BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

BOARD MEETING MINUTES

April 4, 2011

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, April 4, 2011, at 10:00 a.m. **COMMISSIONERS RON AVERILL, P.W. "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, March 28, 2011. **Commissioner Schulte** seconded the motion.

Motion carried 3-0

NOTICE

Commissioner Schulte made a motion to approve Notice Agenda item one. **Commissioner Grose** seconded the motion.

Chairman Averill read the Proclamation into the record.

1. **Proclamation: Proclaiming April 2011 as "Disaster Preparedness Month".**

Ross McDowell, Sheriff's Office, stated unfortunately Lewis County has had a few different kinds of disasters. In the past fifteen years we have had over thirty different disasters. It is very important that we get the message out to people so they are prepared. Even though we are a rural county, we are leading the pack in the State of Washington for Emergency Management. Disasters are inevitable, the outcomes are not. Surviving a Disaster can be done with simple precautions. The big precaution is having a kit ready so that you're able to survive for three days and up to two weeks.

Motion Carried 3-0

Commissioner Grose made a motion to approve Notice Agenda item two. **Commissioner Schulte** seconded the motion. Candace Hallom read the item into the record.

2. **Notice of Hearing: Regarding applications of various land parcels under RCW 84.34. Hearing will be held on or after 10:00 am, on Monday, April 18, 2011. Resolution No. 11-106**

Dianne Dorey, Assessor, stated we have several parcels transferring from Designated Forest Land into Open Space Timber, Farm and Agricultural Land into Open Space Timber, and new applications for Open Space Timber. Some of these parcels are between five and twenty acres. They are growing merchantable timber on this property and as part of the requirement will have to harvest and replant that timber in a future date. Some of the parcels are less than five acres but due to the property owner having contiguous property they qualify for this program.

Motion Carried 3-0

CONSENT

Commissioner Schulte made a motion to approve Consent Agenda items three through nine. **Commissioner Grose** seconded the motion. Candace Hallom read the items into the record.

3. **Resolution No. 11-107 Approval of warrants for payment.**

Chairman Averill stated this approves 2 Special Warrants (Vader Water System) and 298 other warrants issued by the Auditor's Office for a total amount of $462,362.35.

4. **Resolution No. 11-108 Bid award for the 2011-2012 County Legal Printing.**

Chairman Averill stated this approves the award of the bid for Lewis County's Legal Newspaper for the posting of legal notices for the period July 1, 2011 through June 30, 2012 to the lowest responsive bidder, DeVaul Publishing at a cost of $6.50 per column inch. The newspaper of publication is established as one of "general circulation" within Lewis County.

5. **Resolution No. 11-109 Approving an inter-local with Lewis County Fire District #13 (Boistfort) for computer and software maintenance services.**

6. **Resolution No. 11-110 Approving an inter-local with Lewis County Fire District #1 (Onalaska) for computer and software maintenance services.**

Michael Strozyk, Director of Central Services, spoke on item 3 and 4 stating this approves inter-local agreements with Lewis County Fire District #13 (Boistfort) and Lewis County Fire District #1 (Onalaska) for our IT Department to provide computer support and maintenance to these agencies through December 31, 2012. Lewis County 911 owns the public safety computer system that all the agencies share, called Spillman. This inter-local will allow our IT Department to provide services to those agencies that want to connect into Spillman. The rate is a minimum annual rate at $110.00 and billed at $55.00 per hour for labor on those units. Overtime or emergency callouts, when authorized by the agency, are billed at $80.00 per hour.

7. **Resolution No. 11-111 Increasing the number of members of the Southwest Washington Fair Commission from five members to seven members and amending the bylaws.**

Michael Strozyk, Director of Central Services, stated per RCW 36.90.30 it is allowed for the Board of County Commissioners to appoint a commission of citizens to help oversee in an advisory capacity the Southwest Washington Fair and Fairgrounds. Under Resolution No. 08-295 that was passed by this board, five members of that Commission were appointed. After some discussion there has been a need to expand that Fair Commission. This resolution will give authority to expand the Commission to seven members and will amend the bylaws to reflect this change.

Chairman Averill stated the Fair Commission oversees the fairground through the entire year. Most know the fairground predominantly for the annual fair which is only one week long. There are many other activities that take place at the fairgrounds during the year. As we reached our budget crunch this past year, we had to make the difficult decision of taking away the subsidy that we were making to the fair for its summer

activity. We asked the members of the Fair Commission to get the fairground self-sustaining. This takes a lot of work which is predominantly why we are expanding this at this time.

