

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
April 11, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, April 11, 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, April 04, 2011. **Commissioner Schulte** seconded the motion.

Motion carried 3-0

NOTICE

Commissioner Schulte made a motion to approve Notice Agenda item one. **Commissioner Grose** seconded the motion.

Chairman Averill read the Proclamation into the record.

- 1. Proclamation: Proclaiming April 2011 as National Government Month, "Serving our Veterans, Armed Forces and Their Families".**

Motion Carried 3-0

Commissioner Grose made a motion to approve Notice Agenda item two. **Commissioner Schulte** seconded the motion.

Chairman Averill read the Proclamation into the record.

- 2. Proclamation: Proclaiming April 10-16, 2011 as "National Crime Victims Week".**

Joe Keen, Human Response Network, stated this is a time to honor victims and the advocates of victims' rights. This year's theme "reshaping the future, honoring the past". For victims, reshaping the future means confronting many challenges. After a crime, victims need to know what rights and resources they can count on. They may need funds to bury a loved one or pay medical bills. They may want information on the criminal justice process, the right to be present or heard in court, and to be notified about court proceedings and offenders whereabouts. Yet many victims do not find the help they need. For victim advocates reshaping the future particularly in these financially stressed times means finding ways to do more with less. Reshaping the future requires meeting present and emergency challenges. National Crime Victims week honors the victims and advocates who have confronted such injustices and helped produce a nationwide system of victim compensation and rights. Human Response network is dedicated to breaking the cycle of violence and responding with compassion to victims. The way we advocate for a client is

dependent on the client's needs. We are here to inform them of their rights, ask what they need, present options, and support the choices that they make.

Motion Carried 3-0

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

3. Notice of Hearing: Regarding the 7th 2010 Budget Amendment. Hearing will be held on or after 10:00 am, on Monday, April 25, 2011. Resolution No. 11-114

Dawna Truman, Budget Director, stated this amendment is due to a health assessment that was assessed to the County by Washington Counties Insurance Fund (WCIF) for health related costs. Hopefully this will be the last budget amendment for 2010. This amendment is in the amount of \$224,976.00. The hearing will be held on April 25, 2011.

4. Notice of Hearing: Regarding a non-exclusive franchise to CenturyTel of WA. Hearing will be held on Monday, May 2, 2011. Resolution No. 11-115

Larry Unzelman, Public Works, stated a franchise was granted to CenturyTel on July 31, 2000 for the construction, operation and maintenance of telecommunication facilities on various Lewis County road rights of way. That franchise has expired and this proposed franchise would replace it. This resolution will set May 2, 2011 as the date for hearing on the franchise and call for required postings and publications by RCW 36.55.040.

5. Call for Bids: For the River Road Guardrail Improvement Project. Bids will be opened on or after 11:30 am, on Tuesday, May 3, 2011. Resolution No. 11-116

Rod Lakey, Public Works, stated the rock wall on River Road was used as a traffic barrier until it was damaged in the 2007 flood. The cost of repair for the outdated safety wall was greater than replacing it with a current standard guardrail. Because of this change and guardrail extension, FEMA considers this an improved project. The project has been approved and the rock wall will be replaced with guardrail meeting the current design safety standards. This Resolution calls for sealed proposals for the River Road Guardrail Improvement Project to be delivered to the Clerk of the Board of Lewis County Commissioners by 11:00 A.M. on Tuesday May 3, 2011. The Call will be advertised in the East County Journal and The Daily Journal of Commerce on April 13th, 20th, and 27th, 2011. Additionally, this Call will be posted on the County's Website.

Motion Carried 3-0

CONSENT

Commissioner Grose made a motion to approve Consent Agenda items six through fourteen. **Commissioner Schulte** seconded the motion. Candace Hallom read the items into the record.

