

**COWLITZ COUNTY BOUNDARY REVIEW BOARD**  
**Notice of Intention checklist (revised 7/12)**

**Staff checked:**

**NOTICE OF INTENTION: Receipt, filing and review**

		<u>DATE</u>
A.	<u>MH</u> Application received	<u>2-25-14</u>
B.	<u>MH</u> File number assigned <u>202</u>	<u>2-25-14</u>
C.	<b>STAFF REVIEW OF CONTENT:</b>	
	<u>MH</u> 1. Notice of intention form	<u>2-25-14</u>
	<u>MH</u> 2. Description of proposed action	<u>2-25-14</u>
	<u>MH</u> 3. Legal description: To County Engineer	<u>1-16-14</u>
	<u>MH</u> 4. Acres/assessed value to Assessor <u>272 Acres</u>	<u>2-25-14</u>
	<u>MH</u> 5. Vicinity map	<u>2-25-14</u>
	<u>MH</u> 6. Corporate limits map	<u>2-25-14</u>
	<u>MH</u> 7. Review of factors to be considered by BRB	<u>2-25-14</u>
	<u>MH</u> 8. Review of objectives of BRB	<u>2-25-14</u>
	<u>N/A</u> 9. Environmental checklist and determination of sig/non-sig	
	<u>MH</u> 10. Filing fee received and deposited <u>CHECK # 142040</u>	<u>2-25-14</u>
	<u>MH</u> 11. Certification of petition accuracy <u>11-12-2013</u>	<u>2-25-14</u>
D.	<u>MH</u> Filing date determined	<u>2-26-14</u>
E.	<u>MH</u> Letter sent to initiator	<u>2-26-14</u>

**GOVERNMENTAL UNITS INFORMED OF PROPOSAL**

A. Mail cover letter, notice of intention, description of proposed action, assessor's map, vicinity map, legal description and date proposal to be considered by BRB to all governmental bodies having jurisdiction.

Response requested within 45 working days by 4-11-14.

- MH 1. Building and Planning (8 copies)
- 2. Department of Ecology (sewer/water district proposals)
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

**MEETINGS, INVOKING JURISDICTION, DECISIONS**

- A. MH BRB meeting to be held on 4-1-14
- B. MH Staff report, file data, checklist to BRB 4-1-14
- C.        Special information requested by BRB (specify) \_\_\_\_\_
- D.  Review waived by chairperson due to \_\_\_\_\_
- E. MH BRB meeting held 4-1-14
- F.        **JURISDICTION NOT INVOKED:**

- 1. 45-day period lapses on \_\_\_\_\_
- 2. Notification sent to initiator \_\_\_\_\_
- 3. Initiator completes action: sends 8 copies to County Commissioners
- 4. BRB receives copy of final action \_\_\_\_\_
- 5. File closed on \_\_\_\_\_

G. MH **JURISDICTION INVOKED:**

- 1. Invoked by Cowlitz County Public Works on 4-8-14
- 2. Hearing resolution signed by Jim Bain on 4-25-14
- 3. Public hearing date set for 6-9-14
- 4. Fee paid (if applicable) on N/A
- 5. Notice to affected governments (RCW 36.93.160) on 4-28-14
- 6. Notice published: Where: TDN Dates: 5-4-14, 5-14-14, 6-3-14
- 7. Notices posted in the annexation area on ~~5-14-14~~ MH
- 8. Hearing(s) held on 6-9-14
- 9. Modification hearing held: yes \_\_\_\_\_ no \_\_\_\_\_ on \_\_\_\_\_
- 10. Decision signed by chair on 6/16/14
- 11. Written decision mailed on \_\_\_\_\_
- 12. Decision appealed by \_\_\_\_\_
- 13. Initiator completes action and sends 8 copies to County Commissioners
- 14. Initiator notifies State Office of Financial Management \_\_\_\_\_
- 15. BRB receives a copy of final action on \_\_\_\_\_
- 16. File closed on \_\_\_\_\_

# Cowlitz County

Boundary Review Board  
207 Fourth Avenue North  
Kelso, Washington 98626

*COB*

Burlington Northern, Inc.  
810 - 3<sup>rd</sup> Ave., Suite 437  
Seattle, WA 98104

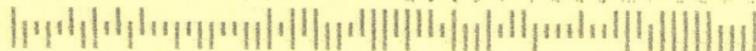


NIXIE 980 5E 1009 0103/03/14

RETURN TO SENDER  
UNDELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 98626412499 \*1229-09339-26-35

