

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
December 10, 2012**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, December 10, 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 Averill** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, December 3, 2012. **Commissioner Schulte** seconded the motion.

**Motion Carried 3-0**

<b>PUBLIC COMMENT</b>
-----------------------

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

<b>CONSENT</b>
----------------

**Commissioner Schulte** moved to approve Consent Agenda items one through twenty one. **Commissioner Averill** seconded the motion. Candace Hallom, Administrative Assistant, read the items into the record.

**1. Resolution No. 12-377 Approval of warrants and payroll for payment.**

**Commissioner Averill** stated this Resolution approves 395 warrants issued by the Auditor's Office totaling \$1,429,032.17. Also approves 455 automatic deposits checks totaling \$1,256,800.26; and, 149 payroll warrants for net pay, and 60 payroll warrants for benefits/deductions for a total of \$3,194,514.65, including automatic deposits.

**2. Resolution No.12-378 Approving the mileage rate change for Lewis County.**

**Commissioner Averill** stated this Resolution approves a mileage rate change for Lewis County from \$0.55.5 per mile to \$0.56.5 per mile. The Federal Internal Revenue Service (IRS), by IR-2012-95, increased the Standard Mileage Rate for 2013 by 1 cent per mile for business, medical and moving. Lewis County, by policy, uses the IRS Standard Rate for Mileage and the new rate is effective January 1, 2013.

**3. Resolution No. 12-379 Appointment of a member and alternate member to the Energy Technology Board.**

**Commissioner Averill** stated this Resolution approves the appointment of Commissioner F. Lee Grose as a member of the Energy Technology Grant Review Board, and the appointment of Commissioner PW "Bill" Schulte as an alternate member. In 2011 TransAlta reached an historic collaborative agreement with environmental organizations, legislators and labor groups to transition away from coal at

the TransAlta Centralia Generation LLC plant by 2025. The resulting Memorandum of Agreement between TransAlta and the state of Washington allows for an orderly phase-out of coal generation, and provides for TransAlta to contribute \$25 million to an Energy Technology Fund between December 2012 and December 2023. Distribution of the funds will not occur until TransAlta has secured qualified power purchase agreements for the sale of 500 megawatts or, December 31, 2015, whichever is later. The Energy Technology Board will identify worthwhile and effective energy technologies to create energy, air quality, haze or other environmental benefits for the State of Washington. It is the responsibility of the board to establish a process by which persons may submit applications for grants and to ensure that the funded projects fall within the mandate of the board. Board members will meet on a quarterly basis to review and discuss projects for possible funding. There are fourteen (14) other members of the Board: one from the Lewis County Economic Development Council; one from the Centralia Chehalis Chamber of Commerce; one selected by Climate Solutions; one from the Thurston-Lewis-Mason Central Labor Council; one selected by Innovate Washington; one selected by the Southwest Clean Air Authority (SWCAA will nominate Commissioner PW "Bill" Schulte); and two employees and six representatives selected by TransAlta.

#### **4. Resolution No. 12-380 Appointment of a member and alternate member to the Economic and Community Development Board.**

**Commissioner Averill** stated this Resolution approves the appointment of Commissioner F. Lee Grose as a member of the Economic and Community Development Board, and the appointment of Commissioner PW "Bill" Schulte as an alternate member. Under the same legislation and Memorandum of Agreement TransAlta will contribute \$20 million to an Economic and Community Development Fund. This Board will identify worthwhile and effective projects to enhance economic and community development and to identify educational and retraining opportunities for displaced facility workers. The Board will establish a process by which persons may submit applications for grants and ensure that the funded projects fall within the mandate of the Board. Board members will meet on a quarterly basis to review and discuss projects for possible funding. This Board will have eight (8) other members; one selected by the Lewis County Economic Development Council; one member of the Centralia Chehalis Chamber of Commerce; one member from the Thurston-Lewis-Mason Central Labor Council; and one employee and four representatives of TransAlta.

#### **5. Resolution No. 12-381 Appointment of a member to the Pacific Mountain Workforce Development Consortium.**

**Commissioner Averill** stated this Resolution approves the appointment of Commissioner F. Lee Grose to the Pacific Mountain Workforce Development Consortium. The Consortium is the Governing Body, consisting of Commissioners from each of the five sponsoring member counties: Grays Harbor, Lewis, Mason, Thurston and Pacific Counties. The Consortium sets policy and provides fiscal oversight over the Pacific Mountain Workforce Development Council and its resources which provide

education and employment services to residents of the five counties. Commissioner Grose's term expires on December 31, 2014.

