

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

IN THE MATTER OF:

RESOLUTION NO. 24-029

NOTICE OF HEARING REGARDING A FRANCHISE
TO LEWIS COUNTY TO INSTALL, CONSTRUCT,
OPERATE AND MAINTAIN TELECOMMUNICATION
FACILITIES IN LEWIS COUNTY ROAD RIGHTS-OF-
WAY

WHEREAS, an application for a franchise has been received by the Board of County Commissioners (BOCC) for the Winlock Broadband Project to install, construct, operate and maintain telecommunication facilities in Lewis County rights of way; and

WHEREAS, said application and all related materials have been reviewed by the BOCC and found appropriate for further proceedings.

NOW THEREFORE BE IT RESOLVED that the BOCC will hold a public hearing on the proposed acceptance of the franchise at or after 10 a.m. February 13, 2024. The hearing will take place at the Historic Lewis County Courthouse, Commissioners' Hearing Room, 351 NW North Street, Chehalis, WA, as set forth in the Notice of Public Hearing attached hereto. Interested parties are encouraged to check the Commissioners' hearing schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calender/> for updated details as the hearing date approaches. The Clerk of the BOCC is hereby instructed to proceed with all appropriate and necessary notifications, posting and publication as required by RCW 36.55.040.

DONE IN OPEN SESSION this 23rd day of January, 2024.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

David Bailey
By: David Bailey,
Chief Civil Deputy Prosecuting Attorney

Scott J. Brummer
Scott J. Brummer, Chair

ATTEST:



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

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

Sean D. Swope
Sean D. Swope, Commissioner

Lewis County Public Works

2025 NE Kresky Ave, Chehalis, WA 98532 • Phone: (360) 740-1123 • www.lewiscountywa.gov

APPLICATION FOR REGISTRATION: FRANCHISE OR LICENSE

To: The Lewis County Board of Commissioners
Lewis County, Washington

From: Lewis County Washington And / Or _____
(Name of Company/Corporation) (Name of Applicant)

I/We hereby apply to the Lewis County Board of Commissioners, Lewis County, Washington, to request that one or more of the following utilities be allowed in, under, along and over the rights-of-way of Lewis County:

Project Description: Fiber to the premise (FTTP) cable network including underground conduit, 1 fiber cable, hand holes and equipment cabinets in, along, under and across the public ROW

Utilities under CH. 36.55 RCW

Utility Franchise – ☐ Public Improvements ☐ Private Improvements

☐ New (\$250*)

☐ Renewal (\$250*)

☐ Transfer (\$200**)

* Plus \$50/hour after 5 hours

** Plus \$50/hour after 3.5 hours

☐ Water

☐ Sanitary Sewer

☐ Natural Gas

☐ Other: _____

Telecommunications under Lewis County Code Title 12

☒ Franchise (Provides service within Lewis County)

☒ New (\$250*)

☐ Renewal (\$250*)

☐ Transfer (\$200**)

☐ License (Passes through Lewis County without providing in-county service)

☐ New (\$250*)

☐ Renewal (\$250*)

☐ Transfer (\$200**)

Cable Communications Franchise under Lewis County Code 5.10

☐ New (\$250*)

☐ Renewal (\$250*)

☐ Transfer (\$200**)

Total Fees: \$250

Make checks payable to: **Lewis County Public Works.**

Note: Grantee shall also assume the costs of publication associated with this franchise as such publication is required by law.

For a period to be determined, to construct, operate, and maintain the above-checked utilities in, under, along and over the public rights-of-way of County roads or portions thereof, as set forth in the attached description by reference to County-wide or by Section, Township, and Range within Lewis County, Washington.

None of the rights-of-way of County roads over which authority is hereby requested for construction, maintenance, and operation of said system are within the limits of any incorporated city or town, and the said applicant hereby respectfully requests the Board of Commissioners to fix a time and place for hearing of this application and such steps as may be required by law or the practice of this Board and this County in authorizing the granting of a franchise or license.

