

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

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, November 28, 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 21, 2011. **Commissioner Schulte** seconded the motion.

Motion Carried 3-0

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| NOTICE |
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Commissioner Schulte moved to approve Notice Agenda items one and two. **Commissioner Grose** seconded the motion. Candace Hallow read the items into the record.

1. **Notice of Hearing: Regarding Ordinance 1229, amending Lewis County Code Title 17 and the intent to adopt the South Lewis County Subarea Plan, supplementing and amending the Lewis County Comprehensive Plan. Hearing will be held on or after 10:00 am, on December 12, 2011. Resolution No. 11-394**

2. **Notice of Hearing: Regarding Ordinance 1230, amending Lewis County Code Chapter 17.200.20 (1) and adoption of yearly amendments to the Lewis County Comprehensive Plan. Hearing will be held on or after 10:00 am, on December 12, 2011. Resolution No. 11-395**

Robert Johnson, Director of Community Development, spoke to items one and two stating the County, under the Growth Management Act RCW 36.70A, is authorized to amend their County Comprehensive Plan and implement development regulations yearly. The Planning Commission and staff have been in the process of working on amendments to the Lewis County Comprehensive Plan including a Subarea Plan for the south county. There are yearly amendments to the Comprehensive Plan that are requested by property owners. Following a public hearing on December 12, 2011, the Board will conduct a workshop to consider all comprehensive plan amendments, including those heard on December 5, 2011, and all proposed amendments to implementing development regulations so that the effects of each proposed change may be weighed together, consistent with the requirements. There were six requests this year for rezones that were considered by staff and the Planning Commission. Some or all may be approved by the Board.

Chairman Averill stated the first hearing on December 12, 2012 is the South Lewis County Subarea Plan and that includes a number of sub-elements. The second hearing is on specific requests on re-zone changes.

Motion Carried 3-0

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

3. Resolution No. 11-396 Approval of warrants for payment.

Chairman Averill stated this approves 213 warrants issued by the Auditor's Office for \$343,180.44.

4. Resolution No. 11-397 Approving a personal service agreement extension with Butler Amusement Inc.

Michael Strozyk, Director of Central Services, stated this approves a two-year Personal Services Agreement extension with Butler Amusement Inc. to provide Carnival Services to include; rides, games and food concessions to the annual Southwest Washington Fair for a period of two years (2012 & 2013) with an option for an additional two year extension for years 2014 & 2015, if agreed upon at that time. On October 25, 2004 Lewis County entered into a Personal Services Agreement with Butler Amusement to provide carnival services to the Southwest Washington Fair for a period of 5 years ending in 2009, Resolution 04-350. This new two year extension is very similar to the one we had in the past. The main difference is that it increases the minimum amount that Butler will pay the County from \$72,500.00 to \$75,000.00 per year for the life of the agreement. In addition to this increase, Butler has agreed to an increase from \$12,000.00 to \$15,000.00 for incidental financial support to the fair which we pay out in advertising for print, media, and radio.

5. Resolution No. 11-398 Approving amendment No. 2 to the Rural Arterial Program Project agreement for construction proposal with the County Road Administration Board.

Tim Elsea, Director of Public Works, stated the BOCC previously approved the Rural Arterial Program Project Agreement for Construction Proposal for CRP 1937 King Road Rehabilitation (Res. 05-153) between Lewis County and the County Road Administration Board. The proposed amendment will add language to Section 8 of the existing Project Agreement that revises the project roadway width from 28 feet to 26 feet per CRABoard approval dated 10-27-11, and as authorized under WAC 136-165-030. The project is #10 on the 2012-2017 Transportation Improvement Program (TIP) and scheduled for 2012 construction. The improvements will be constructed between mileposts 8.414 and 10.554. TIP project funding consists of \$1,115,000.00 RAP funds

and \$874,000 local funds, totaling \$1,989,000.00. This resolution will authorize the Chairman of the Board of County Commissioners to sign the Rural Arterial Program Project Agreement for Construction Proposal Amendment No. 20 for this project.

