

PA Update

December 20, 2022

2:31 p.m.

Present: Commissioner Pollock, Commissioner Swope, Commissioner Brummer, County Manager Erik Martin, Steve Wohld, Kevin McDowell, Shad Hail, Lee Napier, Robert Bradley, Amber Smith, Becky Butler, John Justice, Nic Scott, Barbara Russell

Guest(s):

Recorder: Rieva Lester

Public comment: None.

Winlock Meyers Meadows: Lee Napier said the city of Winlock sent a letter to the commissioners Dec. 16 regarding the proposed Meyers Meadows plat.

Lee Napier said the preliminary plat included a proposed private road while the Hearing Examiner decision conditions the approval with a public road. When a development is reviewed and approved proposing a public road it, must be reviewed by the County Engineer. She said the Meyers Meadow plat shows both public and private and that must be reconciled prior to review by the County Engineer and BOCC.

Commissioner Pollock asked if this review could be delayed during the annexation process. Lee said the city or the developer could request it be withdrawn until after the property is annexed. In that scenario, the review would be under the city jurisdiction after the property is annexed. If the request proceeds while inside of the UGA, the city could ask the Hearings Examiner to review its prior decision, modify it and then reissue its decision.

Lee noted that the plat had been recorded by a Winlock staff member who later indicated they had erroneously recorded the plat. As a result of this admission by the city, the Prosecutor's Office recorded a letter of improper recording with the County Auditor.

The commissioners directed Lee and Barb Russell to follow up in writing to improve communication regarding any outstanding issues with the city and the developer.

Executive session

At 2:46 p.m., Commissioner Pollock announced that the Board would be going into executive session under RCW 42.30.110(1)(i) for 20 minutes to discuss the following:

- Gary Wolfelt vs. Lewis County Public Works, et al.
- D.C. et al v. Lewis County
- Forested State trust lands/carbon credits

- Northern Spotted Owl Litigation
- Winlock - Meyers Meadows

Executive session started at 2:48 p.m.

- At 3:08 p.m., the Board extended executive session for 10 minutes.
- At 3:18 p.m., the Board extended executive session for 10 minutes.
- At 3:28 p.m., the Board extended executive session for 10 minutes.
- At 3:38 p.m., the Board extended executive session for 10 minutes.
- At 3:48 p.m., the Board extended executive session for 3 minutes.

Executive session ended at 3:51 p.m. Commissioner Pollock noted that no decisions had been made.

Commissioner Swope made a motion to delegate to the County Manager the power to sign the engagement letter for the law firm of NW Resource Law regarding the Forest State trust lands / carbon credits. Commissioner Brummer seconded.

Motion passed 3-0.

Commissioner Swope made a motion to authorize an increase to \$250 per hour for a professional services agreement for spotted owl litigation and to authorize the return of a portion of the escrow account. Commissioner Brummer seconded.

Motion passed 3-0.

Commissioner Brummer made a motion to approve the D.C. et al v. Lewis County case resolution as discussed during executive session. Commissioner Pollock seconded.

Motion passed 2-1, with Commissioner Pollock and Commissioner Brummer voting in favor and Commissioner Swope opposed.

Meeting adjourned at 4 p.m.