

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
December 12, 2011**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, December 12, 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, December 05, 2011. **Commissioner Schulte** seconded the motion.

Motion Carried 3-0

NOTICE

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

**1. Notice: Regarding competitive bidding and dispensing with advertisement.
Resolution No. 11-416**

Chairman Averill stated this Resolution provides notice that Lewis County maintains a vendor list pertaining to competitive bidding, dispensing with advertisement and formal sealed bidding with respect to leases or purchases valued between \$2500 and \$25,000 allowing for expedited processing of bids and contracts for lease or purchase. This resolution publishes the existence of the list and the availability of packets for application of potential vendors. This notice will be published in Lewis County's Official Newspaper. The vendor list is available for public inspection, and prospective vendors may request information packets, which must be completed in order to apply to be included on the available vendor list from the Lewis County Auditor's Office, Financial Services Department.

Motion Carried 3-0

CONSENT

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

2. Resolution No. 11-417 Approval of warrants for payment.

Chairman Averill stated this approves 13 Special Purpose warrants (Vader Water System) for \$64,825.45 and 205 warrants issued by the Auditor's Office for \$696,356.97, totaling \$761,182.42.

3. Resolution No. 11-418 Appointing a member to the Chehalis/Centralia Airport.

Chairman Averill stated this approves the appointment of Harry Sumrok (Onalaska) to the Chehalis-Centralia Airport Board (representing Lewis County) for a six year term from January 1, 2012 through December 31, 2018. Mr. Sumrok will be replacing Jerry Zabriskie (Boistfort), whose term has expired and who has declined reappointment. Half of the Board Appointments are made by Lewis County and half by the City of Chehalis, as co-owners of the Airport. Mr. Sumrok is a commercial, multi-engine, instrument qualified aviator and flies for PCLI.

4. Resolution No. 11-419 Approving a second addendum to the inter-local agreement establishing the Chehalis River Basin Flood Authority to include the cities of Cosmopolis and Napavine as members.

Chairman Averill stated this approves signing of the second addendum to the Inter-local Agreement establishing the Chehalis River Basin Flood Authority by the Chairman of the Lewis County Board of County Commissioners. This addendum adds the cities of Napavine (Lewis County) and Cosmopolis (Grays Harbor County) to the Inter-local Agreement and drops the Confederated Tribes of the Chehalis Reservation who withdrew from participation in May 2011. The addendum received a consensus vote at the November meeting of the Flood Authority.

5. Resolution No. 11-420 Assigning County Road Project (CRP) numbers.

Rod Lakey, Public Works, stated pursuant to RCW 36.75.050, the Board of County Commissioners shall by resolution, and not otherwise, order the survey, establishment, construction, alteration, or improvement of county roads; the county road engineer shall prepare all necessary maps, plans, and specifications; therefore, showing the right-of-way widths, the alignments, gradients, and standards of construction. All county road projects scheduled for design and/or construction in 2012 have been adopted as part of the 2012 Annual Construction Program (ACP) and 2012-2017 Six Year Transportation Improvement Program (STIP), by Resolution 11-387 on November 14, 2011. This resolution will establish official County Road Project (CRP) numbers and authorize the preliminary engineering, right-of-way, and construction improvements of those projects that are new under the 2012 Annual Construction Program. Previously established CRP numbers will follow a project through completion.

6. Resolution No. 11-421 Bid award for the Coughlin Road Bridge Replacement Project.

Rod Lakey, Public Works, stated this contract will provide for the improvement of Coughlin Road Bridge by replacing deck, placing, Rip Rap, Large Woody Debris, and other work. A Call for Bids was made on November 7, 2011. The project was also listed on Lewis County's website. Public Works received 9 responsive bids for this project on November 29, 2011. Razz Construction, Inc.(Bellingham) provided the lowest responsive bid of \$409,975.00. The lowest responsive bid was 9.8% above the Engineer's estimate.

7. Resolution No. 11-422 Sale of a surplus water truck to Lewis County Fire District No. 4.

Eric Martin, Public Works, stated this water truck has reached its useful life, has been replaced, and is no longer useful to Lewis County. Lewis County Fire District 4 has expressed an interest in purchasing the water truck listed in Exhibit "A". Sales and auction results have been researched and determined that \$6,600.00 is the fair market value for the water truck. Additionally, Lewis County Ordinance 1154A allows for the transfer or sale of surplus property to another Governmental Agency or qualifying non-profit organization.

