

LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC)

Business Meeting minutes

December 30, 2019

Present: Commissioner Jackson, Commissioner Fund

Absent: Commissioner Stamper

Recorder: Rieva Lester

Commissioner Jackson called the meeting to order at 10:01 a.m., determined a quorum and then proceeded with the flag salute.

PUBLIC COMMENT

Cindy Lund discussed her concerns regarding a motorcycle track near her home on Leudinghaus Road. She said she'd like to see duration hours addressed in the proposed noise ordinance.

Susi Schulte also voiced concerns regarding the motorcycle track on Leudinghaus Road.

CONSENT ITEMS

Commissioner Fund made a motion to approve minutes from the December 16, 2019, meeting as well as Resolution 19-388. Commissioner Jackson seconded.

Resolution 19-388: Approval of warrants/claims against the various county departments.

Chief accountant Suzette Smith, representing the Auditor's Office, said warrants 823,074 through 823,275 and 823,305 through 823,548 were issued the weeks of Dec. 13 and 26, 2019, for payments against the county totaling \$1,255,331.51. She said payroll/tax deposit warrants 795,733 through 795,741 and Automatic Deposits 6081 through 6662 also were approved for payments against the county totaling \$1,617,126.92. Suzette noted a skip in sequence for warrants 822,980 through 823,073 and 823,276 through 823,304, which were issued on behalf of Special Purpose Districts.

Motion passed 2-0.

DELIBERATION ITEMS

Commissioner Fund made a motion to approve Resolutions 19-389 through 19-398. Commissioner Jackson seconded.

Resolution 19-389: Appoint Terry Harris to the Lewis County Solid Waste Advisory Committee.

Solid Waste Services Manager Steve Skinner spoke to the resolution. He said Terry Harris is transitioning to a leadership role as a citizen following the recent election.

Resolution 19-390: Approve Amendment D to a contract between Lewis County and The Salvation Army.

Public Health and Social Services Director JP Anderson spoke to the resolution. He said the agreement adds \$60,000 in funding and extends the contract through the middle of 2020.

Resolution 19-391: Approve contract Amendment A between Lewis County and the Housing Resource Center.

Public Health and Social Services Director JP Anderson spoke to the resolution. He said the agreement adds \$220,567.16 in funding and extends the contract through the middle of 2020.

Resolution 19-392: Approve contract Amendment A between Lewis County and the Community Action Council of Lewis, Mason and Thurston Counties.

Public Health and Social Services Director JP Anderson spoke to the resolution. He said the agreement adds \$64,887 in funding and extends the contract through the middle of 2020.

Resolution 19-393: Ratify an executed contract for engineering services on the Mickelsen Parkway design.

Public Works Director Josh Metcalf spoke to the resolution. He said the contract is for \$137,358. He said the project will go out to bid in February 2020 and that construction likely would begin in the spring.

Resolution 19-394: The proposed acquisition of additional right of way for Pleasant Valley Road Bridge Scour MP 2.46, Toledo.

Real Estate Services Director Martin Roy spoke to the resolution. He noted that the bridge is in Napavine, not Toledo as the resolution indicates.

Resolution 19-395: Amend the .09 Distressed Counties loan agreement between Lewis County and the East Lewis County Public Development Authority.

County Manager Erik Martin spoke to the resolution. Erik said the original agreement was approved June 22, 2019, and that the original loan amount was \$300,000. He said Resolution 19-395 would

suspend the ELCPDA's principal and interest payment scheduled for Dec. 1, 2019, and would change the group's payment schedule to interest-only annual payments totaling \$4,932.95 beginning in 2020.

Resolution 19-396: Elect the 2020 Chair and Vice Chair for the Lewis County Board of County Commissioners.

Commissioner Jackson spoke to the resolution. He said the commissioners rotate their roles annually.

Resolution 19-397: Reappoint Ron Averill, Candace Hallom and Bonnie Lynn Brown to the Board of Directors of the Public Facilities District.

Commissioner Jackson spoke to the resolution and invited Ron Averill to speak about the Public Facilities District (PFD). Ron gave an overview of the history of the PFD and its role in the county.

Resolution 19-398: Approve 2020 contracts with various organizations for funding from Tourism Promotion Fund No. 1980 for tourism-related activities.

Commissioner Fund spoke to the resolution. She explained how the county collects lodging tax dollars and how the Lodging Tax Advisory Committee (LTAC) reviews grant applications to provide funding recommendations to the BOCC.

Motion passed 2-0.

HEARINGS

Ordinance 1311, which would add Chapter 1.23 to Lewis County Code, adopting an enforcement program for public disturbance caused by excessive noise.

Commissioner Jackson introduced the hearing.

Civil Deputy Prosecuting Attorney Cullen Gatten gave the staff report. He reviewed:

- The purpose of the policy.
- Noises identified as potential "public disturbances," such as sounds created by horns, sirens, vehicles, yelling, shouting, hooting, whistling and singing between the hours of 10 p.m. and 7 a.m., sounds created by the discharge of firearms during the evening and nighttime hours between one-half hour after sunset and one-half before sunrise, except for discharge on authorized shooting ranges; and sounds related to motor vehicle audio sound systems.
- Noises exempt from the ordinance, such as sounds associated with maintenance, sounds from events that have been approved through special-use permits, and sounds created by trains, etc.
- The penalties and enforcement outlined in the noise ordinance.

Cullen noted that the noise ordinance is exempt from the State Environmental Policy Act (SEPA) process. He also indicated that any ordinance designed to regulate fireworks would involve a year-long process as outlined by state law.

