

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
November 21, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, November 21, 2011 at 10:00 a.m. **Commissioners Ron Averill, 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, November 14, 2011. **Commissioner Schulte** seconded the motion.

**Motion Carried 3-0**

<b>NOTICE</b>
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**Commissioner Schulte** moved to approve Notice Agenda item one. **Commissioner Grose** seconded the motion. Candace Hallom read the item into the record.

- 1. Request for Qualifications: For the Packwood Wastewater System planning. RFQ's are due no later than 5:00 pm on December 7, 2011 at the Public Works Department. Resolution No. 11-388**

**Tim Elsea, Director of Public Works**, stated that Lewis County Public Works is calling for Requests for Qualifications (RFQ) to perform a scope of work that includes: Determination of the Packwood services area and evaluation of wastewater flows and treatment alternatives to estimation of construction costs and monthly cost per Equivalent Residential Unit (ERU); assisting the county with the associated environmental review work; and, submission of a pre-design report to the Department of Health (DOH) for approval. Lewis County will also require a Site Risk Survey and a Hydrogeology Report be completed if determined necessary by the Department of Health and the preferred alternative system design and capabilities. This planning phase of the project is funded by a Community Development Block Grant and has a budget of \$24,000.00, which includes an estimated cost of DOH review fees of \$1,500.00. The timeline for the RFQ is as follows:

<b>Task</b>	<b>Desired Timeline</b>
Submittals Due	December 7, 2011
Finalists Notified	December 9, 2011
Finalists Interviews, week of	December 12, 2011
Final Selection	December 19, 2011
Contract negotiations/ Finalize scope of work/timeline	December 20, 2011 December 31, 2011
Execute contract	January 15, 2012

**Motion Carried 3-0**

## CONSENT

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

### **2. Resolution No. 11-389 Approval of warrants and payroll for payment.**

**Chairman Averill** stated this approves 239 warrants issued by the Auditor's Office for \$624,908.68; and 259 Payroll Benefits warrants for draws on pay totaling \$228,942.00.

### **3. Resolution No. 11-390 Ratifying a consultant contract for the Skate Creek Rd. S., Bridge #12 Scour Mitigation.**

**Tim Elsea, Director of Public Works**, stated the 392-ft six-span concrete and steel truss Skate Creek Road South Bridge was built in 1953. This bridge crosses the Cowlitz River at river mile 125 just outside Packwood. Currently, the existing scour mitigation consists of rip-rap on both north and south sides and up and down stream. This rip-rap is failing and no longer satisfactorily protects the bridge from scour. Pursuant to On-Call Roster Resolution 11-025 requirements, three consulting firms were selected for telephone interviews to determine who was best qualified for a scour mitigation design for the Skate Creek Road South Bridge #12. One firm did not respond so we consulted seven other consultant firms in order to get a third company to interview. Telephone interviews were conducted and consultants were scored. Out of 300 total points Exeltech received 281, HHPR received 263, and David Evans received 262. Exeltech was determined best qualified to provide the needed services. Pursuant to Resolution 09-299, a contract with Exeltech was negotiated and signed by the Public Works Director on November 4, 2011 in the amount of \$81,010.89. Design and construction support services are scheduled to be completed by December 31, 2012.

### **4. Resolution No. 11-391 Approving a Collective Bargaining Agreement with Teamsters 252 representing the Sheriff's Office Corrections Sergeants.**

**Archie Smith, HR Administrator**, stated the Teamsters Corrections Sergeants Contract, representing the Sheriff's Corrections Sergeants, is being presented for approval by the BOCC. The contract will be a one year agreement dating from 01/01/2012 to 12/31/2012. For the 2012 calendar year the Employer Health and Welfare percentages were left unchanged. The current monthly employer contribution for medical insurance is \$1134.05 and will be \$1204.68 beginning 1/1/2012. There is no COLA for the year and the step increases are provided. Other issues that were addressed during negotiation are:

- DRIVE Check off language was added with the implementation of the new payroll system
- Domestic partner language was added to comply with RCW standards.

- Citizen Complaint and disciplinary language was modified to be consistent with other contracts in the Sheriff's Office.
- Specialty pay was changed from .80 cents to \$2.00 an hour while engaged for Field Training Officers; which is consistent with other Lewis County Sheriff Office contracts.
- Payroll language was added for the transition from the current payroll system to the developing payroll system.
- Basic housekeeping

**5. Resolution No. 11-392 Approving a Collective Bargaining Agreement with Teamsters 252 representing the Assessor's Group.**

**Archie Smith, HR Administrator**, stated the Collective Bargaining Agreement between Teamster Local # 252, representing the Assessors Group, and Lewis County is being presented for approval by the BOCC. The term of the agreement is for one year dating from January 1, 2011 through December 31, 2011. There is no COLA for the year and step increases are provided for in the agreement. For the 2011 calendar year the Employer Health and Welfare financial contributions were not changed from the previous year's \$880.73 monthly employer contribution per employee. Other issues that were addressed during negotiation were:

- Clarified the lay-off recall procedure.
- Updated the insurance change as identified in resolution 10-338, transitioning the group from WCIF to Teamster Health Insurance.
- Basic housekeeping

**6. Resolution No. 11-393 Approving the funding from Fund 198 Stadium Fund to agencies for tourism related to activities per RCW 67.82.180.**

