

LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC)

Business Meeting minutes

March 30, 2021

Present: Commissioner Stamper, Commissioner Pollock, Commissioner Swope

Recorder: Rieva Lester

Commissioner Stamper called the meeting to order at 2:02 p.m., determined a quorum and then proceeded with the flag salute.

**PUBLIC COMMENT**

None.

Commissioner Pollock made a motion to add to the agenda Resolution 21-125 regarding the emergency closure of Ceres Hill Road to all through traffic.

Commissioner Swope seconded.

Motion passed 3-0.

**NOTICE ITEM**

*Commissioner Swope made a motion to approve Resolution 21-117. Commissioner Pollock seconded.*

**Resolution 21-117:** Notice of hearing regarding Lewis County 2021 budget emergency and supplemental appropriations to and transfers within current expense and various funds, notice of hearing thereon. The hearing will take place in the Commissioners' Hearing Room at or after 2 p.m. April 13, 2021.

Budget Services Manager Becky Butler discussed the resolution. She said the legal notice will be published in The Chronicle on April 1 and April 6.

*Motion passed 3-0.*

## CONSENT ITEMS

*Commissioner Pollock made a motion to approve minutes from the March 23, 2021, Business Meeting as well as Resolution 21-118. Commissioner Swope seconded.*

**Resolution 21-118:** Approval of warrants/claims against the various county departments.

Chief accountant Suzette Smith, representing the Auditor's Office, said warrants 839,680 through 839,938 were issued in March for payments against the county totaling \$682,869.54. She said payroll/tax deposit warrants numbered 795,815 through 795,821 and Automatic Deposits 23,852 through 24,422 also were approved in March for payments against the county totaling \$1,052,661.99. Suzette noted a skip in sequence for warrants 839,651 through 839,679, which were issued on behalf of Special Purpose Districts.

*Motion passed 3-0.*

## DELIBERATION ITEMS

*Commissioner Swope made a motion to approve Resolutions 21-109 and 21-110 as well as Resolutions 21-119 through 21-125. Commissioner Pollock seconded.*

**Resolution 21-109:** Authorize initial placements of new salary grid for non-union employees.

HR and Risk Director Chris Panush discussed the resolution. He noted that a supporting document listing positions had been updated to add a position that inadvertently had been left off. He noted that staff members had put a lot of effort into implementing the results of the salary study.

**Resolution 21-110:** Authorize Initial Placements on New Salary Grid for AFSCME and the Lewis County Dispatchers Guild and Teamsters Represented Employees Representing the Assessors, Combined, Juvenile Detention, Juvenile Probation, Prosecuting Attorney Clerical, Supervisors Groups, and the Sheriff's Support Services Guild.

HR and Risk Director Chris Panush discussed the resolution. He said the resolution approves placing represented employees on the new salary grid.

**Resolution 21-119:** Establishment of the Special Revenue Fund: American Rescue Plan Fund No. 1420.

Suzette Smith discussed the resolution. She said the resolution creates a special revenue fund for processing any restricted or committed funding related to the American Rescue Act of 2021.

**Resolution 21-120:** Ratifying an agreement with OpenGov Inc. for software services.

**Budget Services Manager Becky Butler** discussed the resolution. She said the new software will help improve transparency and give constituents, employees and other interested parties better access to the county's financial information.

**Resolution 21-121:** Approve a memorandum of understanding between Lewis County and Twin Transit to provide transportation services for eligible Lewis County residents to COVID-19 mass vaccination events.

**Public Health and Social Services Director JP Anderson** discussed the resolution. He said Twin Transit will help citizens sign up for and receive transportation to mass vaccination events. Commissioner Swope noted that the contract is set to expire the following day. JP noted that Twin Transit will contract directly with Bird's Eye Medical in the future.

**Resolution 21-122:** Approve a memorandum of understanding between Lewis County and United Way of Lewis County for volunteer recruitment, coordination and supervision of mass vaccination events in Lewis County.

**Public Health and Social Services Director JP Anderson** discussed the resolution. He said United Way will help coordinate staffing at mass vaccination events.

**Resolution 21-123:** Extend the local declaration of a state of emergency in response to the COVID-19 virus in Lewis County.

**Emergency Services Deputy Director Andy Caldwell** discussed the resolution. He said the resolution extends the emergency declaration through June 30, 2021.

**Resolution 21-124:** Reappoint Ross Petersen to the Public Facilities District (PFD) Board of Directors.

**Clerk of the Board Rieva Lester** discussed the resolution. She said Ross Petersen had been appointed to fill an unexpired term the previous year and that he is being appointed for a four-year term.

**Resolution 21-125:** The emergency closure of Ceres Hill Road to all through traffic.

**Real Estate Services Manager Martin Roy** discussed the resolution. He said Ceres Hill Road has been damaged by a slide. He said the closure will extend three months. Martin said he will look into whether the Willapa Hills Trail.

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



## HEARING

### **Ordinance 1324: An ordinance prohibiting the possession of controlled substances, counterfeit substances and legend drugs as well as prohibiting certain related activities and setting penalties.**

Commissioner Stamper introduced the hearing.

Prosecuting Attorney Jonathan Meyer gave the staff report.

Revised to include only unincorporated areas, makes it a misdemeanor.

Jonathan said the state Supreme Court's Blake decision struck down the statute because it did not include the word "knowingly."

Jonathan said Grant County recently adopted an ordinance that makes it a misdemeanor to knowingly possess a controlled substance as a misdemeanor.

