

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

IN RE:

ADDENDUM TO THE PROFESSIONAL )  
SERVICES AGREEMENT BETWEEN LEWIS )  
COUNTY AND HILLIER & SCHEIBMEIR, P.S.)  
FOR SPECIAL HEARINGS COMPENSATION )

RESOLUTION NO. 04 - 264

WHEREAS, the Board of County Commissioners has previously reviewed and approved a professional services agreement between Lewis County and Hillier & Scheibmeir, P.S., for providing hearings examiner services for the County, under Resolution No. 03-224; and

WHEREAS, it will be necessary for Mark Scheibmeir, as Hearings Examiner, to hear and make recommendations on land use proposals authorized under provisions of RCW 36.70. 350 through .367; and

WHEREAS, such hearings typically require extraordinary duties and time not anticipated or compensated for in the previously approved professional services agreement; and

WHEREAS, a scope of work was included in the agreement addendum as Appendix "B" and compensation for said services is included in said scope of work; and

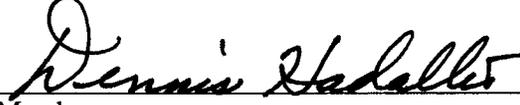
WHEREAS, the Board of Lewis County Commissioners has had an opportunity to review the Addendum; and

WHEREAS, it appears to be in the best public interest to authorize this Agreement for Lewis County with Hillier & Scheibmeir; NOW THEREFORE,

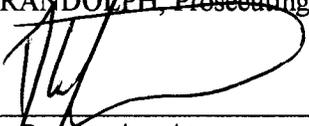
BE IT RESOLVED that the Board of County Commissioners hereby approves the amended Agreement contained herein and authorizes the Chief Administrative Officer to sign the same.

DONE IN OPEN SESSION this 19 day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

  
Chairman  
  
Member  
  
Member

APPROVED AS TO FORM:  
JEREMY RANDOLPH, Prosecuting Attorney

  
By: Deputy Prosecuting Attorney



## Appendix B

### ATTACHMENT TO RESOLUTION 04- 264

#### **PROFESSIONAL SERVICES AGREEMENT BETWEEN LEWIS COUNTY AND HILLIER & SHCEIBMEIR, P.S.**

**SCOPE OF WORK:** To assist the County in reviewing conducting public hearings on major development proposals authorized under RCW 35.70A.350 through .367 and Lewis County Code Ch. 17.20. As Hearings Examiner, the Contractor will conduct hearings, and make recommendations to the Board of County Commissioners concerning said proposals, subject to the provisions of Ch 2.25 LCC and Ch. 17.20 LCC and any rules adopted by the Board of County Commissioners for conducting combined hearings subject to such provisions. The Contractor will coordinate with the Prosecuting Attorney on legal matters.

**PRIMARY TASKS:** To preside over, as the Hearings Examiner, such public hearings as may be required in conjunction with major development projects authorized by RCW 36.70A and Ch. 17.20 LCC and to prepare conclusions of law, findings of fact, and render decisions and/or recommendations to the Board of County Commissioners as appropriate, including appropriate conditions of permit approval. Hearings shall be conducted in accordance with Rules and Procedures adopted for the Hearings Examiner and special procedures as may be adopted by Resolution by the Lewis County Board of County Commissioners.

**PERIOD OF WORK:** the work shall begin for each instance an application is made to the Hearings Examiner for a public hearing as required under Ch. 17.20 LCC and shall end when a decision or recommendation has been issued on matters before the Hearings Examiner, consistent with any time schedule adopted by the Board of County Commissioners for such hearings.

**COMPENSATION:** The work will be billed at the following rates:

1. Billing Rate for all Hearings under Ch. 17.20 LCC: \$150 per hour
2. Hearings Clerk: Approximately \$9.00/hr., not to exceed \$3,000 per development proposal
3. Total billing for each hearing for proposals authorized under Ch. 17.20 LCC not to exceed \$25,000

## **ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT**

**Between  
LEWIS COUNTY  
and  
HILLIER & SCHEIBMEIR, P.S.**

**THIS AGREEMENT** is made and entered into by and between LEWIS COUNTY and HILLIER & SCHEIBMEIR and their representative, MARK SCHEIBMEIR.

**IT IS THE PURPOSE OF THIS AGREEMENT** to amend the Personal Services Agreement signed on June 2, 2003 between Lewis County and Hillier & Scheibmeir, P.S., to provide Hearings Examiner services for proposed major developments authorized under provisions of RCW 36.70A and Ch. 17.20 LCC, including conducting public hearings on the adequacy of environmental review under SEPA for said proposals, and to conduct public hearings, prepare findings and conclusions of law, and make recommendations to the Board of County Commissioners as to the whether such proposed developments meet the requirements of state and local regulations

**THEREFORE, IT IS MUTUALLY AGREED THAT:**

### **Statement of Work**

Hillier & Scheibmeir, P.S. shall furnish the necessary personnel, equipment, material and/or services and otherwise do all things necessary for, or incidental to, the performance of the work set forth in Appendix "B" attached herein.

### **Period of Performance**

Subject to its other provisions, the period of performance of this Agreement shall commence in June 28, 2004, and shall, unless terminated or renewed as provided elsewhere in this contract, terminate on the 31<sup>st</sup> day of May, 2006.

### **Payment**

Compensation for the work provided in accordance with this agreement shall be as set forth in Appendix "B".

### **Future Non-Allocation of Funds:**

If sufficient funds are not appropriated or allocated for payment under this contract for any future fiscal period, the County will not be obligated to make payments for services or amounts incurred after the end of the current calendar year. No penalty or expense shall accrue to the County in the event this provision applies.

## ***GENERAL CONDITIONS***

- Scope of Contractor's Services:** The Contractor agrees to provide to the County the services as described in Appendix "B" solely on behalf of Lewis County as directed by the Lewis County Chief of Staff.
- Accounting and Payment for Contractor Services:** The County Contractor shall be paid for performance under this contract, in accordance with a detailed Schedule of Compensation attached thereto (Appendix "B") and in accordance with provisions of the Personal Services agreement authorized under Resolution No. 03-224.