98104161111  
986264124





# Board of Commissioners

County Administration Building  
207 Fourth Avenue North  
Kelso, WA 98626  
TEL (360) 577-3020  
FAX (360) 423-9987  
www.co.cowlitz.wa.us

## COMMISSIONERS

Michael A. Karnofski  
District 1

Dennis P. Weber  
District 2

James R. Misner  
District 3

## CLERK OF THE BOARD

Tiffany Ostreim

October 7, 2014

Boundary Review Board  
Attn: Bill Fashing  
Cowlitz-Wahkiakum Governmental Conference  
Administration Annex  
Kelso, WA 98626

# RECEIVED

OCT - 8 2014

COWLITZ-WAHKIAKUM  
COUNCIL OF GOVERNMENTS

RE: Annexation to the City of Longview – Case No. BRB 202 –Pacific Fibre  
Industrial Area

Dear Mr. Fashing:

Enclosed is a copy of Ordinance No. 3272 of the City of Longview which officially  
annexes the above mentioned land into the City of Longview.

By direction,

**Board of County Commissioners  
Of Cowlitz County, Washington**

  
Tiffany Ostreim  
Clerk of the Board

Enclosure

cc: Commissioners' Record  
Public Works  
Building and Planning  
Assessor  
Treasurer  
Auditor/Elections  
Communications Center  
GIS  
City of Longview (letter only)

STATE OF WASHINGTON )  
COUNTY OF COWLITZ )  
CITY OF LONGVIEW )

**C E R T I F I C A T E**

I, Ann C. Davis, the duly appointed, qualified, and acting City Clerk of the City of Longview, County of Cowlitz, State of Washington, do hereby certify that the appended is a true and correct copy of

**Ordinance No. 3272, adopted by the Longview City Council on August 28, 2014**

as the same appears on file and of record in my office in said City of Longview, Cowlitz County, Washington.

WITNESS MY HAND AND OFFICIAL SEAL this 30th day of September, 2014.

*Ann C Davis*  
\_\_\_\_\_  
Ann C. Davis, City Clerk

3508982

10/01/2014 03:18:44 PM

Filed CITY OF LONGVIEW 0.00  
Cowlitz County Washington

Pages: 6



**Return Address:**

CITY OF LONGVIEW  
CITY CLERK  
P.O. BOX 128  
LONGVIEW, WA 98632

**Document Title(s) (or transactions contained therein):**

1. CITY OF LONGVIEW ORDINANCE NO. 3272, ANNEXING REAL PROPERTY
- 2.
- 3.
- 4.

**Reference Number(s) of Documents assigned or released:**

(on page of document(s)) N/A

**Grantor(s) (last name first, then first name and initial(s))**

1. LONGVIEW, CITY OF
- 2.
- 3.
- 4.

Additional names on page of document.

**Grantee(s) (last name first, then first name and initial(s))**

1. LONGVIEW, CITY OF
- 2.
- 3.
- 4.

Additional names on page of document.

**Legal Description (abbreviated : i.e. lot, block, plat or section township and range)**

Portion of Jonathan Burbee, Royal C Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11, T7N, R2W of the WM

Additional legal is on page 3-4 of document

**Assessor's Property Tax Parcel/Account Number:** 60422; 6042203, 60423, 60424, 61499, 61511, 61520, 63176,

631760200, 63177, 63178, 60426, 60425, 604220100,  
6152201, and portion of 615200500

Additional parcel numbers on page of document

**Washington State County Auditor/Recorder's indexing form (cover sheet)**

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**EMERGENCY NONSTANDARD REQUEST – SIGN ONLY WHEN RECORDING AS NONSTANDARD**

I am requesting an emergency nonstandard recording for an additional fee of \$50.00 as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

herein. Said covenants and conditions precedent, are as contained in the Petition for Annexation, and are on file in the office of the City Clerk of said City.

Section 3. That the territory set forth in said "Exhibits A and B" hereto attached, shall be, and is hereby, made a part of the City of Longview, Cowlitz County, Washington, on the date that this Ordinance takes effect.

Section 4. The City Council hereby declares that should any section, paragraph, sentence or word of this Ordinance be declared for any reason to be invalid, it is the intent of said City Council that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid, and that the remainder of said Ordinance shall be and remain in full force and effect.

Section 5. This Ordinance shall take effect and be in full force and effect from and after thirty (30) days of its passage and publication as required by law.

Passed by the City Council this 28 day of August, 2014.

Approved by the Mayor this 28 day of August, 2014.

