

- 0005 Mayor Barbara Larsen called the Regular Meeting of the Castle Rock City Council to order at 7:30 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Khembar Yund, Greg Marcil, Ed Smith and Jeff Skeie. Councilmember Bean was absent.
- 0055 Councilmember Smith made a motion, seconded by Yund to approve the minutes of the February 26, 2007 Regular Council meeting. By roll call vote, unanimous Aye.
- 0085 Cowlitz County Public Works Director Ken Stone gave a presentation summarizing the options for solid waste disposal and included a historic overview of the Solid Waste Advisory Committee (SWAC). Washington State law requires cities and counties to adopt a Solid Waste Management Plan every five years. Entities can plan either collaboratively, or individually. Cowlitz County and all five cities agreed to begin the update process in 2002. The items that remain for completion are the execution of the interlocal agreement, public hearings and adoption of the Comprehensive Solid Waste Management Plan by each city within the county.

Long term disposal options were examined. State regulations adopted in 1999, dramatically increased the costs to develop a landfill in western Washington. However large landfills are available in eastern Washington. In 2003 the SWAC issued a Request for Qualifications to provide long term disposal services. Six companies responded to that request. After examining the proposals submitted, the Solid Waste Advisory Review Committee recommended that county commissioners contract with Waste Control for long term solid waste disposal. A thorough examination of options determined that the most economic solution would be retained by contracting together with the cities for a rate that incorporates an economy of scale. Cowlitz County entered into an agreement with Waste Control for long term solid waste disposal last November. This is a countywide long term agreement that may be in effect until 2045. This agreement will use beneficial industrial waste for cover at the landfill, which would otherwise need to be purchased.

The Cowlitz County Landfill will close to the public in July of 2009, after which the landfill will only receive franchise haulers. At that time public disposal will move to the Waste Control facility. The county landfill is projected to reach capacity in 2012. Solid Waste will then be transported to a landfill in eastern Washington, which has enough capacity to serve this area.

In 2012, when long hauling begins, the cost for disposal is projected to increase to a minimum of \$50 per ton. A fee schedule is locked in with Waste Control for the term of the contract. Under this contract the rate will remain \$37.30 per ton in

2012. Funds will continue to accumulate in the Equipment, Land and Facilities Fund (ELF) until the landfill reaches capacity. The ELF fund is projected to reach \$25 million by that time. The ELF fund will then be used to subsidize the difference in cost. The fee will increase at a rate of 2.4% of the Consumer Price Index (CPI) instead of 3.2% of the CPI. Currently Cowlitz County has the lowest tipping fee in Washington at \$37.30, the second lowest is Kitsap County at \$62.02.

The Solid Waste Fund consists of five funds, they are:

- Maintenance Fund derived from tipping fees is currently at \$2,613,000 and is used to operate the landfill
- State mandated funds use for the landfill closure and 30 year monitoring
 1. Landfill Closure currently at \$3,371,000
 2. Post Closure Unlined Landfill currently at \$631,000
 3. Post Closure Lined Landfill currently at \$3,962,000
- ELF for rate stabilization currently at \$9,492,000

The purpose of the Interlocal Agreement is to detail the authority and responsibility of the cities and county in implementing the Comprehensive Solid Waste Management Plan. Also outlined are members, duties and the authority of the SWAC. Currently Cowlitz County has total authority over the ELF fund. This agreement provides for a Governance Committee consisting of two members from the county and one member from each of the largest cities in the county. The Governance Committee will work in conjunction with the SWAC to review issues and has the authority to recommend changes. A majority approval of the Governance Committee will be needed to expend any ELF funds.

In response to a question from Councilmember Yund regarding the balance of limiting representation on the Governance Committee to Cowlitz County, Longview and Kelso, Stone stated that the two city representatives would have an equal voice as the two county representatives and would presumably represent the smaller cities. Currently the county has total control of the ELF fund. Under the Solid Waste Management Plan the county has responsibility to manage the ELF fund. All decisions will require the approval of three representatives from the Governance Committee before any action can be taken.

In response to a question from Councilmember Marcil, Stone explained that in the instance of a tie vote, issues must be reevaluated.

In response to a question from Councilmember Smith, Stone clarified that representatives from the other cities will be invited to attend meetings, thus providing a full discussion of issues before a vote is taken. This will provide input from cities that do not have a representative on the Governance Committee.

Stone reviewed the responsibilities of the Governance Committee. This committee will review the entire system annually and make recommendations to

the SWAC. Any fee adjustment, use of ELF funds or changes to the Solid Waste System must be recommended by the Governance Committee. Cowlitz County has the responsibility to manage the contract with Waste Control. The obligation of the cities under the interlocal agreement is to designate the county system for disposal of solid waste. The interlocal agreement will be in effect for the term of the contract with Waste Control which lasts until 2035 with two 5 year extensions if mutually agreed upon.

