

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
August 1, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, August 1, 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, July 25, 2011. **Commissioner Schulte** seconded the motion.

Motion carried 3-0

PUBLIC COMMENT

Don Iddings, Vader, stated things are going very smooth in Vader and he can wake in the morning knowing he will have water. He then thanked the County.

NOTICE

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

- 1. Notice of Hearing: Regarding applications for classifications of various lands under RCW 84.34. Hearing will be held on Monday, August 15, 2011 on or after 10:00 am. Resolution No. 11-240**

Dianne Dorey, Lewis County Assessor, stated we have some individuals who have applied for the Open Space Timber Classification. Some of these properties have less than five acres. The Open Space Timber program requires between five and twenty acres but if they have contiguous parcels or an application already in that they are adding to then they can be included in the program. The Open Space Timber program is to keep lands growing and re-harvesting to keep our State green. There are nine parcels moving from Designated Forest Land into Open Space Timber and one new applicant going to Open Space Timber.

- 2. Notice of Hearing and Action: Regarding adoption of Ordinance 1225 related to land use and zoning imposing a moratorium on applications for development of community medical marijuana gardens upon declaration of emergency. Hearing will be held on August 15, 2011 on or after 10:00 am. Resolution No. 11-241**

Chairman Averill stated this provides notice of a hearing regarding the adoption of an ordinance (ORD 1225) related to land use and zoning imposing a moratorium on receipt of applications for development of community medical marijuana gardens upon

declaration of an emergency. A new law passed by the legislature allows the establishment of collective medical marijuana gardens effective Friday, July 22, 2011. The moratorium will be effective for 60 days, during which time county staff and the Planning Commission will study the matter to determine whether land use restrictions should be adopted by Lewis County. The hearing will be held on August 15, 2011 on or after 10:00 am. The public will have the opportunity to ask questions and provide testimony prior to a decision by the Lewis County Board of County Commissioners. We are doing an emergency measure due to the fact that this is already passed into law. There are certain things that we know we can do but we have not yet done them, therefore we want to have this moratorium during which time staff will be looking into our options. We will put this through the Planning Commission so they can make recommendations to us on how to address this in the future. If the law says we cannot turn down a marijuana garden then we do have land use provisions that we can apply. We would like an opportunity to look at our options before we make a decision on how we will handle these gardens.

Motion Carried 3-0

CONSENT

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

1. Resolution No. 11-242 Approval of warrants and for payment.

Chairman Averill stated this approves 3 Special Purpose warrants (Vader Water System) for \$1,054.36; and 189 warrants issued by the Auditor's Office for \$802,781.89, for a total of \$803,836.25.

2. Resolution No. 11-243 Approving a contract for consulting engineering services for the Vader Water System.

Rod Lakey, Public Works, stated Lewis County accepted a \$613,000 Community Development Block Grant with the State Department of Commerce (Resolution 11-112) and a \$721,822 Drinking Water State Revolving Fund grant and loan with the Public Works Board (Resolution 10-262) to repair a portion of the Vader Water System. The project is scoped to replace old brittle undersized lines, construct valves to isolate critical parts of the system, place hydrants, install service meters with automation technology, and construct a bypass line at the water treatment plant for high turbidity events. The approval was given to publish for RFP's; there were 15 consultants who submitted their proposals. Public Works evaluated the proposals and narrowed them down to three. They then interviewed the three consultants via telephone. Murray Smith Associates, Inc. was the most qualified. This resolution would authorize the Public Works Director to sign the contract to begin the consultant process at a price not to exceed \$140,000.00. The schedule for this project is:

- August 1, 2011 – Board Approval for Contract Award.

- August 31, 2011 – Kickoff meeting with customers.
- February 2012 – Start bid advertising period.
- April 2012 – Bid opening.
- May 2012 – Construction contract award.
- June to October 2012 – Construction.

3. Resolution No. 11-244 Approving a Task Assignment agreement with the City of Tacoma Public Utilities, Tacoma Power for county crews to do various work.

Rod Lakey, Public Works, stated pursuant to the Inter-Local Agreement dated July 18, 2005, Resolution 05-200. The following Task Assignment allows for work to be performed for Tacoma Power in conjunction with the County's 2011 Chip-Sealing Program. Task Assignment #2011-01 One application of liquid asphalt and rock chips to Zone 2 of the Haul Road from the edge of Zone 1 (last year's chip seal work) to Dog Mountain Road; approximately 5,200' in length, 24' in width, for a total of 13,867 square yards. One application of liquid asphalt and rock chips from the Mossyrock Park Host campsite to the boat launch parking lot; approximately 3,700' in length, 24' in width, for a total of 9,867 square yards. Total cost of the project is \$68,530.00 which will be paid by Tacoma Power through this inter-local agreement.

