

LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC)

Business Meeting minutes

April 16, 2024

Present: Commissioner Brummer, Commissioner Pollock, Commissioner Swope

Recorder: Rieva Lester

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

PUBLIC COMMENT

None.

CONSENT ITEMS

Commissioner Pollock made a motion to approve minutes from the April 9, 2024, Business Meeting as well as Resolution 24-109. Commissioner Swope seconded.

Resolution 24-109: Approval of warrants/claims against the various county departments.

Chief accountant Grace Jimenez, representing the Auditor's Office, said warrants 883,356 through 883,699 were issued in April for payments against the county totaling \$1,348,956.85. She said payroll / tax deposit warrant 796,144 and automatic deposits 67,014 through 67,606 also were approved for payments against the county totaling \$1,351,547.13. Grace noted a skip in sequence for warrants 883,350 through 883,355, which were issued on behalf of Special Purpose Districts.

Motion passed 3-0.

DELIBERATION ITEMS

Commissioner Pollock made a motion to approve Resolutions 24-110 through 24-116. Commissioner Swope seconded.

Resolution 24-110: Declaration of surplus real property, 242 NW Chehalis Ave., Chehalis.

Capital Facilities Manager Doug Carey discussed the resolution. Doug said the county has determined the Star Tavern / Royal Bakery to be surplus to the county's needs.

Resolution 24-111: Approve a memorandum of agreement between Lewis County and Washington State University (WSU) Extension.

Clerk of the Board Rieva Lester discussed the resolution. Rieva said the resolution approves an agreement for WSU Extension services for 2024. Commissioner Pollock noted that the agreement includes funding for 4-H services.

Resolution 24-112: Accept an agreement with the State of Washington, acting through the Department of Natural Resources, and Lewis County Public Works to grant a license to enter real property along the Newaukum River for the purpose of bank stabilization at Shorey Road.

Public Works Director Josh Metcalf discussed the resolution. Josh said the agreement allows the county to enter the property to make emergency repairs.

Resolution 24-113: List the bids received and contractor selected for the Pulverization for Haywire Road Rehabilitation Project.

Public Works Director Josh Metcalf discussed the resolution. Josh said the resolution awards the bid to Ground Up Construction Inc., which submitted the lone bid of \$29,863.40.

Resolution 24-114: List the bids received and contractor selected for the Scammon Creek at Graf Fish Passage MP 1.34 Culvert Replacement Project, CMP 1902, Federal Aid Project No. PROTECT-2021(077).

Public Works Director Josh Metcalf discussed the resolution. Josh said the county issued a call for bids March 7 and that McClung Construction of Buckley, Wash, submitted the lowest responsive bid at \$1,298,051.00. Josh noted that the Engineer's Estimate for the project was \$1,257,515.60.

Resolution 24-115: Ratify contract between Lewis County Public Works and Jacobs Associates, Inc. dba Delve Underground for 2024 Annual Geotechnical Engineering Services in the amount of \$200,000.

Public Works Director Josh Metcalf discussed the resolution. Josh said the contract with Jacobs Associates provides geotechnical engineering services totaling up to \$200,000.

Resolution 24-116: Approve Amendment No. 4 to the Rural Arterial Program Project Agreement for Construction Proposal between Lewis County and the County Road Administration Board for the Centralia Alpha Road Improvements project – CRP 2084.

Public Works Director Josh Metcalf discussed the resolution. Josh said the agreement provides the county an additional \$244,400 in Rural Arterial Trust Account (RATA) funds.

Motion passed 3-0.

HEARINGS

Resolution 24-117: Lewis County 2024 budget, emergency and supplemental appropriations to and transfers within current expense and other funds.

Commissioner Brummer introduced the hearing.

Budget Administrator Becky Butler gave the staff report and provided an overview of the changes.

Becky asked that her previous comments be adopted into the record.

Commissioner Brummer asked if anyone wanted to speak for or against the resolution.

No one chose to speak.

Commissioner Brummer closed the hearing.

Commissioner Pollock made a motion to approve Resolution 24-117. Commissioner Swope seconded. Motion passed 3-0.

Ordinance 1354: Add Chapter 8.80 to Lewis County Code to regulate sterile needle and syringe exchanges operating in Lewis County and make violations of the chapter a civil infraction or a misdemeanor (continuation of March 19 hearing that was tabled until March 26 and then recessed until April 16).