8. Resolution No. 11-423 Sale of a surplus oil distributor to the City of Chehalis.

Eric Martin, Public Works, stated this oil distributor has reached its useful life, has been replaced, and is no longer useful to Lewis County. The City of Chehalis has expressed an interest in purchasing the oil distributor listed in Exhibit "A". Sales and auction results have been researched and determined that \$13,500.00 is the fair market value for the water truck. Additionally, Lewis County Ordinance 1154A allows for the transfer or sale of surplus property to another Governmental Agency or qualifying non-profit organization.

Motion Carried 3-0

HEARING

- **Hearing- Ordinance 1229-South Lewis County Subarea Plan**
- **Hearing: Ordinance 1230-Amending Lewis County Code (LCC) Chapter 17.200.020(1) Official Lewis County Zoning Maps (rezone applications)**
- **Hearing- Adoption of the 2011 Lewis County Comprehensive Plan yearly amendments-Resolution 11-424**

Workshop-To consider adopting Ordinances 1228, 1229, and 1230 and Resolution No. 11-424: 2011 LC Comprehensive Plan yearly amendments

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

Robert Johnson, Director of Community Development, stated we have already had a hearing on one facet of proposed Ordinance 1228, which is to adopt an Urban Reserve Overlay District. There were three recommendations for Ordinances that went before the Planning Commission. We have a resolution today to consider all of the land use changes as well as the text amendments relative to the South County Subarea Plan, the Urban Reserve Overlay District, and to the six rezones that were requested.

The County has been working on a Subarea Plan to allow for economic activities in the South County area to provide for protection of critical areas and habitat and also move development that is more intense in nature to areas that are appropriate. This is done

in a subarea planning process and the County has been doing this for about two years. The Planning Commission had a hearing on the adoption of the subarea plan and Ordinance 1229 which would have created the zoning and regulatory bases for implementing the Subarea Plan but during that hearing staff and the consultant made a recommendation to not adopt the plan because it has more work to be done. Because it was noticed it has been moved forward with a recommendation from staff, consultant, and Planning Commission not to adopt the Subarea Plan in its entirety but instead to adopt respective policy changes in the Comprehensive Plan.

Chairman Averill stated the fact that we are not going to approve Ordinance 1229 doesn't mean we are abandoning the concept of the South County Subarea Plan, it just means that we have more work to do and we are putting it off.

Jerry Basler, Community Development, stated the policy for the South County Subarea Plan are general policy's that were formulated as the plan was being written and they really speak to the Growth Management Act and Lewis County utility services being provided inside an urban growth area, private property rights, and critical areas.

Mike McCormick, Consultant, stated the policies that were developed in this work over the last two and a half years are being moved forward and adopted into the Comprehensive Plan. What is not being recommended is the details of the plan.

Commissioner Grose asked if we were to adopt the policy, what does that mean to the citizen out there as far as inevitable development?

Mike McCormick stated the timeframe for planning is 20 years. It could be amended as soon as next year if we are able to resolve the issues. The hardest one being figuring out how to provide the required utilities service to that area.

Jerry Basler explained the individual rezones and pointed them out on the map.

1. **MSC 10-0117 Herbrand Company requesting Agricultural Resource Land to Mineral Resource Land**
2. **MSC 10-0118 Jill Hartman requesting Agricultural Resource Land to RDD-5**
3. **MSC 10-0119 Port of Chehalis requesting RDD-5 to Rural Area Industrial**
4. **MSC 10-0102 Hampton Lumber Mills Inc. requesting Small Town Industrial to Small Town Mixed Use**
5. **MSC 10-0103 Keith Gastfield requesting Agricultural Resource Land to RDD-5**

This property is surrounded by agricultural resource land and he is requesting to go to RDD-5. We looked for other options such as RDD-10 or to talk with some of the landowners to the north. The Planning Commission recommended no action on this request.

6. **Remand Joan Rambo requesting Agricultural Resource Land to RDD-5**

Chairman Averill stated, regarding item 5, when you are doing something like ARL you have to do the entire parcel the same way. Even though part of the parcel may not meet the criteria, if that parcel falls within the zone and meets part of the criteria then you have to declare the whole lot in one zone you can't divide it up. It appears this parcel got caught in that.

Commissioner Schulte stated it seems that less than half of this land is available for ARL.

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, Mike McCormick, Glenn Carter, and Jerry Basler asked that their previous comments be adopted into the record.

