BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
May 23, 2016

The Board of County Commissioners (BOCC) for Lewis County, Washington, met in regular session on Monday, May 23, 2016, at 10:00 a.m. **P.W. "Bill" Schulte Commissioners, Gary Stamper, and Edna J. Fund** were in attendance. **Chair Schulte** called the meeting to order, determined a quorum, and proceeded with the flag salute. **Commissioner Fund** moved to approve the minutes of the 10:00 a.m., Monday, May 16, 2016 Business Meeting. **Commissioner Stamper** seconded the motion.

Motion carried 3-0.

Public Comment

Ron Averill, Centralia stated he was elected electoral for third congressional. Was a good convention in Pasco. Talked about president election.
Any other Bill asked, Gary make motion Edna second motion.

Proclamation

Commissioner Schulte moved to approve Proclamation Agenda item one. **Commissioner Fund** seconded the motion.

1. **Proclamation: Proclaiming May 23-29, 2016 as "WSU Master Gardener Week" in Lewis County.**

Sheila Gray, WSU Office, announced the proclamation.

Motion carried 3-0.

Consent

Commissioner Stamper moved to approve Consent Agenda items two through seven. **Commissioner Fund** seconded the motion.

2. **Resolution No. 16-143 Approval of warrants for payroll and payment.**

Suzette Smith, Auditors Office, stated this Resolution approves 155 regular warrants for a total payment against the County in the amount of $311,056.19. This also approves 235 payroll warrants dated May 20, 2016 for a total payment against the County in the amount of $268,077.00.

3. **Resolution No. 16-144 Approving the purchase of one new backhoe for the Public Works Department.**

Larry Unzelman, Public Works , stated Lewis County Public Works Department has determined that one backhoe in their fleet is in need of replacement. This unit was scheduled, budgeted, and approved for replacement in 2016. Pape Machinery offers John Deere backhoes through the current Washington state contract (#00410). Lewis County has a cooperative governmental purchasing agreement with Washington state, and this backhoe will be purchased with ER&R funds. This resolution authorizes the County Engineer to sign a contract between Pape Machinery and Lewis County for the purchase of one new backhoe in the amount of $135,332.07.

4. **Resolution No. 16-145 Authorizing an Aquatic Lands Amendment with the WA State Department of Natural Resources (DNR).**

Larry Unzelman, Public Works, stated an Aquatic Lands Agreement was entered into with the DNR by Resolution 12-249 on June 23, 2012 and was amended on September 19, 2013. It is necessary to amend the agreement to include additional easement property for the Ceres Hill Bank Stabilization project for an additional fee of $796.74. Public Works has reviewed the Amendment and recommends the Chair of the Board sign the document.

5. **Resolution No. 16-146 Ratifying an interlocal agreement with Lewis County Fire District No. 10 in Packwood, WA for sponsorship of a Duel-tank, Residential Used Oil Collection System.**

Larry Unzelman, Public Works, stated Lewis County Fire District #10 (LCFD#10) in Packwood and the Lewis County Public Works Director/County Engineer have executed an interlocal agreement in which the LCFD#10 agrees to sponsor a Lewis County waste oil collection system within LCFD#10 territory.

6. **Resolution No. 16-147 Request for final plat approval of Elkhorn Subdivision.**

Lee Napier, Director Community Development, stated per Lewis County Code (LCC) Section 16.05.200 (submission to board) the Final Plat Mylar for Elkhorn Subdivision LP07-00001 was received by Community Development and meets the requirements and is being transmitted to the BOCC for approval and signature.

7. **Resolution No. 16-148 Establishment of a Social Services Advisory Board, approve bylaws, and appoint four members to newly established board.**

April Kelley, Public Health & Social Services, stated Lewis County Public Health & Social Services requests to establish an advisory board to serve as a representative link between Lewis County and the community. Members will include representatives invested in improving the health of Lewis County citizens and appointed by resolution of the BOCC to serve a term of three years. The following citizens have expressed a desire to be on the advisory board and will be appointed to Social Services Advisory Board for three years effective May 23, 2016 through May 31, 2019:

Members:
Gary Stamper Commissioner
Mary Shaham Undesignated
Lorrie Davis Developmental Disabilities
Christopher Ruben Law Enforcement

Motion carried 3-0.

Hearing

Ordinance 1268-Renewing moratorium upon establishment or development of facilities or other uses involved in the production, processing and retail sale of marijuana and related product.