8. **Resolution No. 11-112 Authorizing a contract with Washington State Public Works Board for City of Vader Distribution Systems Improvements.**

Tim Elsea, Director of Public Works, stated this is a contract for a loan in the amount of $721,822.00 to be paid back in yearly installments at 2% interest rate until October 1, 2044. This comes in conjunction with a CDBG grant in the amount of $612,000.00.

Commissioner Grose asked where we are at on this project and when will we start construction.

Tim Elsea stated we are going to have a person chosen from the small works roster within two weeks to do the design. The construction of this project will most likely not happen this year and will probably start next spring.

Chairman Averill stated while this is a grant and loan that is being issued by the WA State Public Works Board, it is really a Federal EPA loan.

9. **Resolution No. 11-113 Authorizing the employment of a casual Customer Service Representative for the Public Health and Social Services Department. .**

Eileen Sherlock, Human Resource Administrator, stated this is being provided by the consolidated contract to be used by June 30, 2011 for the amount of $10,325.00.

Chairman Averill stated during this budget cycle we had to make some cuts and one of the areas that got cut was Code Enforcement. We felt it was important to have the two Code Enforcement Officers but took away their clerical support. Since the money is available to provide this administrative support we thought it was important to provide it.

Commissioner Grose stated we have 480 plus code violations that are active in the County and two Code Compliance Officers. It is a very difficult situation and one of those areas of discretionary spending that we can cut in the budget. It makes it very difficult because it is rare that a day goes by that one of us doesn't get a phone call from somebody regarding garbage or tires in the yard, building violations, or something in that nature.

Motion Carried: 3-0

HEARING

Hearing: Community Block Grant Applications

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

Tim Elsea, Director of Public Works, stated a notice was given on March 21st that a hearing would be held today. That notice was given to inform citizens of the availability of funds and eligible uses for the State Community Development Block Grant and to receive proposals for the County to submit a planning only CDBG. He let the public know that the CDBG required documents were available for distribution. This program is

a State funded grant that funds eligible local governments for priority community development projects. The planning only grant is one of the smaller funds within the CDBG program. In addition the proposal must address one or more of the following program priorities.

- Address public health and safety issues.
- Improve essential services to low and moderate income persons.
- Complete a necessary and specific step within a broader community development strategy.
- Assist communities in meeting planning requirements that will principally benefit low and moderate income persons.
- Support local planning to affirmatively further fair housing.

The maximum grant amount for one local government is $24,000.00 for a planning only grant or $40,000.00 for multiple local governments with a joint application.

Chairman Averill stated in this planning only grant the County is only allowed to submit one application annually. He then asked if any applications have been submitted.

Tim Elsea stated we have not had any applications submitted from outside entities however we are prepared to submit one for the City of Packwood for Wastewater treatment.

Chairman Averill asked Tim to summarize the applications.

Tim Elsea read the Application Narrative;
NEED Statement: There are many problems associated with the continued use of onsite sewage systems in the Packwood community. They include: negative impacts on surface and groundwater quality; potential risks to public health; the high cost of repairing or replacing malfunctioning onsite systems or installing new systems; and maintaining necessary levels of residential and commercial services with no opportunity for business expansion in the downtown business core. The costs of repairing or replacing onsite systems or constructing new systems is high enough that low to moderate income residents and struggling small business owners are often unable to pay for these repairs or replacements. In some instances, businesses with failing septic systems have been forced to close. Most of the remaining businesses cannot expand because they cannot meet county regulations with their current onsite septic systems. With no growth opportunity, several business owners have expressed that they may not be able to survive with ever increasing expenses.
Currently, a large number of inadequate onsite septic systems in the community of Packwood pose a health threat to the aquifers that provide domestic water for the area. Bacteria, virus, and nitrate contaminates from these systems can cause serious health problems. Most of the onsite systems are conventional gravity flow septic tanks and drain fields and were installed under less stringent regulations than are currently in effect. Most of the soils in the Packwood area are highly permeable, including large areas of "Type 1A" gravely soils. Many of the existing onsite systems were installed before 1991, when the Lewis County Health Department began to specify these soils as "restrictive" for installations of septic systems because they fail to provide adequate treatment of sewage effluent prior to the discharge to groundwater. The area of primary concern is the downtown commercial core where a relatively large amount of wastewater is discharged to the ground over a small area.
Packwood has two community wells drawing from a confined aquifer. These wells are owned and operated by Lewis County Water District No. 3 and are located along US