In response to a question from Councilmember Yund, Stone explained that this agreement only pertains to disposal not collection, cities and Waste Control set collection fees through the state franchise. Longview and Kalama has approved the interlocal agreement. Stone will meet with Kelso and Woodland next week for agreement approval.

City Attorney Tom O'Neill stated that he requested the addition of dispute language to the interlocal agreement, however the Cowlitz County Attorney rejected that language. O'Neill stated that the agreement looked fine otherwise.

1688 Councilmember Smith made a motion, seconded by Skeie to approve the interlocal agreement for management of the Comprehensive Solid Waste Management Plan. By roll call vote, Councilmember Yund Nay, the rest Aye, motion passed.

1717 City Attorney Tom O'Neill provided copies of RCW 35A.12.070 regarding compensation of elective officers.

O'Neill also reported that ComCast agreement negotiations continue.

In response to a question from Councilmember Smith, O'Neill reported that he has not had contact with the Humane Society since their director left. He also noted that revision of the dangerous animal ordinance is more complicated than was anticipated.

1785 Police Chief Bob Heuer request approval to surplus two 9 year old bullet resistant vests so they can be disposed of.

In response to a question from Clerk-Treasurer Ryana Covington, Councilmember Smith directed Heuer to verify the proper method to dispose of bullet resistant vests.

1867 Public Works Director David Vorse reports that the Solid Waste Advisory Committee member currently representing the three small cities has left. Kalama Councilmember Don Purvis has volunteered as a replacement.

By consensus, council approves the SWAC appointment of Don Purvis to represent the small cities.

Vorse reviewed the areas to consider as options for water main replacement in 2007. He noted that Cherry Street has had the most leaks in 2006. Balcer Street NE does not have a leaking problem, but the main may not be adequate for fire flow. The amount budgeted for a water main replacement this year is \$21,000.

In response to a question from Councilmember Smith, Vorse reports that Cherry Street has had approximately nine leaks in the last four years and Balcer Street has had one.

In response to a question from Councilmember Marcil, Vorse stated that the length of Cherry Street is approximately 350 feet and Balcer Street is double that.

In response to a question from Councilmember Yund, Vorse will review the occurrence of water leaks within the last year to determine the second most problematic area for the possible replacement of a second main.

In response to a question from Councilmember Marcil, Vorse clarified that the Fire Department has not tested the hydrants on Woodard Avenue or Balcer Street NE following the water main replacement to verify the flow that is available with the new main.

In response to a question from Councilmember Smith, Vorse stated that in the past, in addition to their regular duties, Public Works Personnel have been able to replace one water main annually.

Councilmember Skeie stated that he would rather replace a leaking water main then upgrade a main that has had no other problems. Vorse stated that there have not been water volume complaints from residents on Woodard Avenue or Balcer Street.

In response to a question from Councilmember Skeie, Vorse stated that he has not determined which area is the second most problematic for water leaks. This decision can be tabled until the next meeting to provide the opportunity to prepare that information.

Councilmember Skeie requests that the hydrants on Balcer Street NE be tested to determine fire flow capabilities.

- 2419 Vorse requests approval of the interlocal agreement with Cowlitz County for the exchange of the federal funds for the Front Avenue NW Sidewalk Project. The city is eligible to receive a federal SAFETEA-LU grant for \$30,000 for this project. The county has agreed to exchange these federal funds for local funds in the interest of expediting this project. The county will charge an administrative fee of 5% which is a total of \$1500 for this exchange. If Cowlitz County cannot

use the federal funds or the transfer is not allowed, the city would be required to reimburse the county.

Tape 1 of 1

Side B

2500 Cowlitz County Public Works Director Ken Stone reports that federal regulations mandate that the county split street funds between urban and rural projects. The Washington State Department of Transportation is requiring that projects be prioritized by population.

City Attorney Tom O'Neill stated that this agreement is acceptable, but again the county would not agree to add the dispute language.

In response to a question from Councilmember Skeie, Stone stated that this agreement does not specify a payback period if the funds must be reimbursed. However the contract does state that "Any required repayment by the city must be received by the county by no later than December 31, 2011." If the county is unable to use the funds by the end of September they may be required to be put in the prioritization program. If that is the case the county could not control which project the funds would be used on. Any required repayment of these funds would include the initial \$28,500 that was received from the county plus interest.