Commissioner Stamper asked if there were any questions.

Colonel Ron Averill asked for clarification about what area is covered. Jonathan and Eric Eisenberg clarified that the ordinance would apply to unincorporated areas unless the established cities passed ordinances similar to the county's version.

Commissioner Stamper asked if that would cause confusion.

Eric said the ordinance is designed to exclude the incorporated areas, which the Sheriff's Office does not patrol.

Sheriff Snaza said he has reached out to the incorporated areas and that representatives of the municipalities feel their governing bodies

Brooke Reder asked how the ordinance would affect needle exchange programs, etc. Jonathan said the ordinance would have no impact.

Caleb Huffman asked what the problem with the Blake decision is and what the ordinance does to fix it.

Jonathan said the ordinance addresses the statutory requirement of knowledge in 69.50.4013. He said the ordinance makes it a crime to knowingly possess a controlled substance.

Eric noted that the court has a limited focus and did not – and could not – address how to fix the drug problem in the state. He said that effort falls to the state Legislature. And, since the state has not yet acted, the county could offer a solution while the state works on a solution.

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

Eric, Jonathan and Sheriff Snaza asked that their previous comments be adopted into the record.

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

Dawn Miles said she recently celebrated 14 years clean. She said the accountability helped her reach the milestone. She said drug laws must be upheld and enforced to hold the individuals accountable.

Tom Crowson said he sees Lewis County as an island of sanity and wholeheartedly supports the proposed ordinance. He said he doesn't want to see the county deteriorate like Amsterdam in the 1970s.

Caleb Huffman said he is opposed to the proposed ordinance. He noted that those who turn to drugs often do so in response to trauma. He said criminalization adds to the trauma rather than helps combat it.

Brooke Reder said she is in recovery and that criminalization of drugs doesn't help users fight the problem. She said housing and help would better address the problem.

Commissioner Stamper closed the hearing.

Commissioner Swope asked Jonathan and Sheriff Snaza to recommend what the board should do.

Jonathan said the ordinance helps force drug addicts get the treatment they need. He said coerced treatment has been proven to be more effective than voluntary treatment. Jonathan noted that the county saw the number of overdose deaths skyrocket from eight in 2019 to 32 in 2020. He said his hope is that the state Legislature will identify a way to fix the problem. He suggested the commissioners wait to see if the state Legislature is able to come up with a legislative fix before considering enacting the proposed ordinance. He recapped a conversation with a former drug addict who is now a drug- and alcohol counselor. He said the woman views the state Supreme Court's decision as a mistake and agrees that there needs to be accountability. Jonathan said the commissioners should wait on the ordinance or merely pass an ordinance identifying the possession of a controlled substance as a misdemeanor.

Sheriff Snaza described the eye-opening experience of watching individuals graduate from Drug Court. He said he believes having rules and regulations helps law enforcement help those struggling with drug addiction – and help their loved ones. He said doing nothing is not an option.

Commissioner Stamper asked if addicts still have an avenue to go through the Drug Court process. Jonathan said there is help available if an individual commits a felony offense.

Jonathan said the desired outcome across the state is to have uniformity when it comes to laws about controlled substances. He said he feels the best approach would be for the commissioners to wait to see if the state is able to come up with a solution to the problems created by the state Supreme Court's Blake decision before tackling the issue on the county level.

Commissioner Pollock thanked the public for weighing in.

***Commissioner Pollock made a motion to table deliberations on Ordinance 1324 until the Business Meeting on May 4, 2021. Commissioner Swope seconded.***

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

#### COVID-19

No update.



## ANNOUNCEMENTS

None.

## PRESS CONFERENCE

Claudia Yaw asked if the state leaders' fears about a patchwork of controlled substance rules played into the commissioners' decisions to table the decision.

Commissioner Stamper said many factors were considered. Jonathan noted that when the idea to craft a county ordinance was first floated, state lawmakers had indicated there would be no solution proposed at the Legislature.

Claudia asked if social workers and those working with individuals in substance abuse were involved in crafting the ordinance.

Commissioner Stamper and Commissioner Swope said the county sought input from many individuals.

Commissioner Swope said the sheriff and judges want to help people succeed and get better.

Claudia asked if there are plans to boost Drug Court services. Jonathan said he'd like to see lower-level offenders get help rather than wait until they commit a higher-level crime.

Eric also weighed in about

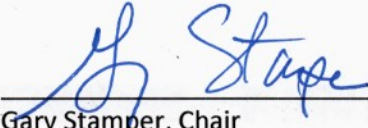
Claudia asked what Commissioner Pollock meant by saying she doesn't want to see the county "Seattle-ized." Commissioner Pollock said she was referring to the "Seattle is Dying" documentary, which highlights the Seattle-area's homeless population and their struggles with addiction and mental health issues.

## ADJOURNMENT

The BOCC Business Meeting adjourned at 3:19 p.m., with the next Business Meeting scheduled for 2 p.m. Tuesday, April 6, 2021, in the Commissioners' Hearing Room (Room 223).

*Minutes from the BOCC Business Meeting are not verbatim. Video footage can be viewed online at no charge at <https://lewiscountywa.gov/offices/commissioners/bocc-meetings/>.*

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

  
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Gary Stamper, Chair

ATTEST:

*Gaea McRea for Rieva Lester*  
Rieva Lester, Clerk of the Board

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

*Searl Swope*  
Searl Swope, Commissioner