4. Resolution No. 11-245 Bid award for the Garrard Creek Culvert Replacement Project.

Rod Lakey, Public Works, stated this contract provides for the replacement of an existing 11-Ft. by 7-Ft. by 50-Ft. pipe arch culvert with an 18-Ft. by 10-Ft. by 55-Ft precast concrete three-sided structure with footings and the replacement road section of guardrail. An invitation to bid was sent to all companies listed on the Small Works Roster-General Contractors and Underground Utilities, Box Culverts and Culverts categories, on July 6, 2011. The projects was also listed on Lewis County's website. Public Works received three responsive bids for this project on July 26, 2011. The Kugel Corporation dba Kugel Construction submitted the lowest responsive bid of \$109,998.75. Approval of this Resolution will authorize an action to execute a contract between Kugel Construction and Lewis County Public Works for the Garrard Creek Road Culvert Replacement. The culvert was undersized prior and the Washington Department of Fish and Wildlife requires this size. This is the minimum size we can go to replace the culvert without doing further mitigation elsewhere.

5. Resolution No. 11-246 Approving an inter-local with Lewis County Fire District #8 (Salkum) for computer and software maintenance services.

Michael Strozyk, Director of Central Services, stated The County Central Services Department has an IT Services Division which is responsible for the repair and maintenance of the County Public Safety Computer and Software System. Lewis County Fire District # 8 is part of the Public Safety System. This agreement will allow for our IT Services Division to provide computer repair and software maintenance

services to Lewis County Fire District # 8 on an “as needed” basis. As per attached agreement and exhibit # 1, with a minimum annual rate of \$110 which includes 2 hours of labor. Each additional hour will be billed at a rate of \$55 during normal business hours, after hours will be billed at \$80 per hour. Payment for services shall be made monthly and will be due by the fifteenth working day of the month following the month of service.

6. Resolution No. 11-247 Updating the Lewis County Cash Handling Policy, Part 9 of the Lewis County Policy Manual.

Roger Snell, Treasures Office, stated the Lewis County Treasurer has the statutory responsibility for Investments in cash management for Lewis County and for most taxing and assessment districts within the County. In 1998 the current policy was introduced and since then electronic and other procedures and practices have come into place. This updates Lewis County Policy to bring it within current guidelines. The draft was reviewed by the Executive Steering Committee, approved by the County Finance Committee, and needs to be adopted by the BOCC; this updated policy will be used by those who serve under the Board of County Commissions and those offices of Elected officials who have agreed to sign on.

Motion Carried 3-0

HEARING

Hearing CDBG Funding Program through Rural Washington Loan Funds for Lewis County and the Lending Network.

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

Tanni Gunn, The Lending Network, stated funding in the amount of \$468,623.00 is being granted to the Lending Network to help provide funds to make loans for small businesses in Lewis County. The State of Washington has Rural Development Loan Funds. They make loans out on a statewide basis to small business. In the past couple of years, due to cuts at the state level, they do not have the staff members to be able to distribute these funds. They have contacted the Lending Network to do a pilot project where they distribute these funds. The Lending Network is looking at making between five to eight loans with this funding and hope to create about thirty jobs. This funding will be distributed in rural areas of Cowlitz County and all of Lewis County.

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.

Tanni Gunn asked that her previous comments be adopted into the record.

Dick Larman stated this is a pilot program and there may be additional opportunities in the future. The State Department of Commerce has additional funds that they are not able to do anything with. The balance of the state CDBG is not statewide but rural

areas only. If we are successful with this pilot there might be opportunities for us to add to funding for capital projects for businesses in this County.

Chairman Averill stated the EDC and Lending Network are not directly under the County and they are not able to accept this money directly, so we have to accept this for them. There are many of these funds that come out of commerce that have some requirements that we have to certify that we are spending the money correctly. The County will negotiate a Memorandum of Agreement with the Lending Network stipulating policy for disbursement of the funds.

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. 11-248.

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

Approving Certificate of Compliance for Lewis County for the Lending Network Community Development Block Grant Funding For Rural Washington Loan Funds and Authorizing Signature Thereon. Resolution 11-248

There being no further business, the Commissioners' public meeting adjourned at 10:30 am on August 1, 2011. The next public meeting will be held Monday, August 8, 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

Karri Muir, Clerk of the Board
Lewis County Commissioners

P.W. Schulte, Commissioner

F. Lee Grose, Commissioner