolution No. 12-350 Adoption of the 2012 Lewis County Emergency Support Function (ESF) No. 10-Hazardous Materials Emergency Response Plan.

Ross McDowell, Emergency Management, stated we have done a complete rewrite of this plan. We took on the Washington State Emergency Response Commission (SERC) 2011 template. We are the first county to use the template and it did point out some of the gaps that we had in our plan. We wanted to ensure that we are in line with chapter 118.40 in WAC which is for the response planning for hazardous materials. In this rewrite there are several things that have been put in that were not there before. We did a mapping with perimeters showing extremely hazardous materials. We also put in the position of the CEC.

Commissioner Averill stated once again our emergency management is ahead of the curve. It is really great to be setting the standard for the State in many of these areas. We have a lot of hazardous material that transits the County on the railroad or on I5. We don't have the crews or equipment to handle this should there be a spill or crash.

7. Resolution No. 12-351 Bid award for the pipe arch culvert material purchase for the King Road Rehabilitation Project, CRP 1937.

Tim Elsea, Director of Public Works, stated this project is listed as #10 on Lewis County's 2012 Six Year Transportation Improvement Program. This contract will allow Lewis County to purchase a 15' wide x 7'6" high steel structural plate pipe arch, 85-ft long minimum and 88-ft long maximum with precast concrete footings for the King Rd. Rehabilitation Project, CRP 1937. The King Road Rehabilitation project is scheduled to begin construction in June 2013. A Call for Bids was made on October 8, 2012. The project was advertised for two consecutive weeks in the East County Journal and The Daily Journal of Commerce (Portland and Seattle). The project was also listed on Lewis County's website. There was one Addendum that extended the bid opening date three additional weeks. Public Works received 2 responsive bids for this project on November 13, 2012. Contech Engineered Solutions, LLC, Portland, OR, provided the lowest responsive bid of \$70,211.61 (the Engineer's estimate was \$114,268.00). The lowest responsive bid is below the Engineer's estimate. Approval of the Resolution will authorize an action to execute a contract between Contech Engineered Solutions, LLC and Lewis County Public Works for the Material Purchase for King Rd. Rehabilitation Project, CRP 1937, and authorize the Director of Public Works to sign the same.

8. Resolution No. 12-352 Approving a quit claim deed by and between Timothy James Bowers for property located on Hwy 603 near Winlock, WA.

Tim Elsea, Director of Public Works, stated Lewis County owns a 2.61 acre tract on Highway 603 between Napavine and Winlock. The property was declared surplus to the needs of the County and sealed bids were called for, but no acceptable bids were received. LCC 3.30.400 specifies that where no acceptable bid is received, the County may withdraw the property from sale, and thereafter negotiate the sale of the withdrawn property, providing the public is given two weeks' notice by advertisement and an

opportunity to compete for a more favorable price on terms negotiated. An offer of \$45,000.00 for the land and timber was received by Timothy James Bowers. On October 15, 2012, Resolution 12-318 was passed by the Board of County Commissioners accepting the offer and authorizing an agreement with Mr. Bowers for the sale of the property, subject to the conditions of LCC 3.30.400. All conditions of LCC 3.30.400 have now been met and the \$45,000.00 has been paid to Lewis County in the form of a cashier's check.

9. Resolution. No. 12-353 Approving an agreement between Catholic Community Services of Western Washington in support of the Senior Nutrition Meals distribution Program in Lewis County.

Danette York, Director of Health and Social Services, stated in July of 2012 the Lewis County took over the five Lewis County Senior Centers that were originally contracted out with Catholic Community Services(CCS). At that time there was a six month agreement between Lewis County and CCS so that CCS could continue to use the five Senior Centers to distribute their congregate meal program. Effective January 1, 2013 through December 31, 2013 this agreement will allow CCS to continue to use the five Senior Centers to distribute the congregate meals and allow them access and use of some of the refrigeration and freezer units at the Twin City Senior Center in exchange CCS agrees to pay Lewis County \$2,300.00 per month as compensation for the use of the five senior centers and storage areas.

10. Resolution No. 12-354 Approving the amended bylaws for the Lewis County Traffic Safety Task Force.

Danette York, Director of Health and Social Services, stated in 1967, the legislature of the State of Washington created the Washington Traffic Safety Commission (WTSC). The Lewis County Traffic Safety Commission was officially formed on July 17, 1975, through Resolution No. 75-279. The purpose of this amendment is to change the bylaws since they have not been changed since the Commission was formed in 1975. The purpose of the Lewis County Traffic Safety Task Force is to: (1) Reduce the number of deaths, injuries, and property damage caused by DUI drivers; and (2) Promote safety programs in accordance with standards set forth by the Federal Highway Safety Act and the priorities established by the State of Washington. The amended by-laws being presented were approved by the Traffic Safety Task Force at their meeting on July 25, 2012.

Motion Carried 3-0

BID OPENING

BID Opening: Forfeited and Unclaimed Firearms

Isabelle Williams, Lewis County Sheriff's Office Evidence Division, opened the sealed bids received from licensed fire arm dealers in exchange for a weapon trade of 54 weapons. There were three sealed bids received.