6. Resolution No. 11-117 Approval of payroll and warrants for payment.

Chairman Averill stated this approves 247 warrants issued by the Auditor's Office for a total of \$723,387.00. Also, approves 420 automatic deposits, 151 warrants for County Net Pay, and 62 warrants for County Benefits & Employee Deductions for a total of \$3,009,459.13.

7. Resolution No. 11-118 Cancellation of warrants.

Chairman Averill stated this approves cancellation of an Auditor Office warrant for \$1,500.00 that was lost or destroyed and authorizes reissue.

8. Resolution No. 11-119 Appointing a member to the Lewis County Historical Society Board of Directors.

Chairman Averill stated this approves the appointment of William Teitzel, Department of Health and Social Services, Code Enforcement Division, to fill the unexpired term of Steve Garrett (recently retired) to represent Lewis County on the Lewis County Historical Society Board of Directors. The term will expire on January 1, 2012.

9. Resolution No. 11-120 Appointment of new members to the Lewis County Emergency Planning Committee (LEPC).

Ross McDowell, Lewis County Sheriff's Office, stated several personnel changes have resulted in vacancies for the 2011 Planning Committee. The following have been nominated to take the respective positions Craig McCown (City of Toledo Public Works), Travis Wickam (Pipeline Technician Williams Pipeline), and Matt Dibble (General Manager Millard Refrigerant Services). The LEPC works with hazardous materials working on our Emergency Service Function #10 which involves all hazardous materials in the County. This is a mandated committee that reviews any incidents due to hazardous material.

10. Resolution No. 11-121 Approving the Coordinated Prevention Grant Amendment #2 with the WA State Department of Ecology.

Danette York, Director of Health & Social Services stated this amendment will allow Lewis County to receive reimbursement for activities within the scope of work through June 30, 2011. Traditionally, solid waste permitting and enforcement activities are the responsibility of the local health department as defined by WAC and RCW. Ecology has responded to provide a grant to reimburse local health for time and expenses to carry out this responsibility. CPG grant is for two years (2010-2011), but funding was only secured for the first year (Phase 1) as listed in the table below. This amendment shows funding secured for a portion of Phase 2 (Jan – June 2011) as listed in the table below. We do expect a third amendment once funding is

secured for the remainder of Phase 2 (July-Dec 2011). The CPG grant typically requires a 25% local match which in the past has come from solid waste tipping fees. This is primarily used for Solid Waste enforcement.

	Phase 1 (Jan-Dec 2010)	Phase 2 (Jan-June 2011)	Total after Amendment
State Grant Amount	\$ 56,958	\$ 11,451	\$ 68,409
Local Match	\$18,986	\$ 3,817	\$ 22,803
Total Budget	\$ 75,944	\$ 15,268	\$ 91,212

11. Resolution No. 11-122 Declaration of surplus property.

Michael Strozyk, Director of Central Services, stated this resolution declaring surplus property and authorizing disposal as allowed under Lewis County Code (LCC) Chapter 3.30, Management and Disposition of Property. In an effort to streamline the process, the Facilities division presents a quarterly list of items for consideration and declaration as surplus property. There are 610 items on this list. Declaring these items surplus in bulk will allow minor transfers and disposals to be effected more efficiently and offer better service to the County and other agencies using this surplus process. Normally there are twenty to thirty items per quarter. We are waiting to hear back from the State of Washington on Clarification on fees that they would like to charge us. As soon as we hear back from them we will hopefully have a contract with the State to help us dispose of some of these items.

12. Resolution No. 11-123 Approving an administrative agreement for acquisition of additional right of way for Boyd Road.