Dr. Giffey, Port of Chehalis, testified to the Curtis site stating this site was originally prepared for a mill site back in the 70's. The property was re-graded and has a drainage system and McFarland Cascade currently uses a portion of the property for a pole yard. We are trying to get the zoning correct on this piece of ground for future job creation in our community.

Jill Hartman, property owner, thanked the Board and the Planning Commission for reviewing these properties. She has no new information to offer but does agree the zoning needs to be changed.

Steve Rambo, Roberts Road, stated this property was remanded from last year. He thanks the Planning Commission and BOCC for taking the time to review the recommendations. He stated 75% of this land is higher than the rest; there is 25% that remains wet year round. This property was RDD5 and was put into ARL and they are requesting it is returned to RDD 5.

Greg Jones stated he is here to answer any questions that the Board may have.

Chairman Averill stated he was visited by Keith Gastfield and he shared the information and concerns Mr. Gastfield has regarding his property.

Chairman Averill asked if there were any other statements for public testimony. There were none. He closed the hearing and moved into a work session.

Robert Johnson stated what we have is a number of interrelated proposals. What we need to do is discuss them individually. The staff would take a position that these are consistent with the currently adopted Comprehensive Plan or augment and amend the Comprehensive Plan to facilitate activities that the County believes are beneficial to the County. We had a hearing last week regarding an Urban Reserve Overlay Zone District. There are two proposed overlay districts.

Jerry Basler stated the Planning Commission, after they held their hearing on November 8th, left open the comment period. We received one letter from a property owner requesting to not be included in the Urban Reserve Overlay area or any future economic development Urban Growth area. We then received another letter after that for this hearing. It equals about 25 acres and they are adjacent to each other. Both property owners are requesting that they be excluded. That was the recommendation of the Planning Commission on November 22, 2011. Option B in the hearing packet removes the two properties from the Urban Reserve Overlay Zone District.

Commissioner Grose moved that we move option B forward and not include the two properties. **Commissioner Schulte** seconded.

Motion carried 3-0

Robert Johnson stated the other thing we have to consider is regarding Ordinance 1229, whether or not to adopt or to adopt the policy changes to the comprehensive plan as recommended by staff, Planning Commission, Mike McCormick, and the Department of Commerce.

Commissioner Schulte move to remand Ordinance 1229 for further consideration. **Commissioner Grose** seconded.

Motion Carried 3-0

Robert Johnson stated the last thing that needs to be considered is the Comprehensive Plan changes including the Land Use text and maps with respect to the rezone requests. There are six requests with a recommendation that one be remanded back to the Planning Commission for further consideration.

Mike McCormick recalled the County's recent experience with attempting to rezone a Forest Resource Land that was then appealed to the Hearings Board. The Hearing Board came up with a rather interesting opinion which we are still trying to figure out how to address. He can see that if we were to do this on this piece of property it might raise the same type of question and recommends the Board go back and look more specifically to the criteria and circumstances.

Commissioner Grose moved to remand rezone request #5 for further consideration **Commission Schulte** seconded.

Motion Carried 3-0

Commissioner Schulte made a motion to approve Resolution No. 11-424, Ordinance 1228, and Ordinance 1230. **Commissioner Grose** seconded the motion. Candace Hallom read the items into the record.

Resolution No. 11-424 Amending the Lewis County Comprehensive Plan by Adding: Text and Maps to Reflect Inclusion of Urban Reserve Overlay Districts; Policies Related to Subarea Planning; and Changes in the Land Use Map to Reflect Owner-Requested Changes in Land Use Designations Consistent with the Growth Management Act, RCW 36.70A.

Ordinance 1228- An Ordinance of Lewis County, Washington Amending Portions of Title 17 Lewis County Code, Adding a New Chapter 17.20F “Urban Reserve Overlay District” and Adding two Urban Reserve Overlay Districts to the Official Zoning Map.

Ordinance 1230- An Ordinance of Lewis County, Washington Amending Lewis County Code Chapter 17.200.020 (1) Official Lewis County Zoning Map, to Reflect Zoning Changes Requested by Property Owners, Consistent with the Lewis County Comprehensive Plan.

Commissioner Grose stated the actual rezones that we are approving today and the actual Overlays that we have mapped are a very small portion of land in Lewis County. This is a very arduous process that we are required to go through by Growth Management and we do not take it lightly.

Motion Carried 3-0

There being no further business, the Commissioners’ public meeting adjourned at 11:30 am on December 12, 2011. The next public meeting will be held Monday, December 19, 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