Cullen said the proposed noise ordinance likely would not address the concerns of many of the individuals who had provided public comment during the question-and-answer portion of the hearing if the motorcycle track operates only during daytime hours.

Commissioner Jackson asked if there were any questions.

Several area residents spoke:

- Ron Averill of Centralia discussed noise related to farming. He asked that the Farm Bill be addressed in the noise ordinance.
- Kathy Watson said she is concerned about the noise related to the racetrack on Leudinghaus Road and asked if the noise ordinance could address decibel readings. She said the races include 50-plus bikes.

Cullen said it's possible some of the neighbors' concerns could be addressed through regulations put forth by the Department of Ecology.

- Carl Watson discussed his concerns with the noise and fire hazards related to the racetrack. He said the motorcyclists have removed their mufflers, increasing fire hazards and noise.

Commissioner Fund asked how long the racetrack has been in operation.

- Pam Perkins said the dirt track has been in operation for a long time but that it now is being used excessively. She said the group pumps water out of the river for the track.

Commissioner Jackson said Bill Teitzel has been working to address the citizens' concerns.

- Carl Watson invited the commissioners to visit the area to hear the noise first-hand.
- Mystee Foglio said the Baker family started using the track heavily the previous year. She said the noise is affecting property values and that the track owners are violating rules and regulations.
- Susi Schulte asked if the proposed noise ordinance could be changed to address decibels.

Cullen said it would be cost-prohibitive for the county to purchase devices to measure decibels and to pay for the related staffing.

- Susi Schulte asked why the noise ordinance was limited to evening hours.

Cullen said it was designed to allow residents rest at night and conduct normal activities during the day.

Cullen said he'd be happy to work with the racetrack's neighbors to listen to their concerns about possible violations.

- Duane Brown said he'd like to see the noise ordinance address daytime hours and include decibel measurements.

County Manager Erik Martin discussed the county's general nuisance ordinance. Cullen said it's possible the general public nuisance ordinance could address some of the concerns the Leudinghaus Road-area residents had shared regarding the racetrack in their neighborhood.

- Alan Nicholas said he believes the proposed noise ordinance will address his concerns about loud music in his Rush Road-area neighborhood.
- Lee Grose of Packwood asked if the ordinance would be rewritten to address the citizens' concerns. He said he feels it is too broad as written.
- Tonya Hebert said she'd like to see the ordinance include language about unlawful activities.
- Cindy Lund said she'd like the noise ordinance to include a duration period.

Commissioner Jackson closed the question-and-answer portion of the hearing.

Cullen Gatten asked that his previous comments be adopted into the record.

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

Paul Crouner of Centralia spoke in support of the noise ordinance. Paul said he had asked the county to look into adopting a noise ordinance in 2016.

Commissioner Jackson closed the hearing.

Commissioner Fund made a motion to approve Ordinance 1311. Commissioner Jackson seconded.

Commissioner Fund said she hopes a dialogue will continue with the Prosecuting Attorney's office to address the racetrack neighbors' concerns. Commissioner Jackson said he has heard the citizens' concerns about the noise ordinance being too broad. However, he said, he feels the proposed ordinance is a good starting point. Cullen noted that ordinances can be amended.

Motion passed 2-0.

Resolution 19-399: Acceptance of the Vader-Enchanted Valley New Water Reservoir.

Commissioner Jackson introduced the hearing.

Senior Utility Engineer Betsy Dillin and Public Works Director Josh Metcalf gave the staff report.

Betsy said the new Vader-Enchanted Valley water tank was brought online in July and has had no issues. She noted that the project has been completed a few thousand dollars under budget.

Josh Metcalf said the county acquired the Vader water system a few years ago. He said residents have said they are pleased that the county took over the system. Josh said the second systems improves reliability. He said the reservoir adds a lot of value.

Commissioner Jackson asked if there were any questions. No one asked questions.

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

Betsy Dillin and Cullen Gatten asked that their previous comments be adopted into the record.

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

No one spoke.

Commissioner Jackson closed the hearing.

Commissioner Fund made a motion to approve Resolution 19-399. Commissioner Jackson seconded.

Motion passed 2-0.

ANNOUNCEMENTS

The commissioners shared memories and personal stories.

PRESS CONFERENCE

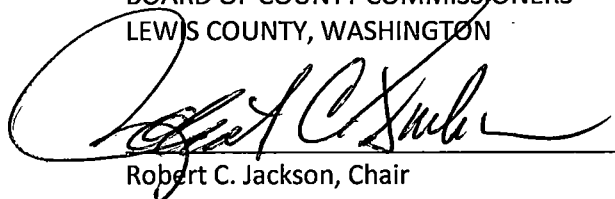
No questions from the press.

ADJOURNMENT

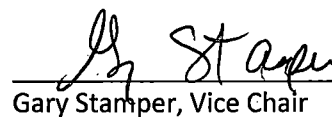
The BOCC Business Meeting adjourned at 11:08 a.m., with the next Business Meeting scheduled for 10 a.m. Monday, January 6, 2020, in the Commissioners' Hearing Room (Room 223).

Please note that minutes from the BOCC Business Meeting are not verbatim. A recording of the meeting may be purchased at the BOCC office, or video footage can be viewed at no charge at LewisCountyWa.gov/bocc-meetings. Video footage of BOCC meetings also is aired on Comcast Channel 3 at 10 a.m., 2 p.m., 6 p.m., and 10 p.m. daily. Video footage also can be found on the Lewis County Commissioners' Facebook page.

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON



Robert C. Jackson, Chair



Gary Stamper, Vice Chair

ATTEST:



Rieva Lester, Clerk of the Board



Edna J. Fund, Commissioner