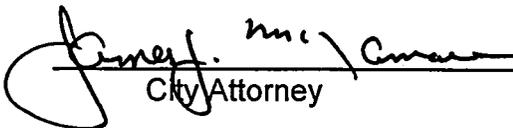
  
MAYOR

ATTEST:



City Clerk

APPROVED AS TO FORM:

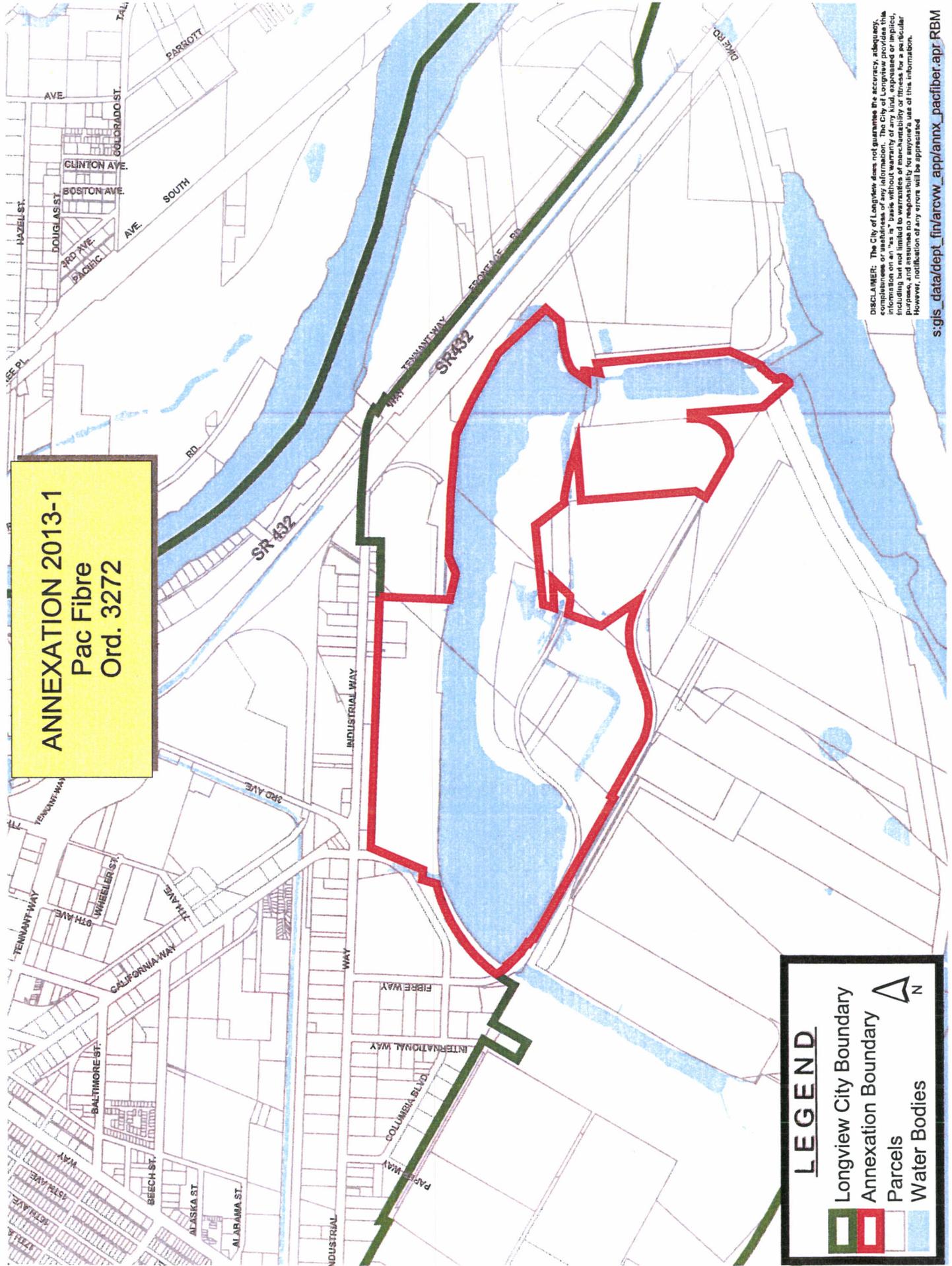
  
City Attorney

Published: September 5, 2014

southwesterly corner of AFN 841022008; thence northwesterly along the southwesterly line of AFN 841022008 to the northwesterly corner thereof, said northwesterly corner also being a point on the southeasterly line of AFN 860115014; thence southwesterly along the southeasterly line of AFN 860115014 to the southwesterly corner thereof; thence northeasterly along the westerly line of AFN 860115014 to the southeasterly corner of Parcel "C" of AFN 3085541; thence northeasterly along the easterly line of Parcel "C" of AFN 3085541 to the northeasterly corner thereof; thence southwesterly, southerly and northwesterly along the northerly line of said Parcel "C" to an intersection with the southeasterly line of the log pond described under AFN 901214051; thence northeasterly along the southeasterly line of said AFN 901214051 to the most easterly corner thereof; thence northwesterly, southwesterly and northwesterly along the northeasterly and northerly lines of the log pond described under said AFN 901214051 to the southeasterly corner of Parcel 1, Tract "A" of AFN 851003020; thence due north along the easterly line of said Parcel 1, Tract "A" to a point 125.00 feet south from the southerly right-of-way line of Industrial Way, said point being on the existing Longview City limits line; thence due west along said existing City limits line, on a line 125.00 feet south of and parallel to the southerly right-of-way line of Industrial Way, to the point of beginning.

Containing 310 acres more or less.

**ANNEXATION 2013-1**  
**Pac Fibre**  
**Ord. 3272**



**LEGEND**

-  Longview City Boundary
-  Annexation Boundary
-  Parcels
-  Water Bodies

N

DISCLAIMER: The City of Longview does not guarantee the accuracy, adequacy, completeness or usefulness of any information. The City of Longview provides this information as a public service and does not warrant, represent or guarantee the accuracy, completeness or usefulness of any information, including but not limited to, errors of omission or commission, for any particular purpose, and assumes no responsibility for anyone's use of this information. However, notification of any errors will be appreciated.



Memorandum

**RECEIVED**

OCT - 3 2014

COWLITZ-WAHKIAKUM  
COUNCIL OF GOVERNMENTS

DATE: September 30, 2014

TO: Interested Parties

FROM: Ann Davis, City Clerk

RE: Annexation to City of Longview: ANX 2013-1  