**6. Resolution No. 12-382 Appointment of a member to the Pacific Mountain Workforce Development Council.**

**Commissioner Averill** stated this Resolution approves re-appointment of Bob Guenther (Chehalis) as one of the six Lewis County representatives on the Pacific Mountain Workforce Development Council. Bob is also a labor representative on the Council. His term expires on December 31, 2012 and he has agreed to serve another term which will expire on December 31, 2015.

**7. Resolution No. 12-383 Approving an agreement with the Lewis County Sheriff's Office to provide legal process services on behalf of the Lewis County Prosecuting Attorney's Office.**

**Glenn Carter, Prosecutor's Office,** stated this Resolution concerns the service of process in civil cases. Up to this time the Prosecutor's Office has used a particular firm in Lewis County to serve process in both civil and family support matters. The civil division has two parts to it; family support has four full time employees including a paralegal and legal assistant and two Senior Deputy Prosecuting Attorneys. In that function they are reimbursed by the State and Federal Government for almost 99% of their cost. In the function of family support there has to be the service for complaints, summons, subpoenas for witness, and other kinds of process service. The firm that we used in the past is no longer available and we investigated the ability of using other private firms. We were unable to find a process serving company that was willing to operate within the budget constraints. We contacted the Sheriff's Office who already provided process services in criminal case and asked if they would be willing to expand those services to provide services in civil cases. This Resolution will authorize the Sheriff's Office and Prosecuting Attorney's Office to enter into an MOU on the terms and conditions set out in the Resolution which provide for reasonable rates to the Sheriff's Office for providing process services to the civil division on family support and other civil matters.

**Commissioner Averill** stated the rates are \$25.00 fee for service and \$10.00 on return service and \$0.50 per mile for travel cost.

**Glenn Carter** clarified that this is only for service within Lewis County and process service outside of Lewis County will be provided by other private firms.

**Commissioner Averill** stated the Sheriff's Office shall place all such fees into revenue account 342.10.13.00 (Law Enforcement Service: Serve Process Committed) and the revenues in that account shall be used solely for maintenance, repair and acquisition of Sheriff's Office vehicles. The revenues in this account are committed and those not spent in any fiscal year are a committed part of the overall fund balance within Current

Expense and shall not be available for expenditures other than those stated in the resolution.

**8. Resolution No. 12-384 Authorizing the Director of Community Development to negotiate a personal service agreement with WH Pacific.**

**Lee Napier, Director of Community Development** stated this Resolution accepts a Statement of Qualifications and authorizes the Director of Community Development to negotiate a personal services contract between W&H Pacific and Lewis County for engineering, project design, coordination and construction management services for projects at the South County and Packwood airports. The County published notice for requests for qualifications from firms wishing to participate in construction projects at the South County and Packwood airports. We received three qualifications and the three firms are:

WH Pacific, Bothell, Washington  
Reideisel Engineering, Richland, Washington  
Reid Middleton, Everett, Washington

After the selection process on November 20, 2012 the panel recommended WH Pacific be the firm that we negotiate a contract with. This contract will be valid for five years.

**9. Resolution No. 12-385 Appointment of a member to the CD-MH-TC Sales Tax Advisory Board.**

**Danette York, Director of Public Health and Social Services**, stated on June 20, 2011 the County Commissioners created a new chapter to Title 3 of Lewis County Code imposing an additional sales and use tax to be used for chemical dependency treatment, mental health treatment, and therapeutic court programs and services. They then established an advisory board which will make recommendations to the BOCC concerning the use of the proceeds of the tax and provide advice to the BOCC concerning the prioritization, selection, and evaluation of programs funded by this tax. This resolution will appoint an alternate to the Board. Matt Patten, Clinical Director at Cascade Mental Health Care, has expressed interest in serving in this capacity as an alternate when Dr. Tre Normoyle is not available to attend meetings. Matt lives in Chehalis and will fill this position effective immediately through September 30, 2015.

**10. Resolution No. 12-386 Approving the assigned County Road Project (CRP) numbers.**

**Tim Elsea, Director of Public Works**, stated pursuant to RCW 36.75.050, the Board of County Commissioners shall by resolution, and not otherwise, order the survey, establishment, construction, alteration, or improvement of county roads; 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 2013 have been adopted as part of the 2013 Annual Construction Program (ACP) and 2013-

2018 Six Year Transportation Improvement Program (TIP), by Resolution 12-355 on November 19, 2012. The 2013 Annual Construction Program represents the first year of the 2013-2018 TIP. The signing of the attached resolution will establish official County Road Project (CRP) numbers and authorize the preliminary engineering, right-of-way, and construction improvements of those projects that are new under the 2013 Annual Construction Program. Previously established CRP numbers will follow a project through completion.