- Joe's outdoor sports shop
- Richard Pannkuk- Eagles Nest
- Johnny's Auction

Commissioner Averill stated these bids will be reviewed and the selection will come before the BOCC at a future date.

HEARING

Hearing: Adoption of the 2013 Annual Construction Program and STIP for 2013-2018.

Chairman Grose announced the hearing and asked for a Staff Report.

Tim Elsea, Director of Public Works, stated there is a sign-up sheet at the podium if anyone wishes to speak. Pursuant to RCW 36.81.121, all cities and counties are required to prepare, adopt and submit a Six-year Transportation Improvement Program (STIP). Pursuant to RCW 36.81.130 the County Road Department must also submit an annual construction program to the legislative body. Copies of this program are to be furnished to WSDOT, CRAB, and the Transportation Improvement Board. Copies of the Annual Construction Program are to be submitted to CRAB. Requirements for the Annual Construction Program are contained in WAC 136.16. This part of the WAC is intended to provide for an evaluation of compliance with the county forces construction limits outlined in RCW 36.77.065.

Rod Lakey, Public Works, stated there is a three page summary of the STIP which goes through all of the projects. There are also copies of the full report for anyone who would like a copy. The 2013 Annual Construction Program includes the following construction projects:

- Countywide 3R - approximately 5 miles of Cement Treated Base with a Bituminous Surface Treatment by county forces
- Countywide Paths & Trails
- Countywide Misc. Safety & Guardrail
- Countywide Bridge/Road Bank Protection
- Skate Creek Rd S., MP 0.53, Bridge #12 Scour Mitigation
- Federal Forest Road Improvements
- Swofford Road Rehabilitation
- County Road Safety Program (Guardrail)
- King Road Rehabilitation

The projects listed for 2013 total \$9.5 million. Of that, \$5.24 million will come from external State and Federal funds. Lewis County staff presented the proposed 2013 - 2018 six-year TIP at the monthly Mayors meeting with the Board of County Commissioners on October 5th, the Planning Commission meeting on October 9th, the Lewis County Transportation Strategy Council meeting on October 15th, and the Centralia City Council meeting on October 23rd.

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

Tim Elsea and Rod Lakey asked that their previous comments be adopted into the record.

Jim Lowery, Planning Commission, stated the Planning Commission really appreciated that they got the STIP in front of them for discussion.

Chairman Grose asked if there were any other statements for public testimony. There were none. He closed the hearing and asked for a motion.

Commissioner Averill moved to approve Resolution No. 12-355. **Commissioner Schulte** seconded the motion.

Resolution 12-355 Adoption of 2013 Annual Construction Program and Six Year Transportation Improvement Program for the Years 2013-2018.

Motion Carried 3-0

Commissioner Schulte moved to recess until 5:30 pm. **Commissioner Averill** seconded.

2013 Preliminary Budget Presentation

It was noted that Chairman Lee Grose was absent.

Vice-Chairman Schulte called the Monday, November 19, 2011, 10:00 a.m., Board of County Commissioners Meeting, out of recess at 5:30 pm. He announced this meeting is for a public presentation on the 2013 Preliminary Budget.

Dawna Truman, Budget/Fiscal Director stated this meeting was to give the public an opportunity to speak on the 2013 County Budget. She discussed various types of funds and explained each of them.

Revenue and expenditure by fund type was discussed. The revenue budget is based on the cash we expect to receive during 2013. The expenditure budget is what we are appropriated to spend.

The trend is that revenue is flat and expenditures continue to increase.

She went over a comparison of Current Expense revenue from the 2012 adjusted budget and the 2013 budget. She noted that the tax revenue is decreased from the 2012 Budget.

Dawna Truman discussed 2013 Current Expense revenue by type.

She discussed the 2013 Current Expense expenditures by type, noting that salaries and benefits make up approximately 47.6% of the expenditures.

She discussed the 2013 Current Expense transfers out of the operating fund to other funds to support those funds.

Ms. Truman went over the estimated property tax for 2013. The property tax budget will be set for approximately \$11,600,000.00. Out of this \$146,800.00 will go to the Veteran's Fund and \$183,400.00 will go to support Social Services.

The property tax budget for Roads will be set at \$11,400,000.00 of which \$17,000.00 will be shifted to support the DUI program in Social Services.

Dawna Truman discussed the changes from the preliminary budget regarding revenues and expenditures.

Commissioner Averill noted that this is a simplified version of what the Commissioners do during the budget season. There are a lot of issues that we do not have any control over. There are funds that come from the State and have stipulations on what they can be used for.

Commissioner Schulte asked if there were any other questions. Dawna asked that her comments be adopted into the record. He noted that the 2nd hearing for the final 2013 budget adoption will be held on December 3, 2013.

There being no further business, the Commissioners' public meeting adjourned at 6:15 pm on November 19, 2012. The next public meeting will be held Monday, November 26, 2012, 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:

F. Lee Grose, Chairman

Clerk of the Board
Lewis County Commissioners

P.W. Schulte, Commissioner

Ron Averill, Commissioner