Pacific Fibre / Industrial Property

For your information, enclosed please find the following:

- (1) One copy of Ordinance No. 3272 annexing the referenced property effective October 5, 2014;
- (2) A color map of the annexed area; and
- (3) The property addresses contained in this annexation:

177 Fibre Way  
465 Industrial Way  
161 Industrial Way  
467 Fibre Way

There are additional parcels included in this annexation that do not have street addresses.

acd

ORDINANCE NO. 3272

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AN ORDINANCE ANNEXING THE REAL PROPERTY HEREINAFTER DESCRIBED TO THE CITY OF LONGVIEW, COWLITZ COUNTY, WASHINGTON, AS PROVIDED BY THE LAWS OF THE STATE OF WASHINGTON.

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WHEREAS, on the 12th day of December, 2013, the City Council of the City of Longview, Washington, did hold the final public hearing, pursuant to notice duly published and posted, on the petition addressed to the City Council of said City requesting that the boundaries of said City be altered by including therein certain real property contiguous to the City of Longview, said petition having been signed by the owners of not less than 60% in value, according to the assessed valuation for general taxation of said property; and

WHEREAS, on February 26, 2014 the annexation was filed with the Cowlitz County Boundary Review Board ("Board"); and

WHEREAS, Cowlitz County invoked the Cowlitz County Boundary Review Board's jurisdiction on April 8, 2014, for modification of the annexation proposal; and

WHEREAS, on June 9, 2014, the Cowlitz County Boundary Review Board held a public hearing; and

WHEREAS, on June 17, 2014, the Boundary Review Board issued their decision to approve the annexation with modification to include Parcel Number 6152201, owned by the Cowlitz Sewer Operating Board; and

WHEREAS, the area proposed for annexation is approximately 310 acres more or less in size, and is of \$72,350,840.00 in assessed valuation; and

WHEREAS, all requirements of Chapter 35A.14 RCW preliminary to said final hearing have been duly complied with; and

NOW, THEREFORE, the City Council of the City of Longview do ordain as follows:

Section 1. That said City Council specifically finds that the land described in the Petition for Annexation is situated in the County of Cowlitz in the State of Washington, is contiguous, proximate and adjacent to the present corporate limits of said City and is more particularly described on "Exhibits A and B" attached hereto and by this reference made a part of this Ordinance.