6. Resolution No. 11-399 Declaration of surplus equipment and county property.

Tim Elsea, Director of Public Works, stated Lewis County Code 3.30 requires the BOCC to declare property surplus to allow for its disposal. The items listed on Exhibit "A" are no longer useful to Lewis County. The attached list of vehicles and equipment have reached their useful life and have been replaced. Local government agencies will be offered the surplus property at wholesale prices, and the remainder will be sent to Ritchie Bros Auction In March, 2012. We have three patrol vehicles, five pickup trucks, a one ton crew cab, trailers, sanders, highway sweeper, oil distributor, water tanks, and a water truck.

7. Resolution No. 11-400 Approving an appointment to the Alcohol, Tobacco, and Other Drug Community Mobilization against substance abuse Advisory Board.

Tara Smith, Social Services, stated this Resolution will appoint Steve Creel, from Chehalis, as a member of the ATOD/CMASA Advisory Board representing District 2 and as a representative of the educational system for one term lasting 3 years. Term would be from November 2011 through October 2014. The ATOD / CMASA board will have 10 members representing a broad spectrum of interests, backgrounds, and county geographical representation. Other representation for this Board is Law Enforcement, health, community members at large, people who are in recovery, and youth. Providers also attend the meeting but do not vote.

8. Resolution No. 11-401 Approving a contract with Reliable Enterprises to reduce homelessness.

Tara Smith, Social Services, stated this approves the contract between Lewis County and Reliable Enterprises to provide funding for a project outlined in the ten year plan to reduce homelessness. This will be used for an employment program for homeless persons. Lewis County has been collecting money for the local homeless reduction plan since 2005. Lewis County has an active plan in place, as well as policies and procedures to distribute these funds. Local money must be expended in order to apply for state funds. An RFP was released and applications were received. The Affordable Housing Network has reviewed the request and suggests funding of this project.

9. Resolution No. 11-402 Approving an inter-agency agreement with Lewis County Health Partnership and Community Network for Lewis County to act as the fiscal agent for funding that the partnership receives from the Family Policy Council.

Tara Smith, Social Services, stated this Interagency Agreement between Public Health & Social Services and the Lewis County Health Partnership & Community

Network, is to establish the County as the fiscal agent of the funding available from the State Family Policy Council to support the local Community Network development and activities. Lewis County Health Partnership & Community Network have a contract with the Family Policy Council to maintain a Community Network and implement programs and projects that meet the goals of the Council. The Family Policy Council contract with Health Partnership & Community Network requires that a governmental agency be the fiscal lead for the funding. Lewis County has acted in this capacity for the last two years and this agreement will allow the county to continue in that role for the next biennium beginning July 1, 2011 and ending June 30, 2013. There are several people who are members on this group Centralia College, Valley View, Providence Hospital, Juvenile, and the Health Department have representation. This is a group of people who meet and discuss health issues and come up with strategies on how to address those issues within the community.

10. Resolution No. 11-403 Approving a professional service agreement with Reliable Enterprises for grant funds to purchase a multi-unit housing complex to be used as permanent supportive housing.

Tara Smith, Social Services, stated this permanent supportive housing will be for persons who have mental health issues that are severe and chronic that may lead them into homelessness. There are eight units and one will have an onsite manager who is available to the tenants. Two of the units will be used for transitional housing and five of the units will be permanent supportive housing.

Chairman Averill stated this is an important development and as many know we have a difficult problem in that there are a number of people with mental health problems that are constantly going in and out of the jail. There are no programs to pick those people up when they are out of jail to keep them on their medications. They usually demonstrate lifestyles that do not make them candidates to find housing. It is one of the issues that we will have the CD-MH-TC Sales Tax Advisory Board look at. Reliable Enterprises has been specially trained to provide housing for elements in the community that pose difficult problems. This housing unit is for mental health and will give us the opportunity to house five of the more difficult patients. This will not solve all of the problems but it is a good step forward.

