

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

IN THE MATTER OF:

RESOLUTION NO. 22-381

NOTICE OF INTENT TO LEASE THE EAST LEWIS
COUNTY TRANSFER STATION TO THE LEWIS
COUNTY SOLID WASTE DISPOSAL DISTRICT #1

WHEREAS, approval of a renewal agreement in which the Board of County Commissioners (BOCC) 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), is necessary, as the current rental agreement expires Dec. 31, 2022. The BOCC 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, after reviewing the agreement, the BOCC found it appropriate for further proceedings.

NOW THEREFORE BE IT RESOLVED that the BOCC will consider the Rental Agreement for Rental of the East Lewis County Transfer Station in Morton with the Lewis County Solid Waste Disposal District #1 at or after 10 a.m. Dec. 20, 2022, in the Commissioners' Hearing Room on the second floor of the Historical Courthouse in Chehalis, Washington; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of the Board is hereby instructed to proceed with all necessary notifications, posting, and publication.

DONE IN OPEN SESSION this 29th day of November, 2022.

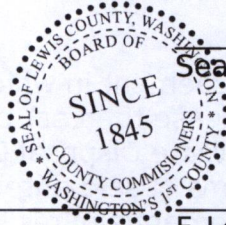
APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Kevin A. McDowell
By: Kevin A. McDowell,
Deputy Prosecuting Attorney

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Chair

ATTEST:



Sean D. Swope
Sean D. Swope, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

F. Lee Grose
F. Lee Grose, Commissioner

**NOTICE OF PUBLIC HEARING BEFORE THE
LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS
AND NOTICE OF INTENT TO LEASE**

NOTICE IS HEREBY GIVEN that the **LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS (BOCC)** will meet in December for the purpose of leasing a property. The meeting will take place at or after 10 a.m. on December 20, 2022, in the Commissioners' Hearing Room on the second floor of the Historic Courthouse in Chehalis, Washington. Interested parties are encouraged to check the Commissioners' Business Meeting agenda for the Zoom log-in details. The agenda will be posted at least 24 hours in advance of the meeting at:

<https://lewiscountywa.gov/offices/commissioners/agendas-calendar/>

The BOCC will consider the renewal of the lease of its solid waste transfer station facility located at 6745 US Highway 12, Morton, Washington, to the Lewis County Solid Waste Disposal District #1, a quasi-municipal corporation, for a period to be effective from Jan. 1, 2023, through Dec. 31, 2024.

Details about the proposed lease renewal will be available online at the agenda link provided above. The draft is subject to change before or at the hearing. If you wish to receive a paper copy of the proposals, contact Rieva Lester at Rieva.Lester@lewiscountywa.gov or 360-740-1419 and a copy will be mailed to you.

Title VI Notice to Public

It is the policy of Lewis County that no person shall, on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protections have been violated may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our nondiscrimination obligations, please contact Lewis County's Title VI Coordinator at (360) 740-2612.

The meeting site is barrier free. People needing special assistance or accommodations should contact Rieva Lester at 360-740-1419 at least 72 hours in advance of the meeting.

Publish in: The Chronicle: Nov. 29, Dec. 6 and Dec. 13, 2022
 East County Journal: Nov. 30, Dec. 7 and Dec. 14, 2022
 Lewis County Web Site: <http://lewiscountywa.gov/>

**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 December 13, 2022.

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 US Highway 12, Morton, Washington**; and,

Whereas, the County is authorized to enter into a lease agreement with the District pursuant to RCW 36.34.180 and LCC 3.30.450 et seq.; and,

Whereas, 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 rental rate; 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, RCW 36.34.160 also states that said notice will announce that the board of county commissioners plans to meet at the county courthouse on a designated day and time within a week after three weeks of publication of the notice, and that the public may appear and comment on the 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 December 13, 2022, 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, 2023 through December 31, 2024.

