

**LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC)**

**Business Meeting minutes**

**November 8, 2022**

Present: Commissioner Pollock, Commissioner Swope, Commissioner Grose

Recorder: Rieva Lester

Commissioner Pollock called the meeting to order at 10 a.m., determined a quorum and then proceeded with the flag salute.

**PUBLIC COMMENT**

Scott Crossfield of Toledo discussed concerns regarding a rock pit near his property. He thanked the commissioners for their efforts to address his concerns. Scott said he recently met with the Department of Natural Resources (DNR) and that the DNR views the site as a reclamation operation whereas the county views it as a mining operation. He said the DNR also erroneously contends that the site fits within its 20-acre allotment. Scott said the DNR is unwilling to or unable to rein in the rogue mine.

The commissioners presented a slideshow honoring Lewis County employees who have served or are serving in the Armed Forces. The commissioners thanked veterans everywhere for their service.

**NOTICE ITEMS**

*Commissioner Swope made a motion to approve Resolutions 22-360 and 22-361. Commissioner Grose seconded.*

**Resolution 22-360:** Notice of hearing regarding Ordinance 1339, which would expand Curbside Recycling Countywide and amend Ordinances 1136, 1136a, 1136b, 1157, and 1196. The hearing will take place at or after 10 a.m. Nov. 29, 2022.

**Solid Waste Services Manager Rocky Lyon** discussed the resolution. Rocky said the proposed ordinance would expend the county's recycling program.

**Resolution 22-361:** Notice of Public Hearing for the proposed 2023 Annual Construction Program (ACP) and Six-Year Transportation Improvement Program (TIP) for the years 2023-2028. The hearing will take place at or after 10 a.m. Nov. 29, 2022.

**Public Works Director Josh Metcalf** discussed the resolution. Josh discussed the state laws that require passage of the ACP and TIP.

*Motion passed 3-0.*

## CONSENT ITEMS

*Commissioner Grose made a motion to approve minutes from the Oct. 25 and Nov. 1, 2022, Business Meetings as well as Resolution 22-362. Commissioner Swope seconded.*

**Resolution 22-362:** Approval of warrants/claims against the various county departments.

**Chief accountant Grace Jimenez, representing the Auditor's Office,** said warrants 861,414 through 861,782 and 861,819 through 862,141 as well as direct disbursements numbered 6767, 8143 through 8146, 5354, 6245, 6270, 6748 through 6752, 6762, 6768, 7403, 7560, 8128 through 8132, 8142 and 9306 were issued in October and November for payments against the county totaling \$4,477,301.76. She said payroll/tax deposit warrants numbered 795,982 through 795,986 and Automatic Deposits 46,305 through 46,881 also were approved for payments against the county totaling \$1,167,976.64. Grace noted a skip in sequence for warrants 861,389 through 861,413 and 861,783 through 861,818, which were issued on behalf of Special Purpose Districts.

*Motion passed 3-0.*

## DELIBERATION ITEMS

*Commissioner Swope made a motion to approve Resolutions 22-363 through 22-366 and 22-368 through 22-369. Commissioner Grose seconded.*

**Resolution 22-363:** Declaration of surplus vehicles.

**Public Works Director Josh Metcalf** discussed the resolution. Josh said the county has 12 vehicles that have been declared surplus, most due to high mileage.

**Resolution 22-364:** Approve Amendment D to Contract TSAESG-CV between The Salvation Army and Lewis County Public Health and Social Services.

**Community Outreach Worker Senior Justia Madrigal** discussed the resolution. Justia said the amendment adds outreach services and adds additional funding totaling \$100,000.

**Resolution 22-365: Designate Lewis County Representatives on the Washington Counties Risk Pool.**

HR / Risk Director Amber Smith discussed the resolution. Amber said the list is being updated to include herself and Commissioner Pollock.

**Resolution 22-366: Ratify an employment contract with Amber Smith for the Human Resources & Risk Management Director position.**

County Manager Erik Martin discussed the resolution.

**Resolution 22-368: Appoint Dennis Riebe to the East Lewis County Public Development Authority (ELCPDA) Board of Directors.**

Commissioner Grose said Hazelanna McMahan had stepped down and that Dennis Riebe volunteered to fill the vacancy.