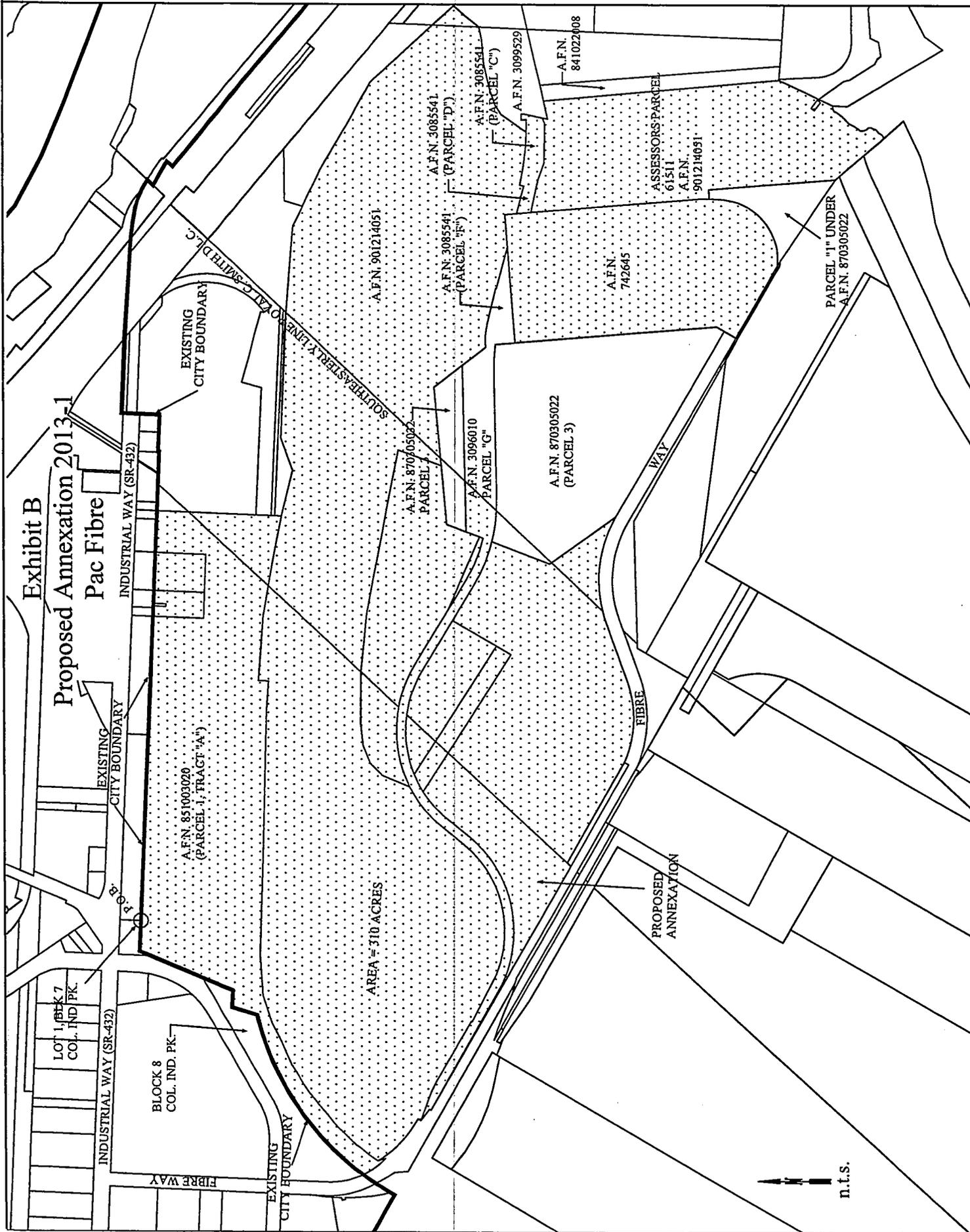
Section 2. That all of the covenants and conditions precedent to the annexation of said property are hereby made a part of this Ordinance as though fully set forth

