

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

IN THE MATTER OF:

RESOLUTION NO. 19-308

NOTICE OF A PUBLIC HEARING AND PROPOSED
ACTION TO ADOPT A SYSTEM OF SPECIAL
ASSESSMENT APPLICABLE TO PARCELS WITHIN
LEWIS COUNTY FLOOD CONTROL DISTRICT 1,
LOCATED IN SOUTHERN CHEHALIS AND
SURROUNDING AREAS

WHEREAS, notice is hereby given that a public hearing will be held by the Lewis County Board of County Commissioners (BOCC) in the hearing room at 351 NW North Street, Chehalis, Washington on November 25, 2019 at or after 10:00am; and

WHEREAS, public notice of said hearing is required by law; and

WHEREAS, on said date, the BOCC will take public testimony or written comment on the proposed adoption of a system of special assessment applicable to parcels within Lewis County Flood Control District 1, which is in southern Chehalis and surrounding areas; and

WHEREAS, the proposed system would assess each parcel in proportion to 100% of its assessed improvement value plus 50% of its assessed land value to raise the district's budget each year.

NOW THEREFORE BE IT RESOLVED that a hearing is hereby scheduled for November 25, 2019 to take public testimony or written comment concerning the proposed system of special assessment, with final BOCC action to take place following the public hearing; and; and

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

DONE IN OPEN SESSION this 28th day of October, 2019.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Eric Eisenberg

Robert C. Jackson

By: Eric Eisenberg,
Chief Civil Deputy Prosecuting Attorney

Robert C. Jackson, Chair

ATTEST:



Rieva Lester

Gary Stamper

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

Gary Stamper, Vice Chair

Edna J. Fund

Edna J. Fund, Commissioner

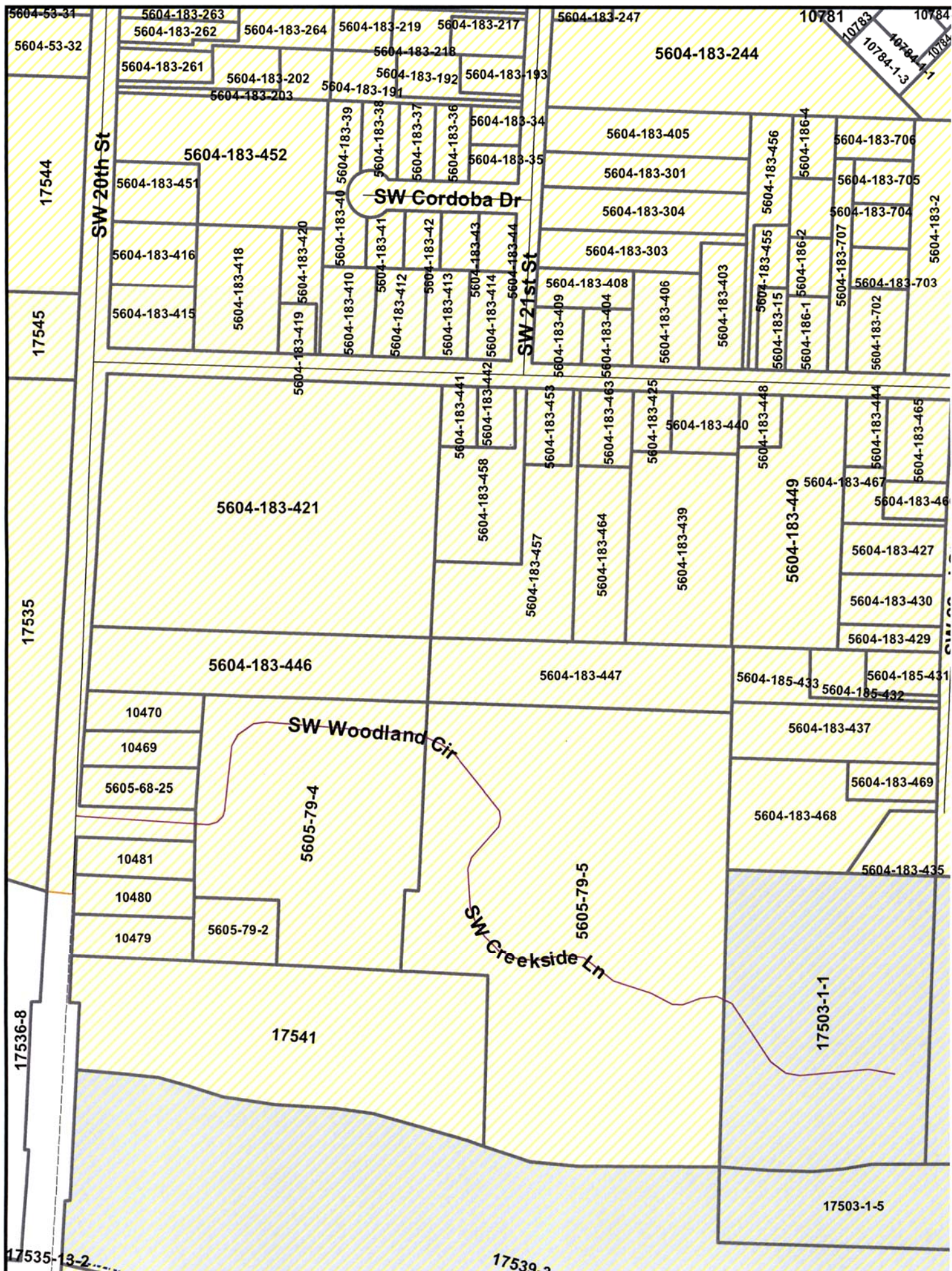


Exhibit 1 - Ordinance 1309

Proposed System of Special Assessment for Flood Control District 1

ADDRESS	OWNER	IMPROV. VALUE	LAND VALUE	TOTAL VALUE	50% OF LAND VALUE	100% OF IMPROV. VALUE	TOTAL ADJUSTED VALUE	ASSESSMENT TO RAISE \$1000
178 RIBELIN RD	CHI AQUISION LLC	0	127000	127000	63500	0	63500	\$0.50
181 RIBELIN RD	DOLLARHYDE, KENNETH L & ELLEN Y	30500	140500	171000	70250	30500	100750	\$0.79
165 RIBELIN RD	DOLLARHYDE, KENNETH L & ELLEN Y	45300	241500	286800	120750	45300	166050	\$1.30
142 RIBELIN RD	CHI AQUISION LLC	0	254000	254000	127000	0	127000	\$1.00
136 RIBELIN RD	CASCADE HARDWOOD LLC	0	257700	257700	128850	0	128850	\$1.01
2700 JACKSON HWY	COOLEY, MICHAEL F & BETH A	164700	59500	224200	29750	164700	194450	\$1.53
2710 JACKSON HWY	BEZY, PETER R & CAROL J	251400	74700	326100	37350	251400	288750	\$2.27
273 MAURIN RD	PORT OF CHEHALIS	0	4105400	4105400	2052700	0	2052700	\$16.11
2610 JACKSON HWY	SCHLINDWEIN, ROBERT J	154000	26300	180300	13150	154000	167150	\$1.31
0 RIBELIN RD	NHI-REIT OF WASHINGTON LLC	1703300	939300	2642600	469650	1703300	2172950	\$17.06
2598 JACKSON HWY	LAVENDER REV LIV TRUST, THE NELLIE R	47000	168600	215600	84300	47000	131300	\$1.03
103 MCBRIDE CT	PORT OF CHEHALIS	465000	111500	576500	55750	465000	520750	\$4.09
188 STURDEVANT RD	NATIONAL FROZEN FOODS CORPORAT	6814900	1114800	7929700	557400	6814900	7372300	\$57.86
222 DOWNIE RD	NIEMAN PROPERTIES LLC	998000	588200	1586200	294100	998000	1292100	\$10.14
192 DOWNIE RD	SHELTON STRUCTURES INC	1375000	600100	1975100	300050	1375000	1675050	\$13.15
0 DOWNIE RD	SOUND WOOD PROPERTIES LLC	0	434800	434800	217400	0	217400	\$1.71
195 RIBELIN RD	SOUND WOOD PROPERTIES LLC	888000	733300	1621300	366650	888000	1254650	\$9.85
0 RIBELIN RD OFF	CHI AQUISION LLC	0	528300	528300	264150	0	264150	\$2.07
158 RIBELIN RD	CHI AQUISION LLC	134000	254000	388000	127000	134000	261000	\$2.05
158 RIBELIN RD	CHI AQUISION LLC	4242800	991900	5234700	495950	4242800	4738750	\$37.19
0 RIBELIN RD	CHI AQUISION LLC	0	63500	63500	31750	0	31750	\$0.25
0 RIBELIN RD OFF	CHI AQUISION LLC	0	21600	21600	10800	0	10800	\$0.08
0 RIBELIN RD	CHI AQUISION LLC	0	37000	37000	18500	0	18500	\$0.15
143 MAURIN RD	HARDEL MUTUAL PLYWOOD CORP	26476100	4191700	30667800	2095850	26476100	28571950	\$224.26
223 MAURIN RD	CRESLINE-NORTHWEST, LLC	2978000	1886100	4864100	943050	2978000	3921050	\$30.78
2606 JACKSON HWY	ALL SEASONS RV STORAGE LLC	107600	91900	199500	45950	107600	153550	\$1.21
214 DOWNIE RD	CARDINAL LG COMPANY	5803400	706800	6510200	353400	5803400	6156800	\$48.32
0 STURDEVANT RD	CASCADE HARDWOOD LLC	215900	61000	276900	30500	215900	246400	\$1.93
206 MAURIN RD	STORE MASTER FUNDING XVI, LLC	2623500	783400	3406900	391700	2623500	3015200	\$23.67
0 RIBELIN RD	GUNDERSON RAIL SERVICES LLC	0	37000	37000	18500	0	18500	\$0.15
0 RIBELIN RD	GUNDERSON RAIL SERVICES LLC	0	50900	50900	25450	0	25450	\$0.20
0 STURDEVANT RD	CHI AQUISION LLC	174000	38100	212100	19050	174000	193050	\$1.52
223 DOWNIE RD	ALADDIN MANUFACTURING CORP	1530000	927200	2457200	463600	1530000	1993600	\$15.65
0 MAURIN RD	PORT OF CHEHALIS	0	30900	30900	15450	0	15450	\$0.12
2580 JACKSON HWY	ADVENTURE INVESTMENTS INC	834700	361300	1196000	180650	834700	1015350	\$7.97
222 MAURIN RD	FM RETAIL SERVICES INC	41551700	4523300	46075000	2261650	41551700	43813350	\$343.88
208 MAURIN RD	NR HOLDING, INC.	4651500	1673500	6325000	836750	4651500	5488250	\$43.08
197 STURDEVANT RD	CASCADE HARDWOOD LLC	59800	62500	122300	31250	59800	91050	\$0.71
321 MAURIN RD	PORT OF CHEHALIS	674800	247000	921800	123500	674800	798300	\$6.27
199 RIBELIN RD	DONAHUE FAMILY LLC	728300	372900	1101200	186450	728300	914750	\$7.18
0 JACKSON HWY	ALL SEASONS RV STORAGE LLC	211300	133700	345000	66850	211300	278150	\$2.18
122 CHASE RD	COMMUNITY PARTNERS	0	92700	92700	46350	0	46350	\$0.36
0 RIBELIN RD	PORT OF CHEHALIS	0	68300	68300	34150	0	34150	\$0.27
0 RIBELIN RD	NATIONAL FROZEN FOODS CORP	0	1103300	1103300	551650	0	551650	\$4.33
179 DOWNIE RD	NATIONAL FROZEN FOODS CORP	0	529500	529500	264750	0	264750	\$2.08
0 RIBELIN RD	CASCADE HARDWOOD LLC	0	51500	51500	25750	0	25750	\$0.20
128 RIBELIN RD	CASCADE HARDWOOD LLC	0	181700	181700	90850	0	90850	\$0.71
0 RIBELIN RD	COMMUNITY PARTNERS	0	31700	31700	15850	0	15850	\$0.12
0 RIBELIN RD	CHI AQUISION LLC	0	651200	651200	325600	0	325600	\$2.56
0 RIBELIN RD	COMMUNITY PARTNERS	0	291900	291900	145950	0	145950	\$1.15
0 MAURIN RD	PORT OF CHEHALIS	0	4200	4200	2100	0	2100	\$0.02
0 MAURIN RD	FRED MEYER STORES INC	0	4114800	4114800	2057400	0	2057400	\$16.15
0 MCBRIDE CT	PORT OF CHEHALIS	0	45300	45300	22650	0	22650	\$0.18
1697 BISHOP RD	PORT OF CHEHALIS	0	1531900	1531900	765950	0	765950	\$6.01
113 NALLEY RD	HM CLEARWATER LLC	660900	1497200	2158100	748600	660900	1409500	\$11.06
102 MCBRIDE CT	PORT OF CHEHALIS	0	208600	208600	104300	0	104300	\$0.82
0 JACKSON HWY	COMMUNITY PARTNERS	0	231000	231000	115500	0	115500	\$0.91
0 JACKSON HWY	SCHLINDWEIN, ROBERT J	0	19200	19200	9600	0	9600	\$0.08
0 MCBRIDE CT	PORT OF CHEHALIS	25500	51200	76700	25600	25500	51100	\$0.40
105 MCBRIDE CT	PORT OF CHEHALIS	0	153300	153300	76650	0	76650	\$0.60
0 JACKSON HWY	PORT OF CHEHALIS	0	88000	88000	44000	0	44000	\$0.35
0 MAURIN RD	PORT OF CHEHALIS	0	38300	38300	19150	0	19150	\$0.15
207 MAURIN RD	PORT OF CHEHALIS	0	633300	633300	316650	0	316650	\$2.49
0 DOWNIE RD	ERICSON, STEPHEN P & CHARLENE	0	143300	143300	71650	0	71650	\$0.56
0 STURDEVANT RD	COMMUNITY PARTNERS	0	1061300	1061300	530650	0	530650	\$4.16
0 JACKSON HWY	PORT OF CHEHALIS	0	697200	697200	348600	0	348600	\$2.74
TOTAL:		106620900	41572600	148193500			127407200	\$1,000.00

NOTICE OF PUBLIC HEARING

Before the

LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lewis County Board of Commissioners (BOCC) in the Historical Courthouse, 351 NW North Street, Chehalis, Washington, on the 25th day of November 2019. The hearing will be held at or after 10:00 a.m. to consider the adoption of a system of special assessment applicable to parcels within Lewis County Flood Control District 1, which is in southern Chehalis and surrounding areas.

All those wishing to speak for or against the system shall be afforded the opportunity to be heard. The proposed system would assess each parcel in proportion to 100% of its assessed improvement value plus 50% of its assessed land value to raise the district's budget each year.

The proposal may be viewed on the BOCC's website and can be obtained in writing from the Clerk of the Board prior to the hearing in person or by phone at 360-740-1120. Written comments may be submitted to the BOCC prior to or during said hearing.

This meeting site is barrier free. People needing special assistance or accommodations should contact the Clerk of the Board 72 hours in advance of the meeting. Phone: (360) 740-1419

Publish on Thursday, Oct. 31, 2019 and Thursday, Nov. 7, 2019

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

**AN ORDINANCE OF LEWIS COUNTY, WASHINGTON ADOPTING)
A SYSTEM OF SPECIAL ASSESSMENT APPLICABLE TO PARCELS) ORDINANCE NO. ____
WITHIN LEWIS COUNTY FLOOD CONTROL DISTRICT 1,)
LOCATED IN SOUTHERN CHEHALIS AND SURROUNDING AREAS)**

WHEREAS, Lewis County Flood Control District 1 (FCD 1) was formed in 1991 under Ch. 86.09 RCW; and

WHEREAS, such districts must raise their budgets using a special assessment procedure in which the county adopts the system of special assessment for the district (RCW 86.09.380; RCW 85.38.160); and

WHEREAS, many criteria may be considered in establishing the system, including improved access from flood control, reduction or prevention of flood damage, and assessed value (RCW 85.38.150(4); RCW 85.38.165); and

WHEREAS, the County Engineer reviewed FCD 1's operations, management, and service area, and concluded that it provides services of district-wide value that benefit improvements on land and also benefit unimproved land to a lesser extent; and

WHEREAS, the County Engineer has filed a proposed system of special assessment with the Lewis County Board of County Commissioners (BOCC), which would assess each parcel in proportion to 100% of its assessed improvement value plus 50% of its assessed land value; and

WHEREAS, the BOCC set a public hearing on the proposed system for Nov. 25, 2019; and

WHEREAS, notice of the system and the hearing were mailed to affected property owners and reputed owners, as well as published in the newspaper for two consecutive weeks, with final notice 14-21 days before the hearing; and

WHEREAS, after the hearing the BOCC concludes that the system of special assessment fairly apportions FCD 1's budget in accordance with FCD 1's benefit to the affected parcels;

NOW THEREFORE BE IT ORDAINED by the Lewis County Board of County Commissioners as follows:

Section 1. System of Special Assessment Finalized.

- a. Lewis County Flood Control District 1's (FCD 1's) operations provide district-wide benefits, specifically improved access, reduction of flood damage, and increased or maintained value of land and improvements. Improved land (mostly businesses) benefits the most because FCD 1's operations keep the businesses' workers and products moving freely. Unimproved land benefits to a lesser extent from improved access and increased value.
- b. Pursuant to RCW 86.09.380 and RCW 85.38.150-.170, a system of special assessment is hereby adopted for Lewis County Flood Control District 1 (FCD 1).

- i. All parcels within FCD 1 shall be in a single benefit zone.
 - ii. Within that zone, all improvements on land shall be in a single class.
 - iii. The dollar value of benefit to each parcel is proportional to 100% of its assessed improvement value and 50% of its assessed land value.
- c. Each parcel's portion of the special assessment shall be calculated as:

$$\frac{\text{Improved Value of Parcel} + (50\% \text{ of Land Value of Parcel})}{\text{Sum for all Parcels in District of Improved Value} + (50\% \text{ of Land Value})}$$

This ratio shall be multiplied by FCD 1's budget to fix the dollar amount of special assessment each parcel shall pay.¹

- d. The attached and incorporated Exhibit 1 sets forth a use of this system of special assessment to raise \$1000, which is the form required by law for such systems.
- e. Each year, as required by RCW 85.38.170, FCD 1 shall adopt its budget and forward it to the BOCC and the Lewis County Treasurer. The Treasurer shall obtain the assessed values from the Lewis County Assessor after they have been certified and impose special assessments in accordance with this system and state law to raise FCD 1's budget.

Section 2. Findings. In addition to the Ordinance itself, the recitals preceding this Ordinance are adopted as findings of fact.

Section 3. Severability. The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

Section 4. Effective Date. This ordinance is in the public interest and shall take effect immediately.

Section 5. Appeal. Any person who objected in writing or at the public hearing to this system of assessment may appeal to the Lewis County Superior Court within twenty days.

Section 6. Codification. This Ordinance need not be codified in the online Lewis County Code, but should be included in any ordinance table maintained with that code.

//
//

¹ For precision, the system of special assessment is stated in general form as follows:

$$A_n = \{ (I_n + .5L_n) / [\sum_{n=1}^p (I_n + .5L_n)] \} * B$$

For parcel n, A_n is the special assessment amount, I_n is the improvement value, and L_n is the land value; p is the number of parcels in FCD 1; and B is FCD 1's budget.

PASSED IN REGULAR SESSION this ____ day of November 2019 after a public hearing and publication in _____ on _____ and _____, as well as mailed notice as required by RCW 85.38.160 to each affected landowner and reputed landowner.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Deputy Prosecuting Attorney

Robert C. Jackson, Chair

ATTEST:

Gary Stamper, Vice Chair

Rieva Lester, Clerk of the Board

Edna J. Fund, Commissioner