In response to a question from Councilmember Skeie, Vorse specified that if this exchange is not approved, the trees would be eliminated from the project and the city would be responsible for the difference between Schedule A and Schedule B which is approximately \$34,000 from the Arterial Street Fund.

Stone clarified that what the county would actually receive is \$30,000 in allocation authority and the city would receive cash. In addition, federal funds can be costly to use.

Vorse reviewed the funding for the Front Avenue Sidewalk Project. Engineering and construction costs are \$164,529; the Washington State Department of Transportation (DOT) Transportation Improvement Board (TIB) grant for this project is \$138,092. The city is responsible for \$26,437 for this project. The city has budgeted \$15,000 from the Arterial Street Fund. The county fund swap would provide \$28,500 for a city total of \$43,500 for this project. The contract contains a 3% contingency.

Vorse stated he would like to extend the sidewalk 150 feet farther if funds remain available. The estimated cost for 150 feet is \$6200. The addition of 150 feet would bring the sidewalk up to the south side of the old gas station, otherwise the sidewalk will end south of Nicholson's driveway.

3444 Councilmember Yund made a motion, seconded by Marcil to approve the agreement with Cowlitz County to exchange federal SAFETEA-LU funds for

local funds for the Front Avenue Sidewalk Project. By roll call vote, unanimous Aye.

In response to a question from Councilmember Smith, City Attorney Tom O'Neill stated that the cost to relocate PUD poles for this project has not been resolved. Vorse reports that PUD views this as a beautification project, however, TIB prioritizes sidewalk projects the same as street projects; as a means to move people.

- 3603 Vorse requests council direction on whether to proceed with the Entrance Features Project Phase 3 or wait for the completion of the Front Avenue Sidewalk Project. The 2007 budget for the Entrance Features Project Phase 3 is \$15,000 from the Arterial Street Fund. This phase will complete the rock walls and dirt mounds.

In response to a request from Councilmembers Yund and Marcil, Vorse will remove the disposed sewer pipes from the dirt piles at the Entrance Feature when the ground dries enough.

By consensus, Councilmember decided to delay beginning the Entrance Features Project Phase 3.

- 3718 Clerk-Treasurer Ryana Covington requests payment of February expenditures in the amount of \$393,646.37 as outlined on the Summary of Claims and further described as check numbers 35887 through 35990 for general expenditures and check numbers 19417 through 19458 for payroll expenses.

- 3728 Councilmember Marcil made a motion, seconded by Yund to approve payment of February 2007 invoices in the amount of \$393,646.37, as described in the Summary of Claims. By roll call vote, unanimous 'Aye'.

- 3740 Covington presented a request from the Chamber of Commerce for sponsorship of the annual Cleanup Day. This event will correspond with the County Free Dump Day which is Saturday April 21st. In the past the city has provided liability insurance for this event plus \$300 for flyers. The Public Works Department and the Police Department also will take part in this event.

- 3801 Councilmember Marcil made a motion, seconded by Skeie to provide the same sponsorship as in the past for the Annual Cleanup Day. By roll call vote, unanimous Aye.

- 3828 Report of Meetings
Mayor Larsen attended the executive meeting to review programs for the Lower Columbia Community Action Plan. The information from this meeting will be forwarded to Councilmember Bean.

- Councilmember Marcil and City Attorney Tom O'Neill will attend the Cowlitz - Wahkiakum Council of Governments Annual Banquet in Kalama on March 29th.
- 3982 Councilmember Marcil stated that Judy Tinney has indicated that she might volunteer for the citizens committee to review the Mayor and City Council salaries. Mayor Larsen reports that Pastor Bob Ross, former Councilmember Howard Mason and Bernice LePage have also expressed interest in serving on this committee.
- 4105 Clerk-Treasurer Ryana Covington stated that the Chamber of Commerce has rescinded the request for a street closure during the Health and Safety Fair on March 31st.
- 4137 Mayor Larsen adjourned regular session at 8:45 p.m. for a 15 minute executive session to discuss the Clerical Collective Bargaining Agreement. She advised there could be action at the conclusion.
- 4160 Mayor Larsen reconvened regular session at 9:03 p.m. to extend executive session for another 10 minutes.
- 4167 Mayor Larsen reconvened regular session at 9:13 p.m. to extend executive session for an additional 10 minutes.
- 4172 Mayor Larsen reconvened regular session at 9:25 p.m.
- 4194 Councilmember Smith made a motion, seconded by Yund to approve the Clerical Collective Bargaining Agreement, but not the Memorandum of Understanding. By roll call vote, Councilmember Marcil Nay, the rest Aye, motion passed.
- 4220 There being no further business Mayor Larsen adjourned the meeting at 9:26 p.m.

Mayor Barbara Larsen

Clerk-Treasurer