Yes ☐ No ☐ Applicant hereby states that all WUTC registration and related filings have been complied with [or that this section does not apply N/A].

Yes ☐ No ☐ Applicant hereby states that any permit, operating license or other rights or approvals required by the Federal Communications Commission to provide Telecommunications Services or Facilities has been received and/or is currently in effect [or that this section does not apply N/A].

Respectfully submitted:

Applying / Requesting Party or Representative

Taxpayer Identification Number (TIN)

By: Lewis County Washington
Name of Company / Corp (Print/Type)

Address:
351 NW North Street
Chehalis, WA 98532

Taxpayer Identification Type: 3
1 = Individual
2 = Non - Profit
3 = Corporation (Inc., Public, Etc.)

State of Incorporation: Washington

Signed: [Signature]

Dated: 7.31.23

Sean Swope/Lewis County Commissione
(Print / Type Name & Title of Representative)

Board of County Commissioners
(Department / Division / Section)

608.235.5750
(Phone Number)

larry.boehm@lewiscountywa.gov
(Email)

(Fax Number)

https://lewiscountywa.gov/
(Company Website)

- Applicant shall provide other such information as the County may reasonably require.
- Should any of the registration information provided under this section change, or require amendment or supplement after submission to the County, the requesting party shall notify the County and provide revised information within 30 days of such change or requirement.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners, Lewis County, Washington (BOCC), has received an application for a non-exclusive franchise from Lewis County to install, construct, operate, and maintain telecommunications facilities in association with the Winlock Broadband Project located within Lewis County road rights-of-way in the following locations:

Portions of Sections 1-11, 16-18, Township 11 North, Range 2 West, W.M.. Portions of Sections 1-2, 11-12, 13-14 in Township 11 North, Range 3 West, W.M.. Portions of Sections 7, 18, 19 & 30 in Township 12N, Range 1 West, W.M.. Portions of Sections 5-36 in Township 12 North, Range 2 West, W.M.. Portions of Sections 1, 12, 13, 24, 25 & 26 in Township 12 North, Range 3 West, W.M.. All lying within Lewis County, Washington.

The franchise being considered is for a period of ten years.

The application and all related materials have been reviewed by the BOCC and found appropriate for further proceedings. A hearing on the non-exclusive franchise will be held on February 13, 2024, at or after 10 a.m., in the Commissioners' Hearing Room on the 2nd floor of the Historic Courthouse in Chehalis, Washington, when and where all persons may appear and be heard upon the granting of the franchise. Interested parties are encouraged to check the Commissioners' hearing schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> for updated details as the hearing date approaches.

RCW 36.55.040 requires that notice of hearing be posted in three public places in the county seat of the county at least 15 days before the day fixed for hearing, and also published two times in the official newspaper of the county, the last publication to be not less than 5 days before the day fixed for hearing.

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.

