

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
March 28, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, March 28, 2011, at 10:00 a.m. **COMMISSIONERS RON AVERILL, P.W. "Bill" Schulte, and F. LEE GROSE** were in attendance. **Chairman Averill** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Grose** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, March 21, 2011. **Commissioner Schulte** seconded the motion.

Motion carried 3-0

<b>NOTICE</b>
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**Commissioner Grose** made a motion to approve Notice Agenda item one. **Commissioner Schulte** seconded the motion. Chairman Averill read the item into the record.

**1. Proclamation: Proclaiming April 2011 as "Sexual Abuse/Assault Awareness Month."**

**Chairman Averill** stated this Proclaims April 2011 as Sexual Abuse/Assault Awareness Month in Lewis County and asks community members to recognize the serious impact of Sexual Abuse/Assault, to support victims, and to embrace the significant role each of us can play in the prevention of Sexual Abuse/Assault. He stated the Human Response Network does a terrific job in our County. They provide a refuge for people that have been sexually abused or assaulted.

**Commissioner Grose** stated making a proclamation is one thing but it needs the support of the public throughout in order for it to be an effective tool to combat these problems. This is an important step in making the public aware of what is going on so this can be prevented in the future.

**Motion carried 3-0**

**Commissioner Schulte** made a motion to approve Notice Agenda items two through four. **Commissioner Grose** seconded the motion. Candace Hallom read the items into the record.

**2. Notice of Hearing: Regarding the 1<sup>st</sup> 2011 Budget Amendment for Current Expense and Various Funds. Hearing will be held on or after 10:00 am, on April 11, 2011. Resolution No. 11-096**

**Dawna Truman, Budget Director**, stated this provides notice of a hearing for the first amendment to the 2011 budget for current expense and various funds in the amount of \$1,065,807.00; with an offset in revenue in the amount of \$326,782.00; and, the balance from reserves in the amount of \$739,025.00. The hearing will be held in the Commissioners Meeting Room, Historic Courthouse, on or after 10:00 am on Monday, April 11. The public will have an opportunity to ask questions and provide testimony prior to a decision by the Board of County Commissioners.

**3. Notice of Hearing: Amending the 2011-2016 Six Year Transportation Improvement Program (STIP) and 2011 Annual Construction Program. Hearing will be held on or after 10:00 am, on April 11, 2011. Resolution No. 11-097**

**Rod Lakey, Public Works**, stated pursuant to RCW 36.81.121, all cities and counties are required to prepare, adopt and submit a six-year transportation improvement program. The Lewis County 2011 STIP and Annual Construction Program were adopted by Resolution 10-295 on November 15, 2010. Copies of this program were furnished to WSDOT, CRAB, cities containing urban areas, and the Transportation Improvement Board. The 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. Additional grant funding and other updates make it necessary to amend our adopted 2011-2016 Six Year Transportation Program and Annual Construction Program. A hearing for the amended six year program must be held prior to the adoption. The public hearing will be held April 11, 2011. The notice of hearing will be published in The Chronicle and East County Journal, March 30<sup>th</sup> and April 6<sup>th</sup>, and on the County website. He then explained the proposed amendment to the STIP and Annual Construction Program.

**4. Notice of Hearing: Regarding repealing Lewis County Code 12.12 which provides easements of necessity. Hearing will be held on or after 10:00 am, on April 18, 2011. Resolution No. 11-098**

**Larry Unzelman, Public Works**, stated this resolution calls for notice to be given for a hearing to be held on April 18, 2011 to consider repealing Lewis County Code 12.12. This Lewis County Code provides procedures for granting Easements of Necessity to improve and utilize roadways on unimproved county road rights of way. Lewis County Code 12.60 sets forth standards for construction applicable to all privately constructed roads thereby diminishing the need for a separate code to regulate construction of roads on unimproved county road rights of way. Repealing the ordinance will save the County administrative costs and saves the property owners application fees,

**Chairman Averill** stated the hearing is to eliminate Lewis County Code 12.12.

Motion Carried 3-0

## CONSENT

**Commissioner Grose** made a motion to approve Consent Agenda items five through ten. **Commissioner Schulte** seconded the motion. Candace Hallow read the items into the record.

### **5. Resolution No. 11-099 Approval of warrants for payment.**

**Chairman Averill** stated this approves 7 Special Warrants (Vader Water System) and 231 other warrants issued by the Auditor's Office for a total amount of \$416,889.27.

### **6. Resolution No. 11-100 Approving final plat for Newaukum Estates subdivision in the Chehalis UGA.**

**Chairman Averill** stated this approves the final plat for Newaukum Estates Subdivision in the City of Chehalis Urban Growth Area (UGA). This is an 18 lot single family residential subdivision. Under an Inter-local agreement Lewis County permits the City of Chehalis to apply their building code rules to property in the UGA since those properties are eventually scheduled for annexation into the city. Water service is provided by the City of Chehalis and sewer service is provided by Lewis County Sewer District # 4. The average lot size is 8,615 square feet, with the smallest lot being 7,941 square feet. The city's Development Review Committee, and the City Planning Commission, approved both the preliminary and final plats. Agency and jurisdictional review has found that the applicant has complied with all conditions of approval as outlined in the preliminary plat approval. This final plat approval will comply with all local and state regulations pertaining to subdivisions. The Lewis County Community Development staff has reviewed all documentation on this plat approval request and recommends approval.

**Bob Nacht, City of Chehalis Community Development**, stated he is here requesting approval of this subdivision. In this subdivision there are no county roads for dedication.

**Chairman Averill** stated this is a formality in that the Urban Growth Area, while eventually it will be in the City the residents in that area are still in the County and by our agreement we allow the City rules to be applied but we have to make the final approval.

### **7. Resolution No. 11-101 Appointing members to the Chehalis River Basin Flood Control Zone District Advisory Board.**

**Chairman Averill** stated this approves the appointment of Susan Rosbach (Lewis County unincorporated area), Jason Humphrey and Steve Koreis (City of Centralia), and Julie Balmelli-Powe and Daniel Maughan (City of Chehalis) to the Chehalis River Basin Flood Control Zone District Advisory Board. These

appointments were made previously (RES 10-218); however, to correct the record RES 11-049 dissolved all conflicting boundaries of Lewis County wide (1973 and 1997) and sub-area Flood Control Zone Districts (Chehalis and Cowlitz River Basin) and created a new Chehalis River Basin Flood Control Zone District. To clean up the legal process it is necessary to reappoint these members of the Advisory Board.

**8. Resolution No. 11-102 Approving a Collective Bargaining Agreement with Teamsters Local #252, representing County Correctional Sergeants.**

**Archie Smith, Human Resources**, stated this resolution completes the collective bargaining agreement between the Lewis County Sheriff's Office and the Lewis County Corrections Sergeants represented by Teamsters Local 252. Settlement was reached as a result of a recent Arbitration Hearing whereby the Arbitrator rendered a decision on the remaining items in dispute. The Arbitrator's award provides for a 1% COLA for 2010 and 1.4% COLA for 2011. Also, the contribution share toward health benefits will remain at 95% County, 5% employee. Given the 95/5 formula for computing health benefit contribution was already in effect from the previous contract, the net cost of the award stems from the COLA's. The estimated cost of this provision is \$8,500.00. This is a 2-year contract effective January 1, 2010 through December 31, 2011.

**9. Resolution No. 11-103 Bid award for the purchase of three stainless steel slip-in flusher tanks.**

**Tim Elsea, Director of Public Works**, stated a Call to Bid was issued by the BOCC on March 7, 2011 by Resolution No. 11-065 for the purchase of Three Stainless Steel Slip-In Flusher Tanks which were due for replacement. The proposal was advertised in the East County Journal, Daily Journal of Commerce (Portland and Seattle), and Lewis County Web Site. Public Works received three responsive bids for this project on March 22, 2011. Randco Tanks (Kelso) provided the lowest responsive bid of \$137,917.50 (with shipping) and \$137,317.50 (without shipping); Availability of County trucks will determine whether Public Works uses the shipping option. The Engineer's estimate was \$120,000.00. Approval of the Resolution will authorize an action to execute a contract between Randco Tanks and Lewis County Public Works for the purchase of Three Stainless Steel Slip-in Flushers Tanks, and authorize the Director of Public Works to sign the same.