Larry Unzelman, Public Works, stated an offer dated October 6, 2009 was made to Richard John Urbas agreeing to pay \$1,300 for 3,521-square-feet of right of way needed for the Boyd Road Slide Repair Project. The offer also included, at the property owner's option, \$4,500 for 2,575-square-feet of uneconomic remnant. Mr. Urbas accepted the offer to purchase the entire property for \$5,800.00, however, on November 2, 2009 a judgment was filed against Mr. Urbas and the Judgment Creditor, Stephen Johnson, was unwilling to negotiate for his release of the judgment lien. This resulted in the Board of County Commissioners passing Resolution 09-420 on December 21, 2009, directing the Prosecuting Attorney to initiate condemnation proceedings to acquire the right of way needed for the slide repair. A condemnation action is in progress, however negotiations continued and the Judgment Creditor is now willing to release that portion of the judgment lien in exchange for \$5,800.00 and underlying fee title to a portion of the parcel encumbered with an easement to the County. The proposed offer was presented to Mr. Urbas and Mr. Johnson to settle negotiations. The agreement has been agreed to and signed by both Richard John Urbas and Stephen Johnson and is acceptable to the Public Works Department. Approval and execution by this Board will conclude this acquisition.

Chairman Averill stated we have done four or five of these condemnation procedures and only one that we had to go all the way with condemnation. The threat of condemnations causes property owners to be a little more cooperative.

13. Resolution No. 11-124 Accepting the dedication of additional right of way for Bennett Road and Van Wormer Street.

Larry Unzelman, Public Works, stated the City of Centralia Short Plat No. SP2008-7, recorded under Auditor File No. 3316167, subdivides property in the City of Centralia's Urban Growth Area with frontage on Bennett Road and Van Wormer Street, both being county roads. The subdivision dedicates 10 feet of additional right of way for Bennett Road and Van Wormer Street to the County. This Short Plat was not approved nor accepted by Lewis County since it was processed by the City; therefore a separate acceptance of the right of way by the County is required. It appears to now be in the best public interest to accept this right of way into the county road system as a part of Bennett Road and Van Wormer Street.

Chairman Averill asked Public Works to review our procedures on land use applications in the Centralia UGA to make them consistent with the way we deal with Chehalis.

14. Resolution No. 11-125 Awarding the CDBG Planning Only Grant.

Tim Elsea, Director of Public Works, stated a proposal has been submitted to the Lewis County Board of County Commissioners for application to the state Department of Commerce for a Community Development Block Grant (CDBG) Planning Only Grant (POG). The application is for \$24,000 to assist in the preparation of a pre-design document, environmental review and engineering report for Washington State Department of Health approval for a public sewer system located in Packwood, Washington. A public hearing was held on April 4, 2011 at 10:00 a.m. in the Commissioners Hearing Room to review community development and housing needs, inform citizens of the availability of funds and the eligible uses of the State Community Development Block Grant (CDBG), and receive proposals or comments on the proposed activities, particularly from low and moderate income persons and persons residing in Lewis County, Washington. This was the only application received and Lewis County is authorized to apply for one project per year.

Chairman Averill stated the hearing was to take all requests for grants and only one was submitted. That application meets all the requirements for a CDBG planning only grant.

Commissioner Grose stated we had the same \$24,000.00 grant last year and had to return the CDBG because we were not able to complete the plan we wanted to put forward.

Motion Carried: 3-0

HEARING

Hearing: Amending the 2011 STIP and Annual Construction Improvement Program

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

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 (STIP). 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 STIP and Annual Construction Program. He then read the changes into the record.

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.

Rod Lakey 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 No. 11-126.

Commissioner Grose seconded the motion. Candace Hallom read the item into the record.

Resolution No. 11-126 Adoption of the Amended 2011 Annual Construction Program and Six Year Transportation Improvement Program for the Years 2011 – 2016

Motion Carried: 3-0

Hearing: Budget Amendment

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

Dawna Truman, Budget Director, stated the 1st 2011 budget amendment has been published in the East County Journal on March 30th and April 6th. She then provided a summary of the changes affected by this budget amendment resolution. Current Expense revenue had decreased by \$86,038.00, Expenditures are increasing by \$30,467.00, and use of reserves by \$116,505.00. The major affect from this are;

- **Prosecutor Fund 001-110:** Decreasing expenditures and revenues due to the loss of grant revenue. Changes in line items between programs.
- **Transfer:** Increasing transfer out to Capital Facilities Plan Fund 310 to offset expenditures for the Manatron/Sigma migration and integration project.
- **Non Departmental Fund 001:** Increasing transfer in from Senior Transportation Fund 192 and increasing fund balance. Lewis County no longer operates the Senior Transportation program; Resolution No. 11-031 closes Senior Transportation Fund 192 and approves the transfer of the residual cash in the fund balance of Fund 192 to Current Expense Fund 001.