- **2013 Countywide 3R program 2165**
- **2013 Countywide Misc. Safety & Guardrail 2166**
- **Countywide Culvert Replacement for fish passage 2167**

**11. Resolution No. 12-387 Accepting a deed of additional right of way for Bennett Road and Taylor Street, Centralia, Washington.**

**Tim Elsea, Director of Public Works**, stated the City of Centralia has approved a short plat on property owned by Lois E. Bertels on her property within the City's Urban Growth area. The property has frontage on Bennett Road and Taylor Street, being county roads. As a condition of the short plat, the City of Centralia has required the property owners to deed additional right of way for both Bennett Road and Taylor Street to the County for future upgrading to the roads.

**12. Resolution No. 12-388 Approving a VEBA account for the Operations Guild Bureau representing the Deputies Guild.**

**Archie Smith, Human Resources Administrator**, stated this is part of contract negotiations. We have agreed to create a VEBA which is a Voluntary Employers Beneficiary Association plan for that contract. Lewis County is going to front load some funding into the plan and then the employees will do a monthly contribution after the creation of that plan.

**Commissioner Averill** stated this is the first time that we have used this program. In this particular case the County is putting \$1,000.00 into each account as a start of the program and then the employee will contribute \$50.00 per month. This will need to be renegotiated every year.

**13. Resolution No. 12-389 Approving the 2013 Collective Bargaining Agreement between Teamsters 252 representing the Sheriff's Office Corrections Sergeants.**

**Archie Smith** stated this is a one year contract from January 1, 2013 to December 31, 2013. For the 2012 calendar year the Employer Health and Welfare percentages were left unchanged. The current monthly employer contribution for medical insurance is \$1204.68 and will be \$1279.22 beginning January 1, 2013. There is a 2% COLA for the year and the step increases are provided. Compensatory time may be accumulated to 60 hours. Vacation schedule was changed to the County vacation schedule. Vacation scheduling was modified to ensure proper coverage and supervision.

**14. Resolution No. 12-390 Approving the 2013 Collective Bargaining Agreement between Lewis County and the Lewis County Deputies Guild representing the Sheriff's Office.**

**Archie Smith** stated this is a Collective Bargaining Agreement between Lewis County Sheriff's Office and Lewis County Deputies Guild, being presented for approval by the BOCC. There is no wage adjustment for the 2013 calendar year. The employee's health and welfare benefits remain status quo. The contract will be a one year agreement dating from January 1, 2013 through December 31, 2013. Other issues that were addressed during negotiation were:

- Clarification of Civil Liability Procedure
- Clarification of shift adjustment
- Clarification of compensatory time in case of death
- Guild member communication protocols
- VEBA Provision
- Had to modify the Payroll language due to delay in implementation
- Employees terminated under a Just Cause provision will not receive sick payout.

**15. Resolution No. 12-391 Approving the Collective Bargaining Agreement between Teamsters 252 representing the Assessor's Group and Lewis County.**

**Archie Smith** stated the Collective Bargaining Agreement between Teamsters representing the Assessor's Group. This is a 2012 contract and ends December 31, 2012. There is no COLA for the year and step increases are provided for the agreement. For the 2012 calendar year the Employer monthly Health and Welfare financial contributions were not changed at \$880.73 per employee. The big change in this contract is we extended the call back language from 18 months to 24 months.

**16. Resolution No. 12-392 Approving an inter-local with Lewis County Fire District No. 8 (Salkum) for computer and software maintenance services.**

**17. Resolution No. 12-393 Approving an inter-local with Lewis County Fire District No. 14 (Randle) for computer and software maintenance services.**

**18. Resolution No. 12-394 Approving an inter-local with Lewis County Fire District No. 2 (Toledo) for computer and software maintenance services.**

**19. Resolution No. 12-395 Approving an inter-local with Lewis County Fire District No. 15 (Winlock) for computer and software maintenance services.**

**20. Resolution No. 12-396 Approving an inter-local with the City of Morton for computer and software maintenance services.**

**21. Resolution No. 12-397 Approving an inter-local with City of Napavine for computer and software maintenance services.**

**Michael Strozyk, Director of Central Service**, spoke to items 16 through 21. He stated these are two year agreements with the local fire departments and cities for Spillman support. Lewis County 911 owns the Spillman software program which is part of the 911 dispatch and is the police and fire records for the entire county. In order for these agencies to use the software they must go through our IT department. These agreements will expire on December 31, 2014 and have a minimum rate for 2013 of \$110.00 which includes two hours of labor. The labor after the first two hours will be \$55.00 per hour and \$80.00 per hour for afterhours.