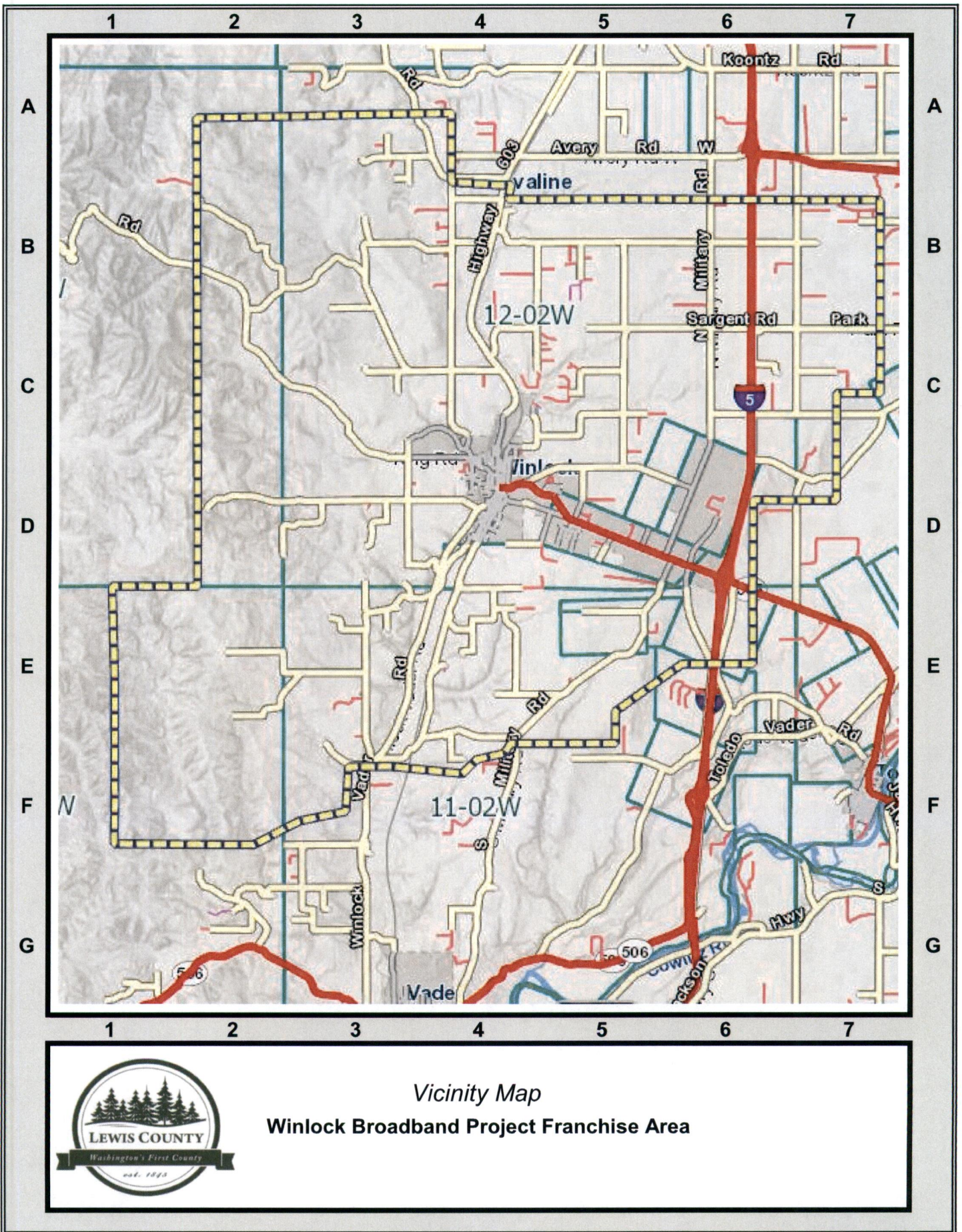
Dated: January 23, 2024



Rieva Lester
Clerk of the Lewis County Board
of County Commissioners



Publish: The Chronicle, January 25th and February 1st, 2024



BOCC AGENDA ITEM SUMMARY

Resolution:

BOCC Meeting Date: Jan. 23, 2024

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Notice of hearing regarding a franchise to Lewis County to install, construct, operate, and maintain telecommunication facilities in Lewis County road rights-of-way

Contact: Shawn Kyes

Phone: 360-740-1183

Department: PW - Public Works

Description:

Lewis County Code 12.20 and RCW 36.55 require that all utility installations in county road rights of way be authorized by a franchise from Lewis County. An application for a franchise has been received by the Board of County Commissioners (BOCC) to install, construct, operate, and telecommunication facilities associated with the Winlock Broadband Project in Lewis County road rights of way

Approvals:

User	Status
PA's Office	Approved

Publication Requirements:

Publications:

Chronicle, 1/25/24 & 2/1/24

Additional Copies:

Tina Hemphill
Shawn Kyes

Cover Letter To: