

LEWIS COUNTY SALARY COMMISSION MEETING MINUTES

THURSDAY, MAY 5, 2022
5:30 P.M.

County Courthouse Commissioner Meeting Room I Chehalis, WA 98532

I. Call to Order

Robert Berg called the meeting to order at 5:32 p.m., Thursday, May 5, 2022. Those in attendance were:

Salary Commission Members:

Robert Berg (in person)	Matt Brock (via Zoom)
Rick Kuykendall (in person)	Kelly Bell (via Zoom)
Eric Carlson (in person)	Ted McCarson (in person)
Martha Hunt (in person)	
Brandon Campbell (in person)	
Donna Moody (via Zoom)	

Other attendees:

Becky Butler (in person)	
Lara McRea (in person)	
Andrew Logerwell (via Zoom)	

II. Verification of a Quorum

There is a quorum of seven (8) salary commission members at the beginning of the meeting. Donna Moody was not able to attend.

III. Introductions

Mr. Berg introduced Amber Smith, Civil Deputy Prosecuting Attorney of the Lewis County Prosecuting Attorney's Office. There were no other introductions.

IV. Approval of Meeting Agenda

Bob Berg called for a motion to approve the meeting agenda. **Matt Brock made a motion to approve the agenda for May 5, 2022. Rick Kuykendall seconded the motion. The motion passed unanimously, 8 to 0.**

V. Approval of Minutes for March 24, 2022

Bob Berg called for a motion to approve the minutes, as submitted, for the meeting on March 24, 2022. **Matt Brock made a motion to approve the minutes. Ted McCarson seconded the motion. The motion passed unanimously, 8 to 0.**

VI. Public Comment - Limit of 3 minutes

Bob Berg called for any public comments; there were no public comments.

VII. Review of Agenda Packet Materials

Bob Berg reviewed the agenda packet for the meeting: (1) copy of legal opinion letter from the Lewis County Prosecuting Civil Deputy Attorney regarding the authority/responsibility of the Salary Commission; (2) summary of Lewis County General Fund and Lewis County All Funds Budget Report; (3) data Sheet, per capita income for Lewis County 1969 – 2020; and (4) example of an 8% salary adjustment for commissioners.

VIII. Discussion / Decisions

1. Legal Opinion from Civil Deputy Prosecuting Attorney, Amber Smith. Ms. Smith presented a summary of her memorandum of the same, which she had previously submitted as part of the agenda meeting packet. Eric Carlson asked the following questions and Ms. Smith responded to the same.

Mr. Carlson asked why the questions presented in Ms. Smith's memo did not reflect the exact language the salary commission submitted to her office. Ms. Smith answered that she changed the language for "clarity." Mr. Carlson responded that the salary commission had specific reasons for the language of the questions presented and explained generally that when questions submitted are submitted to any attorney, they must not be changed by the responding attorney, which is the standard when writing a memo to answer such legal questions.

Next, Mr. Carlson inquired about the date of Ms. Smith's memo. The memo's date is April 4, 2022, which is a Monday. The salary commission only submitted the questions to her office the Friday before. Ms. Smith said this was an error on her memo. She went on to explain she estimates she spent approximately 20 hours on research and another 10 or so hours to draft her memo.

Mr. Carlson then asked why she ignored an analysis of RCW 36.17.020 with regard to her discussion on page 2, paragraph 2 of her report. Ms. Smith stated she did not believe it was relevant.

Mr. Carlson commented that he believed Ms. Smith's analysis on page 4, paragraph 1 was a stretch and did not adequately consider the opposite view. Mr. Carlson also stated he did not believe Ms. Smith's analysis that the BOCC could

disband a once-constituted salary commission based on the plain language of the statute. He also stated he still could not consider an analysis from any employee of the Lewis County Prosecutor's Office without bias because the elected official of that office has the authority to hire and fire employees of that department.

Mr. Carlson thanked Ms. Smith for her work on the memorandum. There were no other questions put to Ms. Smith from other members of the salary commission.

Mr. Berg thanks Ms. Smith for her work on behalf of all the members of the salary commission. Without any further questions for Ms. Smith, Mr. Berg excused her from the meeting, inviting her to stay if she wanted. Ms. Smith thanked the salary commission and then excused herself from the remainder of the meeting.

MOTION. Mr. Berg called for any further discussion Ms. Smith's memorandum. Hearing no further discussion, Mr. Berg called for a motion to accept the legal opinion provided by Ms. Smith. Ted McCarson made the motion to accept the legal opinion/memorandum provided by Ms. Smith. Rick Kuykendall seconded the motion. **The motion passed; 6 in favor, 2 opposed (Eric Carlson and Kelly Bell).**

- 2. County Budget Summary; Questions/Comments (Becky Butler).** Ms. Butler gave a summary report of the condition of the county budget. She reported the budget is "healthy," including grants for COVID-19 relief. Sales tax revenue is up 31% due to shopping online. Inflation means sales tax revenue continues to rise. Lumber and other building supplies have increased due consumers spending more money on home improvements. The current cash balance for March is \$10.6 million, which is a \$5-8 million increase over last year at this time.

The Lewis County general fund annual budget is approximately \$46.4 million. Ms. Butler observed that the county is in very good shape financially and seems, even from a conservative view, to be going on the right direction.

Ms. Butler also explained the county has 14 separate union-negotiated (bargaining) agreements. She explained an 8% raise for the county commissioners, which the salary commission recommended last year, equated to approximately \$25,000, which included benefits that increased as a percentage of the base salaries.

Martha Hunt inquired what were the specific revenue sources for the county. Ms. Butler explained that revenue generally comes from a mix of sales tax, property tax, grants, licensures, and other government-to-government services. Sales tax is the largest source of the revenue stream.

Rick Kuykendall asked about how property taxes affected the revenue since property taxes all “went up this year.” Ms. Butler explained property tax calculations are complicated. Generally, the county is allowed a 1% increase over the previous year. However, the board did not take the 1% increase last year, instead “banking” that increase. She went on to explain so much is included in a property-tax calculation, which includes: school levies, fair-market value, and new construction, such as a wind farm. The total value of all properties is then calculated to determine the dollar amount each individual parcel owes based on the percent allowed by law.

Ms. Hunt asked Ms. Butler if she felt during/after the COVID-19 lockdowns if sales tax revenue went up quite a bit because people felt more comfortable buying from home. Ms. Butler agreed and explained further that cities saw a negative impact because people were not shopping in the city jurisdictions as much and therefore shopping from home benefited the county more than cities. She explained the Department of Revenue has a great tool on their website that helps to analyze and summarize this data from the many jurisdictions within the state.

There was no further discussion and/or motions regarding this agenda item. Mr. Berg thanked Ms. Butler for her report and information.

- 3. County Commissioner Salaries (Per Capita Income Data).** Mr. Berg presented / reviewed the data sheet for per capita income for Lewis County for the period 1969 – 2020. He said it was fairly close to what the numbers were in Eric Carlson’s February 28, 2020 Research and Analysis report.

Mr. Carlson commented that while the per capita income provided by the Federal Reserve Bank of St. Louis includes all income categories (employed, unemployed, and retired persons), the more accurate data source is from the Washington State Department of Employment Security because that data included only per capita income for employed persons. And since we are comparing incomes for employed persons (the BOCC and other elected officials) we should stick with comparing apples to apples, to wit: employed to employed.

Martha Hunt commented that either way – wages in Lewis County are low for the average Lewis County worker as compared to the very high salaries the BOCC and other elected officials have. She also said she does not feel the elected officials, including the BOCC need to be making any more money than they already do.

Rick Kuykendall commented that he wanted to stick with comparing numbers from the same data source as the salary commission used in 2020 – that is, the Washington State Department of Employment Security.

Mr. Berg said he would work with Eric Carlson in the coming weeks to pull the same numbers from WA ESD to update Eric's 2020 report for consideration at the next meeting.

There was no motion and no other decisions for this topic.

IX. Next Meeting, Tuesday, June 7, 2022 @ 5:30 PM

X. Adjournment

MOTION. Bob Berg asked for a motion to adjourn. Matt Brock made a motion to adjourn. Brandon Campbell seconded it. **The commission approved the motion 8 to 0.** The meeting ended at 6:35 p.m.

Respectfully submitted,



Eric Carlson
Attorney at Law;
Clerk, Lewis County Salary Commission