**Motion Carried 3-0**

<b>HEARING</b>
----------------

**Hearing: Open Space**

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

**Susan Johnson, Assessor's Office**, stated RCW 84.34 allows property owners to be taxed on the current use value of their property instead of the market value of the property. In the law they grant various authorities to various governing bodies to make the decision on what may be taxed at these rates. Today we are looking at reclassifications for open space timber. There are three groups being looked at today:

- Reclassification from Designated Forest Land to Open Space Timber
- Open Space Farm and Agriculture to Open Space Timber
- New application for Open Space Timber

There are various reasons why these reclassifications are done. Typically the reclassifications from Designated Forest Land to Open Space Timber occur because the properties are being reduced in size and no longer have 20 acres which is the minimum for the Designated Forest Land program. This year the Assessor's office is auditing 4,000 parcels that are being taxed under the Open Space Farm and Agriculture program. That program requires that land in the program be strictly devoted to commercial farming.

**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.

**Susan Johnson** asked that her previous comments be adopted into the record.

**Commission Averill** stated this is an important program in a rural county like Lewis County. Keeping land in Agriculture and Timber is an incentive that we need to provide. This savings to the land owner is at the expensive of those not in the program. He stated he applauds Mrs. Johnson in her diligence in making sure those people in the program actually qualify.

**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. 12-398. **Commissioner Schulte** seconded the motion.

**Resolution 12-398 Application for Classifications of Various Land Parcels Under RCW 84.34.**

**Motion Carried 3-0**

### **Hearing: 2013 Vader Water Budget**

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

**Dawna Truman, Budget Director**, stated the City of Vader water system was put into receivership on October 29, 2010 and Lewis County became responsible for the care and maintenance of the system as of January 1, 2011. The County views Fund 623 as an outside agency fund. Since Lewis County does not budget for agency funds in the regular county budget, it would be in the best interest of the county to adopt this fund separately. This resolution will approve the 2013 budget for the Vader Water System agency fund 623 with revenue in the amount of \$270,500.00, expenditure in the amount of \$265,528.00, an increase in fund balance in the amount of \$5,472.00.

**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.

**Dawna Truman** asked that her previous comments be adopted into the record.

**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. 12-399. **Commissioner Schulte** seconded the motion.

**Resolution No. 12-399 A Resolution for the Vader Water System Fund 623 to Approve the 2013 Adopted Budget.**

**Motion Carried 3-0**

### **Hearing: 5<sup>th</sup> 2012 Budget Amendment**

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

**Dawna Truman** stated this is the 5th 2012 budget amendment. A Notice of Hearing was published in the East County Journal on November 28th and December 5th. The total for all funds was noticed at \$9,369,980.00 for revenue and expenditures in the

amount of \$9,408,461.00. Changes since the notice amount resulted in an increase in total revenue of \$479,777.00 and an increase in total expenditures in the amount of \$431,690.00. This brings the final amendment to revenue at \$9,849,757.00, expenditures at 9,843,151.00 and an increase in fund balance of \$6,606.00. The large portion of this budget amendment is revenue and expenditures for refunding of bonds. Also included in the totals were the changes to the current expense fund. The total current expense portion of this amendment is \$85,005.00 for new revenue, increase in expenditures at \$513,173.00 for a decrease in fund balance of \$428,168.00.

**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.

**Dawna Truman** asked that her previous comments be adopted into the record.

**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 Schulte** moved to approve Resolution 12-400. **Commissioner Averill** seconded the motion. Candace Hallow read the Resolution into the Record.

**Resolution 12-400 Lewis County 2012 Budget, Emergency and Supplemental Appropriations to and Transfers within Current Expense and Various Funds.**

**Motion Carried 3-0**

There being no further business, the Commissioners' public meeting adjourned at 10:58 am on December 10, 2012. The next public meeting will be held Monday, December 17, 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

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

\_\_\_\_\_  
P.W. Schulte, Commissioner

\_\_\_\_\_  
Ron Averill, Commissioner