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:

Rieva Lester, Clerk of the Board

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

Lindsey R. Pollock, DVM, Chair

Sean D. Swope, Vice Chair

F. Lee Grose, Commissioner

ATTEST:

Josh Metcalf, Clerk of the Board

**LEWIS COUNTY SOLID WASTE
DISPOSAL DISTRICT NO. 1**

Sean D. Swope, Chair

APPROVED AS TO FORM:

Prosecuting Attorney

Chief Civil Deputy

BOCC AGENDA ITEM SUMMARY

Resolution: 22-381

BOCC Meeting Date: Nov. 29, 2022

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Notice of Intent to Lease the East Lewis County Transfer Station to the Lewis County Solid Waste Disposal District #1

Contact: Rocky Lyon

Phone: 360-740-1403

Department: PW - Public Works

Description:

Renew the agreement in which the Board of County Commissioners (BOCC) 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.

Approvals:

User	Status
Josh Metcalf	Pending
PA's Office	Pending

Publication Requirements:

Publications:

The Chronicle: Nov. 29, Dec. 6 and Dec. 13, 2022

East County Journal: Nov. 30, Dec. 7 and Dec. 14, 2022

Lewis County Web Site: <http://lewiscountywa.gov/>

Additional Copies:

Teri Lopez

Tina Hemphill

Cover Letter To:

RECEIVED
Board of County Commissioners
Lewis County Washington

DEC 16 2022

**AFFIDAVIT
OF PUBLICATION
STATE OF WASHINGTON
COUNTY OF LEWIS**

Cindy Thayer, and/or Sarah Burdick, and/or Ronda Pogorelec
and/or Cheyenne Denman says that she is the legal clerk of

**The
Chronicle**

a semi-weekly newspaper, which has been established, published
in the English language, and circulated continuously as a
semi-weekly newspaper in the City of Centralia, and in Lewis
County, Washington, general circulation in Lewis County for
more than six (6) months prior to the date of the first publication
of the notice hereto attached, and that the said Chronicle was on
the 7th day of July 1941, approved as a legal newspaper by the
Superior Court of said Lewis County. And that the attached is a
true copy and was published in regular issues (and not in
supplement form) of said newspaper as LEGAL # 124508
RE: East Lewis County Transfer Station

once each Week for a period of 3 Weeks

commencing on 11/29/2022 and ending on 12/13/2022

and both regularly distributed to its subscribers during all of said
period. That the full amount of the fee charged for the foregoing
publication is the sum of \$ 127.00

Cheyenne Denman
Subscribed and sworn to before me 12/13/2022

Ronda Pogorelec
Notary Public in and for the State of Washington,
residing at

Chehalis



124508 East Lewis
County Transfer Station

**NOTICE OF PUBLIC
HEARING BEFORE
THE LEWIS COUNTY
BOARD OF COUNTY
COMMISSIONERS
AND NOTICE OF
INTENT TO LEASE**
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BOARD OF COUNTY
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or after 10 a.m. on Decem-
ber 20, 2022, in the
Commissioners' Hearing
Room on the second floor
of the Historic Courthouse
in Chehalis, Washington.
Interested parties are en-
couraged to check the
Commissioners' Business
Meeting agenda for the
Zoom log-in details. The
agenda will be posted at
least 24 hours in advance
of the meeting at:
[https://lewiscountywa.gov/
offices/commissioners/ag-
endas-calendar/](https://lewiscountywa.gov/offices/commissioners/agendas-calendar/)

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Title VI Notice to Public
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County that no person
shall, on the basis of race,
color, or national origin, as
provided by Title VI of the
Civil Rights Act of 1964, be
excluded from participation
in, be denied the benefits
of, or be otherwise discrim-
inated against under any
of its federally funded
programs and activities.
Any person who believes
his/her Title VI protections
have been violated may file

a complaint with WSDOT's
Office of Equal Opportunity
(OEO). For additional infor-
mation regarding Title VI
complaint procedures
and/or information regard-
ing our nondiscrimination
obligations, please contact
Lewis County's Title VI
Coordinator at (360)
740-2612.

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cial assistance or accom-
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Published: The Chronicle
November 29, 2022
December 6 & 13, 2022