OTHER FUNDS:

Revenue: \$412,820.00

Expenditures: \$1,035,340.00

Fund balance: \$(622,520.00)

- **Social Services Fund 104 :**
 - \$10,084 Increasing expenditures and use of fund balance. Increase professional services as a result of a memorandum of understating between United Way and Lewis County. United Way will provide fiscal services for training and conference support for the Lewis County Autism Coalition.
 - \$35,000 Increasing expenditures and use of fund balance. Increase professional services as a result of an understating between Washington Initiative for Supported Employment (WISE) and Lewis County. The agreement states that WISE will provide training and conference support for county staff, DD Advisory Board members, and individuals with developmental disabilities and their families.
- **Distressed Counties Fund 130:** Increasing expenditures and use of fund balance due to project funding that was awarded to the City of PeEll. Resolution No. 10-269 approved a project for the purchase and installation of a gazebo and four street lights on Main Street in downtown PeEll for the purpose of an informational site for tourism and local events.
- **E REET Technology Fund 132:** Increasing expenditures and use of fund balance due to a payment to Manatron Inc.
- **Gambling and Fraud Enforcement Fund 165:** Increasing expenditures and use of fund balance due to the Prosecutors Office hiring a Deputy Prosecuting Attorney (DPA) to work in the Gambling and Fraud Enforcement program. The 2011 original budget was based on a lower pay rate than what the DPA was hired at, this amendment is for the difference between the two pay rates.
- **Public Health Fund 190:**
 - \$21,507.00 Increasing revenue and expenditures to increase salaries, benefits and miscellaneous expenses for the Consolidated Contract amendment No. 28 which adds funding to the Woman, Infant, Child (WIC) program in a new category for a peer counselor.

- \$4,100.00 Increasing revenue and expenditures for training and travel for Consolidated Contract amendment No. 30 which increases funding to the Women, Infant, Child (WIC) program allowing staff to attend the 2011 National WIC conference in Portland OR.
- \$50,000.00 Increasing expenditures and revenue for increased salaries, benefits and miscellaneous expenses. Consolidated Contract No. 28 establishes 2011 funding for the new Healthy Communities project. Increase in revenue is from new funds from the State Department of Health (DOH) in the amount of \$28,750.00 and \$21,250.00 is to be moved from the Tobacco Prevention and Cessation (TPC) funds.
- \$(25,322.00) Decreasing revenue and expenditures for salaries, benefits and miscellaneous expenses due to state budget cuts to the Tobacco Program funding.
- \$60,000.00 Increasing revenue and expenditures for extra help, office supplies and training and registration costs due to Consolidated Contract amendment No. 28 which adds funding for more H1N1 response activities.
- \$26,953.00 Increasing revenue and expenditures to account for increased salaries, benefits and miscellaneous expenses due to Consolidated Contract amendment No. 29 which allocates \$59,954.00 for Maternal and Child Health. The revenue budgeted for 2011 was \$33,001.00; this budget amendment is for the difference in the contract and what was budgeted. The increase in funding will allow for the Public Health nurse to spend more time in this program.
- \$(594.00) Decreasing revenue and expenditures due to Consolidated Contract amendment No. 28 for Local Capacity Development Funds (LCDF) from the DOH which allocates \$594.00 less than what is currently budgeted for in 2011.
- \$254.00 Increasing revenue and expenditures for medical supplies due to Consolidated Contract amendment No. 28 which allocates an additional \$254.00 from the DOH for childhood immunizations.
- \$(21,733.00) Decreasing revenues and expenditures for salaries, benefits and miscellaneous expenses due to the HIV testing and counseling program being eliminated in Lewis County as of January 2011 as a result of state budget cuts.
- \$8,207.00 Increasing revenue and expenditures for salaries, benefits and miscellaneous expenses in the Children with Special Health Care Needs (CSHCN) program. Consolidated Contract amendment No. 29 allocates \$25,695.00 which is \$8,207.00 more than is budgeted for in the 2011 budget. This amendment will increase the 2011 budget to reflect the correct contract amount.
- \$119.00 Increasing revenues and expenditures for medical supplies in the immunization program due to an increase in Blue Ribbon funding by \$3,119.00 and reduced amount of ARRA funding by \$(3,000.00).