Highway 12. In addition, there are several private wells scattered in the community area. The source of water supply for these wells is often the shallow aquifer under laying the community. The deeper aquifer that the Water District 3 wells use may be contiguous with the shallow aquifer and thus subject to contamination reaching this aquifer.
Lewis County Health Department has restricted business in the area from expanding or opening due to lack of adequate space or resources for onsite sewage systems. Also, current health regulations prohibit a large number of the residential units from replacing failing septic systems on existing small lot configurations. For those situations, a home owner would have to purchase additional land to expand their current lot size to meet health regulations. This further impacts the low to moderate income population who find it increasingly difficult to find or maintain affordable housing options in the Packwood community. These adverse effects to public health, safety, and welfare will continue to worsen if a community sewer service is not constructed.
In 2010, there were approximately 223 jobs in the Packwood Limited Area of More Intense Development (LAMIRD), comprising 102 full-time jobs and 122 part-time jobs. Approximately 200 of these jobs were in the private sector, with approximately 70% of them in the retail sector and hospitality industry. A community sewage collection and treatment system would allow for expansion of existing businesses and provide opportunities for community growth and development of additional businesses, jobs, and residences in the area. Construction of a community sewage collection and treatment system with appropriate means for disposal would eliminate use of many of the inadequate onsite systems to help preserve the quality of the groundwater aquifers and would open up valuable land that these onsite systems consume for higher and better uses. Results from a recent door to door survey found more closed businesses and increased residential vacancies. This community is in decline and construction of a community sewage system will spur new growth and development.
CAPACITY Statement: The Packwood business community, through an organization called Destination Packwood, along with the County, prepared a draft Wastewater Facilities Plan in 2002. This Plan was never finalized or approved by Department of Ecology. Largely because this effort focused on the business community (who were perceived to have the most immediate short term needs) which resulted in service costs that were too high for the residential area without substantial financial assistance in the form of grants. The preferred option in the 2002 Plan was to serve the core commercial area which included commercial and residential area along US Highway 12. This option had general support from the business community but faced significant resistance from the residential community.
The 2002 draft Facility Plan examined available funding sources, including state funds from the Department of Ecology, funds managed by the Department of Commerce, and Public Works Trust Funds, as well as other funding sources including USDA Rural Development, US Economic Development Administration, US Forest Service, US Environmental Protection Agency, Small Community Initiative Programs, and General Obligation Bonds.
During this time the County was not eligible for key grant and loan fund sources needed to proceed with the project due to invalidity issues with the County's Comprehensive Plan. Therefore, the permitted land uses around the Packwood community were uncertain. Until this issue was resolved, it was difficult to plan a sewer system improvement effectively. In 2006, increasingly concerned by potential health and environmental impacts from the current situation, the County commenced to update the 2002 draft Facility Plan. This effort resulted in planning-level project cost estimates for providing sewer service only to the downtown core business district. In this proposal, the County contributed some funding and technical assistance for reducing high water

use by several businesses thus reducing sewer service costs while creating additional system capacity. This proposal had a high degree of support from the business community and the Water District who indicated a willingness to own and operate the system. With these important changes, the Packwood sewer project looked more viable. Therefore, the County created a Utility Engineer position and a utility fund to carry the project forward. However, the affordability quotient for such a small service area still relied heavily on significant financial aid through grants and low interest loans. With the County still under non-compliance and invalidity, decreasing revenue streams, and fewer financial aid resources to turn to, the project stalled.

Even so, support for the project continued to gain momentum. In 2009, the County, Water District, Destination Packwood, business owners, and citizens formed a Wastewater Working Group with help from Cathi Read, Department of Commerce. The Working Group has accomplished a great deal and has collectively demonstrated it has the organizational skills, capacity, and authority to address this growing need and desire for a community sewage collection and treatment system. A significant amount of local resources have been contributed toward the project in the form of in-kind services for staff, travel expenses, and project related expenses such as donated supplies and monthly meeting spaces. A group of volunteers conducted an income survey in June, 2009 to show eligibility for CDBG funds. Expended resources were leveraged to obtain a $35,000 grant from the .09% Distressed County Funds. These funds were used to procure professional engineering services. Phase one of the project was completed by the engineering service which included determining a service area and evaluating potential wastewater alternatives. However, after receiving input from the community on the final projected costs to the property owners, the feasibility of the project as recommended was questionable. Due to continued local support of the project goals, a re-evaluation of the service area, wastewater flows and treatment alternatives is needed to establish a plan that provides a viable solution to the lack of services in this low income area. Phase 2 of the scope of work will include an evaluation of various service area sizes, and the preparation and submittal of a Large Onsite Sewage System (LOSS) pre-design document to the Department of Health. Lewis County Public Works Department has established a Utility Department which enhances the county's capacity to administrate the grant, cooperate with the contracted engineers, and manage the projected project. The estimated budget to complete phase 2 is $24,000.