**Resolution 22-369: Authorizing temporary interfund loan from the American Rescue Plan Act Fund No. 1420 utilizing the Local Assistance and Tribal Consistency Funds to the Broadband Capital Fund No. 3400.**

Budget Administrator Becky Butler discussed the resolution. Becky said the fund will cover expenses until broadband funding comes through.

***Motion passed 3-0.***

At 10:25 a.m., Commissioner Pollock announced that the commissioners were taking a 2-minute break.

The meeting resumed at 10:28 a.m.

## HEARING

**Ordinance 1337: Amend the Lewis County Comprehensive Plan and Associated Zoning Map Designations** (continued from Nov. 1, 2022).

Commissioner Pollock introduced the continuation of the hearing for Ordinance 1337. She noted that the oral testimony portion of the hearing closed Nov. 1 and that the written testimony portion of the hearing closed Nov. 4.

Mindy Brooks said YMCA and a representative for the Good-Avapollo project had provided additional information regarding their prospective applications.

Mindy noted that the city of Chehalis is the applicant for the UGA applications.

Mindy noted that an earlier version of the ordinance listed the wrong parcel numbers for the Good-Avapollo application and that the error had been corrected.

Mindy reviewed the criteria the commissioners must use in their decision-making, as per Lewis County Code 17.12.100:

- Conforms to Growth Management Act and Countywide Planning Policies.
- There is a demonstrated need for the amendment.
- Public interest will be served by the amendment.
  - Anticipated effect on population, employment distribution.
  - Anticipated effect on schools, fire districts, etc.
  - Anticipated effect on ag, forest or mineral resource lands.
- Isn't spot zoning.

Commissioner Grose said much of the testimony received didn't address the approval criteria outlined in county code, stressing that the county code governs what the commissioners must consider as part of their decision-making process. He expressed frustration that the cities of Chehalis and Centralia did not come before the commissioners regarding their UGA applications.

Mindy reminded the commissioners that their decisions must be based on land use.

### **Chehalis Breen**

**Commissioner Grose made a motion to deny the proposed expansion of the City of Chehalis Urban Growth Area to include the parcel listed in Ordinance 1337, Exhibit A, Attachment 1, also known as the Breen property. Commissioner Swope seconded.**

**Motion passed 3-0.**

### **Chehalis Westlund-Enbody expansion**

**Swope made a motion to approve the Westlund-Enbody and conservation. Grose seconded.**

Commissioner Swope made a motion to approve the proposed expansion of the City of Chehalis Urban Growth Area to include the parcels listed in Ordinance 1337, Exhibit A, Attachment 2, also known as the Westlund-Enbody property, and to require that a conservation easement be placed on the 100-year floodplain prior to development.

Commissioner Pollock discussed the 2007 flood areas.

Swope made a motion to amend his motion to include the 2007 floodplain map. Grose seconded.

The motion to amend the original motion passed 3-0.

**The motion to approve Westlund-Enbody proposal, as amended – to include the 2007 flood map – passed 3-0.**

Commissioner Swope left 10:42 a.m.

### **Centralia UGA**

**Commissioner Grose made a motion to approve the proposed expansion of the City of Centralia Urban Growth Area expansion. Commissioner Pollock seconded. Motion passed 2-0.**

Commissioner Swope returned at 10:43 a.m. Commissioner Pollock noted that he had left because he was recusing himself from the vote on the Centralia UGA.

### **YMCA rezone**

**Commissioner Grose made a motion to approve the Planning Commission recommendation to authorize research into the master plan resort over the timber resource land overlay. Commissioner Pollock seconded.**

Commissioner Swope said 30 people from Lewis County submitted written testimony in opposition of the proposal and that 10 Lewis County residents submitted written testimony in favor of it. He said 42 individuals from outside of the area submitted written testimony in favor of the proposal.

Commissioner Swope asked if the total proposed number of campers – 500 – would be more than the current population of Mineral. Mindy said the number of proposed campers is larger than the number of permanent residents of Mineral.

Commissioner Swope asked about fire protection and EMS services. Mindy said the permitting process would require those needs to be addressed.

Gwen Bagley from the YMCA said the YMCA has reached out to area fire departments to take its first steps regarding addressing emergency services.