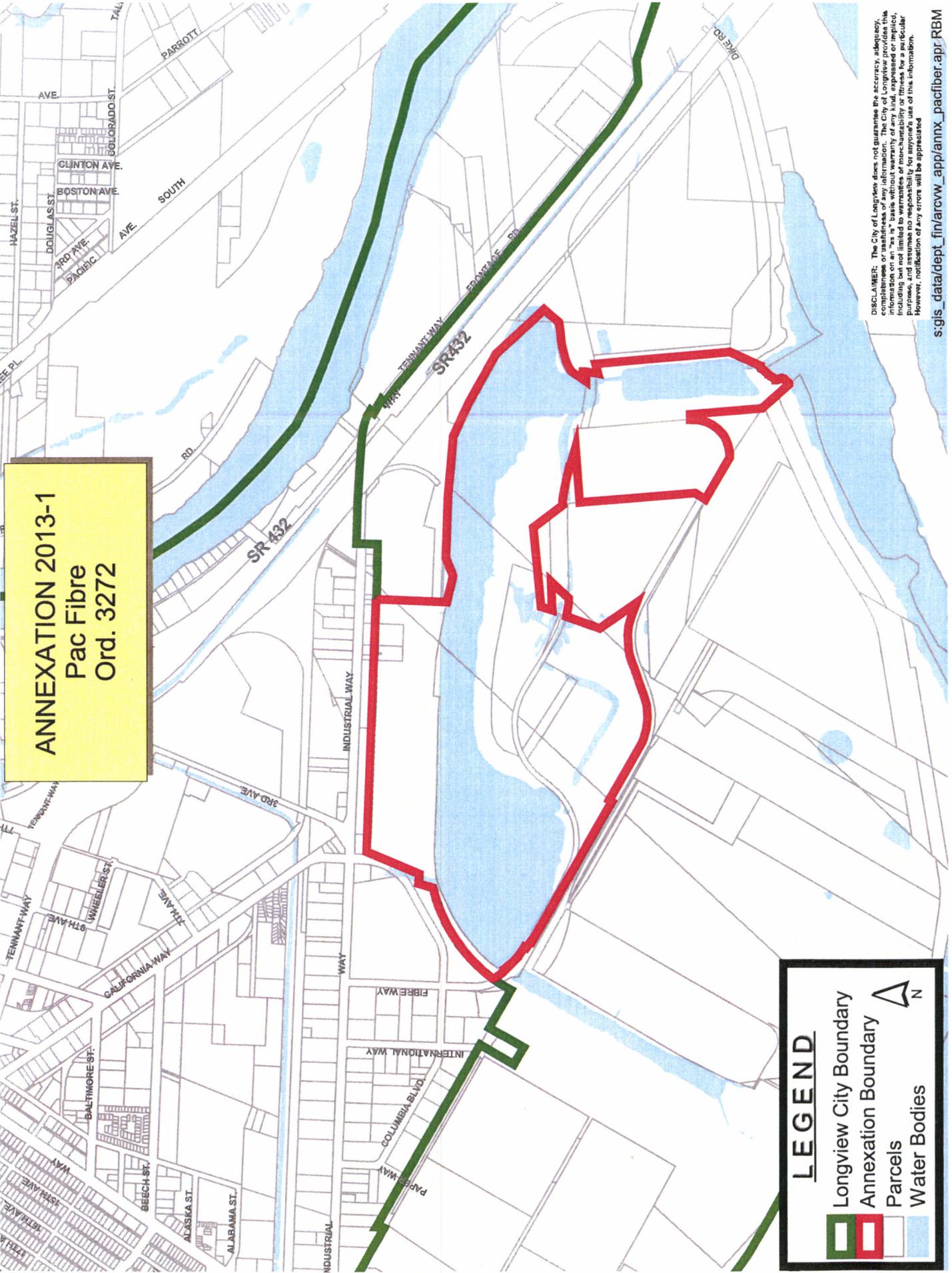
EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

Commencing at the northeast corner of Lot 1, Block 7 of the duly recorded plat of Columbia Industrial Park, said northeast corner also being the northwest corner of Parcel 1, Tract "A" of AFN 851003020; thence due south along the easterly line of said Lot 1, Block 7 and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020, 125.00 feet to the point of beginning of this description, said point being also the southeast corner of said Lot 1, Block 7, and a point on the existing Longview City limits line; thence westerly and southwesterly along the existing City limits line and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020 to a point on the northeasterly right-of-way line of Fibre Way, said point also being the most southerly corner of Block 8 of the plat of Columbia Industrial Park; thence leaving the City limits line southeasterly along the northeasterly right-of-way line of Fibre Way, to the southwesterly corner of Parcel 3 of AFN 870305022; thence northwesterly along the southwesterly line of Parcel 3 of AFN 870305022 to the most westerly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the southwesterly corner of Parcel "G" of AFN 3096010; thence southeasterly along the southerly line of Parcel "G" of AFN 3096010 to an intersection with the southeasterly line of the Royal C. Smith Donation Land Claim; thence northeasterly along said Donation Land Claim to an intersection with the northerly line of Parcel "G" of said AFN 3096010; thence southwesterly along the northerly line of Parcel "G" of said AFN 3096010 to the most westerly corner thereof, being also a point on the northwesterly line of the aforementioned Parcel 3 of AFN 870305022; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northwesterly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northeasterly corner thereof; thence southeasterly along the northeasterly line of Parcel 3 of AFN 870305022 and AFN 3096010 to the most westerly corner of Parcel "F" of AFN 3085541; thence northeasterly along said Parcel "F" to the most northerly corner of Parcel "F" of AFN 3085541; thence southeasterly along the northeasterly line of Parcel "F" of AFN 3085541 to the most easterly corner of Parcel "F" of said AFN 3085541, said corner being also a point on the northerly line of AFN 742645; thence westerly along the northerly line of AFN 742645 to the northwesterly corner thereof; thence southerly along the westerly line of AFN 742645 to the southwesterly corner thereof; thence southeasterly along the southerly line of AFN 742645 to a point of curvature; thence northeasterly along said curve and northwesterly along the easterly line of said AFN 742645 to the northwesterly corner of Parcel "1" of AFN 870305022; thence easterly along the northerly line of AFN 870305022 to the northeasterly corner thereof, being also a point on the westerly line of Assessor's Parcel 61511 described under AFN 901214051; thence southerly along the westerly line of AFN 901214051 to the most southerly corner thereof, said corner being a point on the northerly bank of the Columbia River; thence northeasterly along the southeasterly line of AFN 901214051 to the Pacific Fibre Annexation