**10. Resolution No. 11-104 Bid award for the 2011 Traffic Paint Project.**

**Tim Elsea, Director of Public Works**, stated a Call to Bid was issued by BOCC on March 7, 2011 for the Lewis County 2011 Traffic Paint Proposal. The proposal was advertised in the East County Journal, Daily Journal of Commerce (Portland and Seattle), and Lewis County Web Site. Public Works received three responsive bids for this project on March 22, 2011. Sherwin Williams (Camas) provided the lowest responsive bid of \$247,063.80 (including taxes). The

engineer's estimate was \$258,480.00 (including taxes). A contract with Sherwin Williams would be renewable up to five years.

**Chairman Averill** stated this is the paint we use for striping the roads.

Motion Carried: 3-0

<b>BID OPENING</b>
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**BID OPENING: County Legal Printing**

**Karri Muir, Clerk of the Board**, stated this is the bid opening for county printing of legal publications for the year beginning July 1, 2011 and ending June 1, 2012. One bid was received. The East County Journal bid was for the amount of \$6.50 per column inch to publish Lewis County notices required by law.

<b>HEARING</b>
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**Hearing: Flood Control Zone District for the Cowlitz River Basin**

**Chairman Averill** announced the hearing and asked for a staff report.

**Glenn Carter, Prosecutors Office**, explained the history of the FCZD and Sub-Districts. Due to concern regarding the previously establish FCZD's the Board made a decision early this year to dissolve the existing FCZD's in the County. Thereby starting with a clean slate. At that time the Board created the Chehalis River FCZD and now is having a hearing with the respect to the creation of a Cowlitz River FCZD. At this time staff are coming to the Board with recommendation is for the adoption of a new Cowlitz River FCZD, with a new legal description as well as the map created from that legal description.

**Chairman Averill** stated generally speaking the Chehalis Basin FCZD and the Cowlitz Basin FCZD follow the watersheds for those two River Basins. The map is showing the WRIA 26. Commissioner Grose sits on the Board that overlooks the governing of the WRIA. WRIA's were originally created back in 1993 when salmon restoration was a high priority. As we look at flood mitigation and look at the upper basin of the Cowlitz, there have been a number of times that our emergency people have had to go up there to assist during the flooding. We have had almost as many events on the upper Cowlitz as we have had on the Chehalis. It is a good thing to have the FCZD for the Cowlitz to better address the Channel Migration Zones and other issues of that nature.

**Commissioner Grose** stated WRIA stands for Water Retention Inventory Area set up by the State. These areas are throughout the State of Washington.

**Chairman Averill** 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.

**Glenn Carter** asked that his previous comments be adopted into the record.

**Chairman Averill** asked that his previous comments be adopted into the record.

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

**Commissioner Schulte** made a motion to approve Resolution 11-105.  
**Commissioner Grose** seconded. Candace Hallom read the item into the record.

### **Resolution No. 11-105 Forming a Flood Control Zone District for the Cowlitz River Basin.**

Motion Carried 3-0

### **Hearing: Ordinance 1221**

**Chairman Averill** announced the hearing and asked for a staff report.

**Tim Elsea, Director of Public Works**, stated Lewis County adopted Title 13 of the Lewis County Code on July 26, 2010 to establish a Utility Division within the Department of Public Works in preparation for receiving the City of Vader water system. The hearing for receivership was held on October 29, 2010; and Lewis County began operation and management of the water system on January 1, 2011. Through this process the County developed Lewis County Code Title 13. We are now amending that code and adding an additional section to that code. The amendments will include adding definitions, amending different sections, and adopting 13.80.

**Chairman Averill** stated essentially what we are doing know is establishing the policy for the running of the water system by the County. He explained the difference between a County Ordinance and a County Code.

**Commission Grose** stated this specifically address the Vader Water System but is written this way for future needs.

**Chairman Averill** 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** asked that his previous comments be adopted into the record.

**Chairman Averill** asked that his previous comments be adopted into the record.

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

**Commissioner Schulte** made a motion to approve Ordinance No. 1221. **Commissioner Grose** seconded. Candace Hallom read the item into the record.

**Ordinance No. 1221 An Ordinance Amending Regulations for Management and Operation of a Utility System of Sewerage and Water.**

Motion Carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:47 am on March 28, 2011. The next public meeting will be held Monday, April 4, 2011, 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:**

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Ron Averill, Chairman

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Clerk of the Board  
Lewis County Commissioners

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P.W. Schulte, Commissioner

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F. Lee Grose, Commissioner