Commissioner Brummer introduced the hearing.

Chief Civil Deputy Prosecuting Attorney David Bailey gave the staff report.

Commissioner Brummer asked if there were any questions.

Commissioner Brummer then closed the question-and-answer portion of the hearing.

David asked that his previous comments be adopted into the record.

Commissioner Brummer asked if anyone wanted to speak for or against the two ordinance versions.

Teresa Ekdahl Johnson shared concerns regarding drug abuse and urged efforts to combat drug abuse.

Mike Kimbrel said he feels the government should not be supporting addiction by making drug abuse easier. He said law and order is more important than promoting unlawful behavior.

Christina Riley voiced support for Commissioner Swope's version of the proposed ordinance.

Debbie Aust voiced opposition to providing 10 free needles to first-time users. Debbie said the commissioners should approve the original ordinance as proposed, except to remove the portion with which the ACLU had taken issue.

David Hall urged the commissioners to support Commissioner Swope's version of the proposed ordinance. David also read aloud comments provided by his wife.

Gillian Davis said she supports the version of the proposed ordinance referring to RCWs rather than establishing law enforcement oversight of health care workers.

Mitch Townsend expressed concerns regarding local drug use and urged the commissioners to provide leadership that will save lives.

Ray Chapman-Wilson said the proposed ordinance criminalizes health care outreach. Ray said the ordinance does not address the actual problem: fentanyl.

Rebecca Staebler said she supports the proposal presented by Commissioner Pollock, which she said will protect Lewis County from lawsuits.

Commissioner Brummer closed the hearing.

Commissioner Pollock noted that she too wants to prevent users from discarding needles in public places, prevent the creation of safe injection sites and prevent needle exchanges from operating near schools and parks. She said the commissioners need to provide guidelines without excessive government overreach and without being costly to the taxpayers.

Commissioner Pollock made a motion to approve her version of Ordinance 1354. Motion failed due to lack of a second.

Commissioner Swope made a motion to approve Commissioner Swope's version of Ordinance 1354. Commissioner Brummer seconded.

Commissioner Pollock raised concerns about the proposed ordinance, including those regarding:

- Restricting access to naloxone
- Requiring all staff members to be identified
- Using the age restrictions listed
- Restricting mobile services as it limits access to services in rural areas
- Subjecting healthcare to law enforcement oversight

Commissioner Swope said he'd like to submit for the record a Free Press article regarding troubles with needle exchanges. He said harm reduction has been hijacked and is now enabling.

Commissioner Pollock voiced concerns about restricting access to test kits, etc.

Commissioner Brummer said he disagrees with Commissioner Pollock's stance. He said he has read all written testimony and heard all the public testimony the county has received, has reached out to the health advisory committee and Gather Church and has based his decisions on those interactions. He said the proposed ordinance does not prevent groups from providing outreach or creating needle exchanges.

Motion to approve Ordinance 1354 as proposed by Commissioner Swope passed 2-1, with Commissioner Swope and Commissioner Brummer voting in favor and Commissioner Pollock opposed.

ANNOUNCEMENTS

None.

PRESS CONFERENCE

Mitchell Roland asked how the county weighed legal concerns. Commissioner Brummer said the county's legal team has vetted the ordinance. Commissioner Swope said the ordinance focuses on treatment rather than enablement. He said he is confident the ordinance will withstand judicial review.

Mitchell asked if the county will take any other action to combat overdose deaths. Commissioner Swope stressed the need to focus on drug and mental health treatment.

Commissioner Pollock said fentanyl is smoked, not used intravenously, so the ordinance as passed will not prevent overdose deaths. She said the Public Health staff needed to monitor the program will prove costly to taxpayers and that the ordinance increases the risk of bloodborne diseases and puts the county at risk of lawsuits.

ADJOURNMENT

The BOCC Business Meeting adjourned at 11:05 a.m., with the next Business Meeting scheduled for 10 a.m. Tuesday, April 23, 2024, 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/>.



ATTEST:

Rieva Lester, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Scott J. Brummer, Chair

Lindsey R. Pollock, DVM, Vice Chair

Sean D. Swope, Commissioner