Commissioner Swope asked why King County was not considered. Gwen said the YMCA viewed Mineral Lake as the most viable option.

Jill Van Hulle with Aspect Consulting discussed the company's well-testing work, which she said took place during the month of February.

In response to questions from Commissioner Swope, Gwen said:

- Studies have shown the impact on wildlife would be minimal because only a small portion of the 500 acres would be developed.
- The day researchers visited, they saw no wildlife, only evidence of wildlife.
- The easement agreement with the Nisqually Tribe would address hunting and gathering.
- The Y and the YMCA are one and the same.
- The YMCA's two existing camps are in non-profit status.
- The YMCA would continue paying taxes on its timber.

Commissioner Swope took exception to the YMCA's statement that it plans to keep the project on the tax rolls "at this time."

Commissioner Swope asked if the Y supports Critical Race Theory and the 1619 project. Gwen said the Y supports educating kids about the outdoors. She said supports equity and justice. Commissioner Swope asked if the YMCA supports defending the police. Gwen said the education for camp aligns with state guidelines and that the YMCA supports all youth.

Commissioner Swope asked if the YMCA supports reassignment surgery and / or biological truth. Gwen said the YMCA supports all youth.

Commissioner Pollock noted that the decision is a land-use decision.

Commissioner Swope discussed a "Dear White People" film.

Gwen said the YMCA has good relationships with the neighbors of its other camps and that it is working to develop relationships within the Mineral community.

Commissioner Pollock discussed the YMCA's work with the Nisqually Tribe. She also discussed maintaining it on the tax rolls.

Commissioner Grose expressed concerns about the region becoming a private hunting access for the Nisqually Tribe.

Mindy noted that it has never been public land. Mindy said the previous owner, Forecastle, could allow hunting on the property.

Gwen said the YMCA has had other properties for which it has allowed hunting.

Commissioner Pollock reminded the group that it's a land-use decision.

**The motion failed 0-3.**

### **Mining Opt-in rezone**

**Commissioner Swope made a motion to approve the proposed Comprehensive Plan map amendment and associated zoning designation for the parcels listed in Ordinance 1337, Exhibit A, Attachment 5, also known as the Good-Avapollo Mining Opt-in. Commissioner Grose seconded.**

Commissioner Swope discussed concerns regarding impacts on neighboring properties and the need for outreach.

Erick Staley discussed problems mining can cause and noted that oftentimes the pits that have issues are older, grand-fathered in pits. Erick said the proposed site will be a sand / gravel pit and that there will be no blasting.

**Motion passed 3-0.**

### **De Goede rezone**

Commissioner Swope made a motion to approve the proposed Comprehensive Plan map amendment and associated zoning designation for the parcel listed in Ordinance 1337, Exhibit A, Attachment 6, also known as the De Goede property. Commissioner Grose seconded.

Motion passed 3-0.

### **Adna Grocery Store rezone**

Commissioner Swope made motion to approve the proposed Comprehensive Plan map amendment and associated zoning designation for the parcel listed in Ordinance 1337, Exhibit A, Attachment 7, also known as the Adna Grocery Store. Commissioner Grose seconded.

Motion passed 3-0.

### **Final action**

Commissioner Swope made a motion to direct staff to create an official zoning map that reflects the decisions made by the commissioners regarding Ordinance 1337. Commissioner Grose seconded.

Motion passed 3-0.

## **ANNOUNCEMENTS**

None.

## **PRESS CONFERENCE**

No questions.

## **ADJOURNMENT**

The BOCC Business Meeting adjourned at 11:15 a.m., with the next Business Meeting scheduled for 10 a.m. Tuesday, November 22, 2022, in the Commissioners' Hearing Room (Room 223).

*Minutes from the BOCC Business Meeting are not verbatim. The weekly Business Meeting streams live on YouTube (search for "LewisCountyWa" on YouTube or go to <https://www.youtube.com/user/LewisCountyWa/featured>). Video footage also is available at no charge at <https://lewiscountywa.gov/offices/commissioners/bocc-meetings/>.*

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

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Lindsey R. Pollock, DVM, Chair

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Sean D. Swope, Vice Chair

ATTEST:

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Rieva Lester, Clerk of the Board

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F. Lee Grose, Commissioner