Lewis County is the applicant for this $24,000 grant request and will administer the grant and act as project manager. Internal coordination for associated tasks will be between the Lewis County Fiscal Department, Public Works Office Manager, Merrilee Kenyon and Lewis County Public Works Director, Tim Elsea. The Board of County Commissioners certified Public Works Director, Tim Elsea as Chief Administrative Official for this grant. There is no sub-recipient for this grant. Lewis County will assume ownership and operation of the new system. At this time, inter-local agreements and other statutory requirements will be executed. This project is being implemented by a project team, consisting of County staff, state staff, the Water District, community, and an engineer consultant. The project has political support from the County Commissioners. This team is capable of completing the critical planning elements for this project to move to design and construction.

READINESS Statement: Past efforts have proven that this is a high priority for the County and Packwood community. The 2002 draft Facilities Plan documents the technical feasibility of this project. New, more cost effective technologies and increased community support are positive indicators. Also, the county is now eligible to apply for all funding sources. The need for a community sewage collection and treatment system with appropriate means for disposal has been well documented by previous plans and in

the County's Comprehensive Plan. Once installed, the sewer system would quickly eliminate or reduce many problems associated with the continued use of onsite sewage systems in the Packwood community. These problems include: negative impacts on surface and groundwater quality; potential risks to public health, the high cost of repairing or replacing malfunctioning onsite systems or installing new systems; maintaining the current level of residential and commercial services and opportunities for business expansion in the downtown business core.

The County, State, and community partners are all committed to work toward a community sewage system. Members of the community are actively involved in sewer planning efforts, including this grant application. The Wastewater Working group includes citizens, business owners, and community leaders. All of whom are regularly attending working meetings, conducting outreach efforts, and giving local knowledge and expertise. In addition, the community donates meeting space, and the Water District helps to keep citizens informed by mailing information to its customers. The County has dedicated staff and resources including GIS mapping services, office supplies, and Board of County Commissioner support to successfully solve the community's need for a sewer system. The state department of Health is in support of this project and Cathi Read from the Department of Commerce has assisted the Wastewater Working Group to organize and facilitate this effort.

The essential component of this project is to develop all of the requirements for an Engineering report for approval and eligibility to move the project to design and construction. These include reviewing the 2010 Wastewater Treatment Alternatives Report to identify applicable information, finalize a service area, determine flows and loadings, evaluate and select treatment technologies and system configurations, conduct preliminary environmental analysis and work with DOH to determine suitability of the preferred site through a pre-design report and onsite inspections. In addition to meeting DOH requirements, the project includes planning elements including documenting alternatives analysis and public participation for GMA compliance and state and federal funding eligibility.

RESULTS Statement: The progress of this project will be measured by accomplishing the goals set forth by the scope of work and the work plan to prepare a Pre-Design Report for approval by the Department of Health, conduct an environmental review, and submit an Engineering Report prior to design and construction. This project will provide the currently un-serviced Packwood community with DOH approval for planning and design recommendations for wastewater collection, treatment and disposal. This work is a necessary element to securing funding and final approval to construct a much needed wastewater collection and treatment system.

A significant percent of jobs in the community are in the retail sector and hospitality industry. A community sewage system would allow for expansion of existing businesses and provide opportunities for economic stability and growth to support the residential needs.

Construction of a community sewage collection treatment system with appropriate means for disposal would eliminate use of many of the inadequate onsite systems and would help preserve the quality of the groundwater aquifer.

Commissioner Grose stated Packwood had a major water break yesterday so for most of the day the town was without water. The issue of groundwater contamination hit home when he thought about a septic system that may be relatively close to a water line that could contaminate the whole 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.

Tim Elsea asked that his 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 stated we will not be making a decision at this time. We will allow staff an opportunity to go through the application. This application will come back in front of the board on April 18, 2011.

There being no further business, the Commissioners' public meeting adjourned at 10:47 am on April 4, 2011. The next public meeting will be held Monday, April 11, 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

SEAL OF LEWIS COUNTY, WASHINGTON BOARD OF COUNTY COMMISSIONERS SINCE 1845 WASHINGTON'S 1st COUNTY

Ron Averill, Chairman

ATTEST:

Candace Hallam

Clerk of the Board
Lewis County Commissioners

P.W. Schulte, Commissioner

F. Lee Grose, Commissioner