# Exhibit B Proposed Annexation 2013-1 Pac Fibre





**ANNEXATION 2013-1**  
**Pac Fibre**  
**Ord. 3272**

**LEGEND**

-  Longview City Boundary
-  Annexation Boundary
-  Parcels
-  Water Bodies

 N

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# Board of Commissioners

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County Administration Building  
207 Fourth Avenue North  
Kelso, WA 98626  
TEL (360) 577-3020  
FAX (360) 423-9987  
www.co.cowlitz.wa.us

**COMMISSIONERS**

Michael A. Karnofski  
District 1

Dennis P. Weber  
District 2

James R. Misner  
District 3

**CLERK OF THE BOARD**

Tiffany Ostreim

June 17, 2014

Matt Hermen, Executive Officer  
Boundary Review Board  
207 4<sup>th</sup> Avenue North  
Administration Annex  
Kelso, WA 98626

RE: Boundary Review Board File No. 202 – Pacific Fibre Products  
Resolution and Hearing Decision

Dear Mr. Hermen:

I received the Memorandum regarding the above mentioned matter on June 17, 2014.

By direction,

**Board of County Commissioners  
of Cowlitz County, Washington**

A handwritten signature in blue ink that reads "Tiffany Ostreim".

Tiffany Ostreim  
Clerk of the Board

# Cowlitz County Boundary Review Board

Administration Annex, 207 4<sup>th</sup> Avenue N., Kelso, WA 98626-4195

Telephone: (360) 577-3041  
Fax: (360) 425-7760  
E-mail: [mhermen@cwccog.org](mailto:mhermen@cwccog.org)

## MEMORANDUM

Date: June 17, 2014

To: Mike Karnofski, Cowlitz County Board of Commissioners  
Kent Cash, Cowlitz County Public Works Director  
Interested Parties

From: Matt Hermen, Executive Officer 

Re: Boundary Review Board File No. 202 – Pacific Fibre Products  
Resolution & Hearing Decision

In accordance with RCW 36.93.160(4), the Washington State Boundary Review Board for Cowlitz County hereby transmits to the Board of County Commissioners and the clerk of each governmental unit directly affected its written decision on the above-referenced annexation (see enclosure). The Board **approved with modification** the proposed annexation as set forth in the attached decision.

Although approved by the Boundary Review Board, this annexation is not final until the City of Longview takes final action on the matter. Pursuant to RCW 36.93.155, Board approval or modification and approval shall authorize annexation as approved and shall not authorize any other annexation action.

Decisions of the Board shall be final and conclusive unless within 30 days from the date of the action a governmental unit affected by the decision or any person owning real property or residing in the area affected by the decision files in superior court a notice of appeal (RCW 36.93.160(5)).

Please contact me if I can be of any assistance.