**Chairman Averill** stated this approves the 2012 allocation of the Lewis County Lodging Tax distribution from Fund 198 (Stadium Fund) to agencies for use in promoting tourism related activities for a total allocation of \$279,500.00. The county receives a distribution of 2.0 percent of the state retail sales tax on lodging. This is not an additional tax for the customer but represents sharing of the retail sales tax receipts. Agencies are eligible to apply to Lewis County for a portion of the Lodging Tax funds if said project or activity promotes tourism in Lewis County. 12 different agencies will be receiving funds:

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|--|-------------|
| • Lewis County Historical Society                  | \$35,000.00 |
| • Destination Packwood                             | \$65,000.00 |
| • White Pass Scenic Byway                          | \$50,000.00 |
| • Visit Rainier                                    | \$40,000.00 |
| • White Pass Country Historical Society and Museum | \$12,000.00 |
| • Fire Mountain Arts Council                       | \$10,000.00 |
| • Cowlitz River Valley Historic Society            | \$ 5,000.00 |
| • Mossyrock Area Action League                     | \$14,500.00 |
| • Veterans Memorial Museum                         | \$ 8,000.00 |

- Centralia-Chehalis Chamber of Commerce \$15,000.00
- Chehalis-Centralia Railroad \$10,000.00
- ArtTrails of SW Washington \$15,000.00

**Commissioner Grose** stated this year we adopted a new Logging Tax Advisory Committee to give us some direction and we feel that they did a much better job of redistributing. This re-distribution provides funds for some organization that otherwise would not be able to operate.

**Motion Carried 3-0**

<b>HEARING</b>
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**Hearing- Ordinance 1233- Regarding Fence Heights**

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

**Robert Johnson, Director of Community Development** stated this Ordinance is for the purpose of amending Lewis County Code Chapter 17.145.140 adding a subsection permitting fences exceeding six feet in height. The ordinance has to do with fences greater than six feet in height being considered as structures under the building code. Any setback for a structure has to be in compliance with the setback requirements that are contained in chapter 17.145.140. Under current code anyone wishing to build a fence higher than six feet has to get a building permit and has to comply with the setback requirements. This ordinance would establish an exemption for fences over six feet in height. There was a public hearing held on October 25, 2011 and the Planning Commission recommended approval and submitted a Letter of Transmittal on November 8, 2011.

**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.

**Robert Johnson** asked that his previous comments be adopted into the record.

**Fred Chapman, Lewis County Building Official**, stated he strongly encourages the approval of this amendment to the Ordinance. This cleans up a conflict within the codes and land use regulations that were identified about five years ago. The conflict is between what is classified as a structure and the setback issue when a structure like this becomes permissible.

**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. 1233.  
**Commissioner Grose** seconded the motion. Candace Hallom read the item into the record

**An Ordinance of Lewis County, Washington Amending a Portion of Ch. 17.145.140, Lewis County Code, to add a new Subsection (3), Permitting Fences Exceeding 6 Feet in Height on Side and Rear Property Lines. Ordinance No. 1233.**

Motion Carried 3-0

**Hearing: Ordinance 1234-regarding utility lots**

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

**Robert Johnson, Director of Community Development** stated the proposed Ordinance would amend Lewis County Code, Chapter 16.02.040, and add a new subsection (10) to authorize the creation of utility lots for public purposes. This does not change the density requirements establish under the Growth Management Act for rural areas because those density requirements relate to residential development. This utility lot provision is exempt from those requirements and creates lots for utility purposes only. These do not create residential lots. The reasons for doing this has to do with the minimum lot size in agricultural land and forest resource lands. Public Works and some of the Fire Districts have had difficulty in creating lots for utility purposes and in most cases it becomes costly. This is supported by the Prosecutors Office and the Fire Districts.

**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.

**Robert Johnson** asked that their previous comments be adopted into the record.

**Tim Elsea, Public Works Director**, stated as we acquire right-of-way for road purposes we currently have to do that through the threat of imminent domain because we can't purchase a smaller lot size. If we can do it as a purchase of a part of the property we would no longer have to do it as imminent domain. It is an interesting thing to discuss with residents when you are talking to them about right-of-way in front of their property and we would prefer to be able to negotiate for the easement value. This is going to be a very important piece of legislation for the Public Works department.

**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 Ordinance No. 1234. **Commissioner Schulte** seconded the motion. Candace Hallom read the item into the record

**An Ordinance of Lewis County, Washington Amending a Portion of Ch. 16.02.040, Lewis County Code, to add a new Subsection to Authorize Creation of Utility Lots for Public Purposes. Ordinance No. 1234**

Motion Carried 3-0

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

<b>2012 Preliminary Budget Presentation</b>
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**Chairman Averill** called the Monday, November 21, 2011, 10:00 am Board of County Commissioners Meeting, out of recess at 5:30 pm. He announced this meeting is for a public presentation on the 2012 Preliminary Budget.

**Dawna Truman, Budget/Fiscal Director** stated this meeting was to give the public an opportunity to speak on the 2012 County Budget. She discussed the preliminary property taxes and the position changes to the 2012 Budget.

It was decided that the positions would be grouped together for the final 2012 Budget Hearing.

There being no further business, the Commissioners' public meeting adjourned at 5:40 pm on November 21, 2011. The next public meeting will be held Monday, November 28, 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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Karri Muir, Clerk of the Board  
Lewis County Commissioners

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P.W. Schulte, Commissioner

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F. Lee Grose, Commissioner