Motion Carried 3-0

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| HEARING |
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Hearing: Removing Fund 623 Vader Water System from the 2011 County Budget-Resolution No. 11-404

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

Dawna Truman, Budget Director, stated the notice of hearing was published on . The City of Vader water system that was put into receivership on October 29, 2010. Lewis County became responsible for the care and maintenance of the system as of

January 1, 2011. A 2011 budget for Fund 623 Vader Water System was created and adopted by Lewis County on December 6th, 2010 with resolution 10-312. 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 remove this fund from the 2011 county budget. The Board will adopt Fund 623 in a separate resolution.

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 Schulte made a motion to approve Resolution No. 11-404.

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

**Removing Fund 623 Vader Water System from the 2011 County Budget.
Resolution No. 11-404.**

Motion Carried 3-0

**Hearing: Adopting the 2011 budget for the Vader Water System-
Resolution No.11-405**

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

Dawna Truman, Budget Director, stated this hearing was noticed on the 18th and 23rd of November. As we want the Vader Water System to have its own individual budget we are asking the Commissioners to approve agency fund 623 in the budgeted amount of revenue of \$268,577.00, expenditures \$265,466.00, with a reserve of \$3,113.00. This is an agency standalone fund for receivership of the Vader Water System.

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. 11-405.

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

A Resolution for the Vader Water System Fund 623 to Approve the 2011 Adopted Budget. Resolution No. 11-405

Motion Carried 3-0

Hearing: Ordinance 1227-Amending Lewis County Code 17, adding a new Chapter 17.300 "Compliance"

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

Robert Johnson, Director of Community Development, stated adoption of Ordinance 1227 will add a new Chapter to County Code referenced as Lewis County Code (LCC) 17.300 "Compliance", implementing new processes and penalties for violation of county code. The new code provides general enforcement powers associated with health and safety, public roads, buildings and construction, subdivision of land, and land use and development. In addition, procedures for compliance are enhanced and additional penalties for non-compliance are included with monetary penalties up to a maximum of \$1,000.00 for each violation. Additional flexibility is added, including the authority for making infractions a misdemeanor or gross misdemeanor. Any new penalties are in addition to those already contained within other code provisions.

Glenn Carter stated before we go through court on a code compliance issue we go through a number of measures of notifying the individual and work with the individual through our code compliance people. It is in those instances where the individual has violated numerous times that this enhancement becomes a mechanism that we can use to deal with those people who refuse to cooperate and work with us.

Rich Curtis, Chehalis, asked how does the public track the compliance efforts so we can know if any progress has been made?

Glenn Carter stated to the extent a case goes to District Court you could go to the District Court Clerk and asked to see the file.

Chairman Averill stated we have a Code Enforcement Division within the County. It is our intent to work with the violators first before going to the courts. Unfortunately, we only have two people in this division. Currently, we have 400+ violations on record. We do keep a log and in the last 2 to 3 years we have had a large improvement encouraging people to take care of the violations. Unfortunately the Prosecutor's Office does not have a lot of time or money to spend on civil cases so we are way behind on those particular efforts.

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 and Glenn Carter asked that their previous comments be adopted into the record.

Commissioner Schulte stated the reason we are considering this is it gives us an additional tool to push forward with compliance.

Commissioner Grose stated this ordinance is not designed to be punitive in nature. What we are trying to do is get people to voluntarily comply. This is not a fundraiser and is not a monetary thing.

Chairman Averill stated there are a lot of places in the County that have violated one code or another. We have tried to solve this problem rather than let it go on and on. We can all site any number of junk places in the County. It is not always the case where you can get someone to solve this on their own. It is a real problem that we are trying to handle. Previously, our maximum fine was \$250.00 and we had people who would rather pay the \$250.00 than pay the cleanup cost so we need to make it more of a sting to get people to comply.

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. 1227. Commissioner Grose seconded the motion. Candace Hallom read the item into the record

Ordinance No. 1227- An Ordinance of Lewis County, Amending Lewis County Code Title 17, adding a New Chapter 17.300 "Compliance", Adopting New Processes and Penalties for Violations of Certain Lewis County Code Provisions.

Motion Carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 11:04 am on November 28, 2011. The next public meeting will be held Monday, December 5, 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