

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

**IN THE MATTER OF APPROVING A RENTAL AGREEMENT )  
WITH THE LEWIS COUNTY SOLID WASTE DISPOSAL )  
DISTRICT #1 FOR THE EAST LEWIS COUNTY TRANSFER )  
STATION IN MORTON )**

**RESOLUTION NO. 13-048**

**WHEREAS**, approval of a renewal agreement in which the Board of County Commissioners continues to lease the East Lewis County Transfer Station in Morton to the Lewis County Solid Waste Disposal District #1, a quasi-municipal corporation, and setting forth the terms of said agreement (attached as Exhibit A), is necessary, as the previous rental agreement expired December 31, 2012; and,

**WHEREAS**, Lewis County is authorized to enter said agreement under provisions of RCW 39.34.080; RCW 36.34.180; and LCC 3.30.450 et seq.; and,

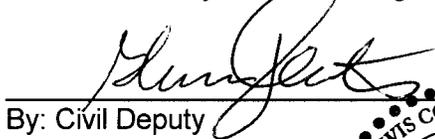
**WHEREAS**, RCW 36.34.160 states that prior to a Board of County Commissioners making a decision regarding the lease of property, notice of the intention to lease must be published in a legal newspaper at least once a week for a duration of three weeks and a notice of the intention to lease must also be visibly posted in the courthouse for the same period of time; and,

**WHEREAS**, said rental agreement has been reviewed by the Board and found appropriate for further proceedings.

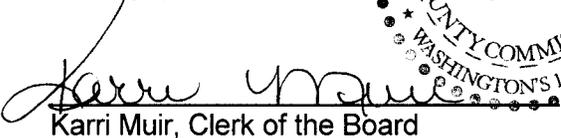
**NOW, THEREFORE BE IT RESOLVED** notice is hereby given that the 4<sup>th</sup> day of March, 2013 at or after the hour of 10:00 A.M., in the Commissioners' Hearing Room on the second floor of the Historical Courthouse in Chehalis, Washington, has been fixed by the Board as the time and place for the hearing on the Rental Agreement with the Lewis County Solid Waste Disposal District #1, for the rental of the East Lewis County Transfer Station in Morton. At this time and place, all persons may appear and be heard upon the proposal. The Clerk of the Board is hereby instructed to proceed with all necessary notifications, posting, and publication.

DONE IN OPEN SESSION this 11<sup>th</sup> day of February, 2013.

APPROVED AS TO FORM:  
Jonathan L. Meyer, Prosecuting Attorney

  
By: Civil Deputy

ATTEST:

  
Karri Muir, Clerk of the Board



BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

~~Absent~~   
P.W. Schulte, Chairman

  
F. Lee Grose, Member

  
Edna Fund, Member

# Exhibit A

**RENTAL AGREEMENT  
FOR RENTAL OF SOLID WASTE TRANSFER STATION**

This agreement, executed in duplicate between Lewis County, a municipal corporation (hereinafter referred to as the "County"), and Lewis County Solid Waste Disposal District #1, a quasi-municipal corporation, (hereinafter referred to as the "District"), dated \_\_\_\_\_

**WITNESSETH:**

**Whereas**, counties and solid waste disposal districts have the authority to provide for disposal of solid wastes and are authorized under provisions of Chapter 39.34 RCW and RCW 39.34.080 to contract with one another for the provision of any governmental service, activity, or undertaking that each public agency entering into the agreement is authorized by law to perform, and

**Whereas**, the County constructed a solid waste transfer station (the "Facility") on approximately 6.50 acres of property at **6745 U.S. Highway 12, Morton, Washington**; and,

**Whereas**, the County is authorized to enter into a lease agreement with the District, according to RCW 36.34.180 and LCC 3.30.450 et seq.; and as a result, the District has rented the Facility from the County since August 1, 1996, which has allowed the District to use the Facility to meet its obligations to customers within the boundaries of the District; and,

**Whereas**, the County is willing and able to continue renting the Facility to the District based upon the same agreed rental rate with the District,

**Whereas**, RCW 36.34.160 states that prior to a board of county commissioners making a decision regarding the lease of property, notice of the intention to lease must be published in a legal newspaper at least once a week for a duration of three weeks, and a notice of the intention to lease must also be visibly posted in the courthouse for the same period of time; and,

**Whereas**, RCW 36.34.160 also states that said notice will announce that the board of county commissioners plan to meet at the county courthouse on a designated day and time within a week after the three weeks of publication of the notice, and that the public may appear and comment on this agreement during said meeting; and,

**Whereas**, the notice of intention to lease was published and posted as required in RCW 36.34.160, and a public hearing was held during a meeting of the County on March 4, 2013, during which the public was given the opportunity to appear and comment on this agreement.

**IT IS HEREBY AGREED AS FOLLOWS:**

I. Term of Agreement

This agreement shall be effective from January 1, 2013 through December 31, 2017.

II. Scope of Agreement.

This agreement is for the rental of the Facility owned by the County and operated by the County Department of Public Works, Solid Waste Division, pursuant to an interlocal agreement with the District.

III. Rental Amount.

The monthly rental for the Facility shall be One Thousand Eight Hundred Fifty-Nine Dollars (\$1,859), payable monthly to the County by the District.

IV. Obligations of the County

The County shall be responsible for:

1. Insuring the Facility.
2. Payment for non-routine repairs.

V. Obligations of the District

The District shall be responsible for:

1. Maintenance and upkeep of the Facility.
2. Payment for routine repairs.

VI. Termination.

This agreement may not be terminated by either party without written consent of the other party received 90-days in advance.

VII. Reopener.

Sections III, IV, and V of this agreement may be renegotiated upon mutual consent of the County and the District with one year's notice.

This agreement shall become effective upon signature by all parties hereto and upon its filing with the Lewis County Auditor and the Washington Secretary of State.

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM

JONATHAN MEYER  
Prosecuting Attorney

\_\_\_\_\_  
Chief Civil Deputy

ATTEST:

\_\_\_\_\_  
Clerk of the Board

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

\_\_\_\_\_  
P.W. Schulte, Chairman

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F. Lee Grose, Vice Chairman

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Edna J. Fund, Member

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**CHAIRMAN  
GOVERNING BOARD OF COMMISSIONERS  
LEWIS COUNTY SOLID WASTE DISPOSAL  
DISTRICT #1**

## NOTICE OF HEARING - INTENT TO LEASE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners, Lewis County, Washington, proposes to hear comments related to its intention to renew a lease of the Solid Waste Transfer Station Facility located at 6745 U.S. Highway 12, Morton, Washington, to the Lewis County Solid Waste Disposal District #1, a quasi-municipal corporation, on or after 10:00 a.m. on Monday, March 4, 2013 at the Lewis County Courthouse, County Commissioners Hearing Room, 351 NW North Street, Chehalis, Washington. The lease agreement is for a period of 5 years to be effective from January 1, 2013 through December 31, 2017. At the hearing, any person may appear to be heard, either for or against the adoption of the proposed lease. A draft rental agreement will be available by requesting a copy from Lewis County Public Works at (360) 740-1123 or at our website at <http://lewiscountywa.gov/>.

DATED February 11, 2013

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Clerk of the Board  
of County Commissioners

Publish: East County Journal-February 13<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup>, 2013  
The Chronicle – February 14<sup>th</sup>, 21<sup>st</sup>, and 28<sup>th</sup>, 2013  
Lewis County Web Site: <http://lewiscountywa.gov/>