- \$16,329.00 Increasing revenues and expenditures for salaries, benefits and miscellaneous expenses due to Consolidated Contract amendment No. 29 which allocates \$25,000.00 for the dental sealant program in Oral Health. When budgeting for 2011 it was believed that Public Health would not receive any funding in the Oral Health dental sealant program, this amendment will increase the 2011 budget to reflect the correct contract amount,
- **Senior Transportation Fund 192:** Increase transfer out to Current Expense non-departmental. Resolution No. 11-031 closes the Senior Transportation Fund as a result of the county contracting out services to an outside agency and approves transferring the residual cash to Current Expense Fund 001.
- **Stadium Fund 198:** Increasing expenditures and use of fund balance for tourism related activities due to the approval of additional funding. The BOCC amended grant amounts to the White Pass Scenic Byway and Visit Rainer by an increase of \$10,000.00 for each applicant. Resolution No. 11-087 approves all 2011 funding to agencies for tourism related activities.
- **Land Acquisition 301:** Increasing expenditures and use of fund balance for emergency and non-scheduled repairs needed on county buildings to maintain operations.
- **Capital Facilities Fund 310:**
 - \$103,000.00 increasing expenditures and adding revenue from the transfer in from Current Expense for the Manatron/Sigma migration and integration project for the Assessor's Office.
 - \$10,000.00 Increasing expenditures and use of fund balance for repairs and maintenance due to the replacement of a roll up sally port door in the Lewis County Jail that had failed.
 - \$250,000.00 Increasing expenditures and use of fund balance for capital costs associated with the construction of a 3,500 square foot multi use building that will serve as the Fixed Base Operations Office (FBO) for the Ed Carlson Memorial Airport and Membrane Bio-Reactor (MBR) storage facility for the Cowlitz Tribal Authority.
- **Solid Waste Fund 401:** Increasing expenditures and revenue for capital expenses associated with the Bulkhead project at the East Lewis County Transfer Station (ELCTS). This project was started in 2010 and will be completed in 2011. Funding for the Bulkhead project comes from the Solid Waste Disposal District Fund 415.

Solid Waste Disposal District Fund 415: Increasing expenditures and use of fund balance due to increased funding to Solid Waste Fund 401 for costs associated with the ELCTS Bulkhead project.

ALL FUNDS: FINAL AMOUNT
REVENUE: \$326,782.00
EXPENDITURES: \$1,065,807.00
FUND BALANCE: \$(739,025.00)

Commissioner Grose stated we did try very hard through the budget office to get a balanced budget. We succeeded with that at first but have had to make changes in that to accommodate certain factors.

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.

Dawna Truman asked that her 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 Grose made a motion to approve Resolution No. 11-127.

Commissioner Schulte seconded the motion. Candace Hallom read the item into the record.

Resolution No. 11-127 Lewis County 2011 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 11:03 am on April 11, 2011. The next public meeting will be held Monday, April 18, 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:

Ron Averill, Chairman

Clerk of the Board
Lewis County Commissioners

P.W. Schulte, Commissioner

F. Lee Grose, Commissioner