Lee Napier, Director Community Development stated the Board of County Commissioners (BOCC) set a hearing date (May 23, 2016) to consider renewing the moratorium upon establishments or other development of facilities or development involved in the production, processing and retail sale of marijuana and related products. The moratoria is adopted pursuant to the authority of RCW 36.70A.390. This is the method by which local governments may preserve the status quo, so that new plans and regulations will not be rendered moot by intervening development. The County staff continues to develop recommendations in the form of draft code amendments for the BOCC to consider. We would recommend a public workship where we can reach out to the community about this topic prior to setting a public hearing to approve.

Commissioner Fund asked if this workshop would be outside of Chehalis for the public meetings.

Lee Napier stated yes

Chair Schulte asked how many times we have imposed a six month moratorium.

Lee Napier stated the first Moratorium was imposed in December of 2013.

Eric Eisenberg, Prosecutors Office stated over the time this moratorium has been in place the legal backgound has changed in time that is why we are still in review.

Chair Schulte stated he understood that one reason was so the Planning Commission could have more time.

Lee Napier stated we are not taking it back to the Planning Commission. They have concluded there review of this matter. We have worked with Department of Public Health and Social Services on water and waste water. We are also working with Public Health on solid waste.

Ron Averill, Centralia, asks you say checking with the Health Dept with solid waste. Are you talking biosolids?

Eric Eisenberg stated we are talking both.

Jason Sparkman, Morton, he plans on opening a business in Morton. Wants to know why this is taking so long.

Commissioner Schulte it went to the Planning Commissioner and the planning commission kicked it back for some review of regulations.

Summer Chapman you brought in an expert during the planning commission that brought things to light from other counties. Many considerations of other counties on what they are doing with their waste production why can't you consider what they are doing?

Eric Eisenberg stated they have looked at other counties. Those counties by in large did not take any kind of organized approach for waste management. For example Thurston County didn't make any plans and by inaction treated marijuana businesses with a hands off approach.

Matthew Martin, Morton, asked about Chehalis who seemed to make it an easy matter. Why is the County making it so complicated?

Eric Eisenberg, stated Chehalis is in a much more limited geographic area and has less varied types of lands and land uses.

Chair Schulte will not support another moratorium. We are not taking an EIN we are going with a federal permit. Until the federal government says this is legal he is not in support of breaking the federal law.

Gabe Kothe if you are requiring a federal permit once the moratorium is lifted so no one will be able to get a permit will you then collect taxes from it.

Eric Eisenberg stated Lewis County will not be able to get funds. Based on no retail sales.

Commissioner Fund stated it is based on retail sales.

Mariam Martinez stated where we live it is all well water. We have a lot of issues with our water. This will effect her business. She is not for it. She is on the I5 corridor. Brings crime rate up, and how is Lewis County going to deal with that.

Chair Schulte, asked if there were any questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.
Eric Eisenberg and Lee Napier asked that there comments be entered into the record.

Jason Sparkman provided a letter to the BOCC with his comments. By extending the moritorium it is only prolonging to pass it.

Ron Sparkman, Morton stake holder with company. Explains about the money that could be coming into Lewis County.

Chair Schulte request for a copy of Ron Sparkmans notes.

Ron Averill, Centralia stated Lewis has had serveral opportunities population has rejected. Serious issues that we need to talk about. Would like to have moratorium extended.

Gabe Kothe spoke against extending the moratorium.

Summer Chapman stated even if you run the moratorium through we will still not be able to run their businesses because you will require a federal permit. She suggest to move out of county.

Eric Eisenberg spoke as a citizen and stated he voted for I-502 and thinks it would be better for the Country if Marijuan were regulated. If you do not extend the moratorium persons would be able to site there building in any location and not be subject to to the zoning because the County has not passed there zoning codes.

Commissioner Fund moved to approve moritoruium for another six months. **Commissioner Stamper** seconded the motion.

Commissioner Fund provided information learned through legislation.

An Ordiance of Lewis County, Washington Renewing a Moratorium upon establishment or other development of Facilities or other uses involved in the production, processing and retail sale of marijuana and related products.

Motion carried 3-0.

Recorder: Lisa Wilson

There being no further business, the BOCC's business meeting adjourned at 11:17 am May 23, 2016. The next public meeting will be held Monday, June 6, 2016. Please note that minutes from the BOCC's meetings are not verbatim. A recording of the meeting may be purchased at the BOCC's Office.

BOARD OF COUNTY COMMISSIONERS

LEWIS COUNTY, WASHINGTON

Absent

P.W. Bill Schulte, Chair

Gary Stamper, Vice-Chair

Edna J. Fund, Commissioner

ATTEST:

Karri Muir, CMC, Clerk of the Board
Lewis County Commissioners