Enclosure

cc: Elaine Placido, Director Cowlitz County Building and Planning  
Tiffany Ostreim, Clerk of the Board, BOCC

# Cowlitz County Boundary Review Board

Administration Annex, 207 4<sup>th</sup> Avenue N., Kelso, WA 98626-4195

Telephone: (360) 577-3041

Fax: (360) 425-7760

E-mail: [mhermen@cwccog.org](mailto:mhermen@cwccog.org)

June 17, 2014

Don Jensen, Mayor  
City of Longview  
PO Box 128  
Longview, WA 98632

Re: **DECISION: Boundary Review Board File No. 202 – Pacific Fibre Products Annexation**

Dear Mayor Jensen:

In accordance with RCW 36.93.160(4), the Washington State Boundary Review Board for Cowlitz County hereby transmits to the City of Longview its written decision on the above-referenced annexation. The Board ***approved with modification the proposed annexation*** as set forth in the attached decision. Please be advised that under RCW 36.93.155, Board approval or modification and approval shall authorize annexation as approved and shall not authorize any other annexation action.

When the proposal is finalized by the city, it will be necessary that you file ten (10) certified copies of your resolution or ordinance accomplishing this action, together with a copy of this letter, a legal description, maps and address of properties annexed to the Board of Cowlitz County Commissioners, Administration Building, 207 4<sup>th</sup> Avenue North, Kelso, WA 98626. Upon submittal to Cowlitz County, files will be routed to the Auditor's Office for recording.

Cities are required to report annexation to the Washington State Office of Financial Management (OFM). A copy of the resolution or ordinance, a legal description and maps are to be attached to the form supplied by the OFM and mailed to: State of Washington – OFM, Forecast Division, PO Box 43113, Olympia, WA 98504-3113.

Sincerely,

  
Matt Hermen  
Executive Officer

Enclosure

cc: Bob Gregory, City Manager  
Steve Langdon, Planning Manager  
Kent Cash, Public Works Director, Cowlitz County  
Phil Jurmu, Fire Chief  
Dave LaFave, Fire Chief, Cowlitz 2 Fire & Rescue  
Duane Leaf, Plant Superintendent, TRRWA

**BEFORE THE  
WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR COWLITZ COUNTY**

**In the Matter of  
ANNEXATION OF 283 ACRES  
TO THE CITY OF LONGVIEW**

} **FILE No. 202 (Pacific Fibre Annexation)**  
} **RESOLUTION AND**  
} **HEARING DECISION**

**HEARING DECISION**

BRB File No. 202: Proposed annexation of 283 acres to the City of Longview (Pacific Fibre Annexation) is hereby **APPROVED WITH MODIFICATION** by the Washington State Boundary Review Board for Cowlitz County, pursuant to RCW 36.93.170, "Factors to be considered by Board," RCW 36.93.180, "Objectives of the Boundary Review Board," and RCW 36.09.157, "Decisions to be consistent with the Growth Management Act."

**LEGAL DESCRIPTION OF ANNEXATION AREA AS MODIFIED**

See Exhibit A attached hereto and associated map attached hereto as Exhibit B.

**RESOLUTION**

WHEREAS, pursuant to the provision of the Revised Code of Washington (RCW 36.93.100), the Washington State Boundary Review Board for Cowlitz County is required to review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 whenever its jurisdiction is invoked;

WHEREAS, a Notice of Intention was filed as BRB File No. 202 (Pacific Fibre Annexation) with the Boundary Review Board on February 25, 2014 by the City of Longview proposing the annexation of 283 acres;

WHEREAS, the Notice of Intention was then circulated to affected agencies and interested parties on February 28, 2014 for review and comment;

WHEREAS, Cowlitz County invoked the Board's jurisdiction on April 8, 2014, for modification of annexation proposal;

WHEREAS, the Boundary Review Board at its April 25, 2014, meeting set a public hearing on the proposed annexation area for June 9, 2014, at 6:30 pm in the General Meeting Room of the Cowlitz County Administration Building;

WHEREAS, the area proposed for annexation was posted with a Notice of Public Hearing on May 9, 2014, in accordance with RCW 36.93.160;

WHEREAS, property owners in the annexation area and proposed modification area were mailed a notice of the public hearing on April 28, 2014;

WHEREAS, public notice procedures pursuant to RCW 36.93.160 were carried out including notice to affected jurisdictions thirty days prior to the hearing on June 8, 2014, and publication of legal notices in The Daily News (May 3, 2014, May 14, 2014, and June 3, 2014);

## FINDINGS

BRB File No. 196: Proposed annexation area to the City of Longview is APPROVED WITH MODIFICATION TO INCLUDE PARCEL NUMBER 6152201, OWNED BY THE COWLITZ SEWER OPERATING BOARD by the Washington State Boundary Review Board for Cowlitz County to include a total of 334 acres. This action is based upon the following findings pursuant to RCW 36.93.170, "Factors to be considered by the Board," RCW 36.93.180, "Objectives of the Boundary Review Board," and RCW 36.09.157, "Decisions to be consistent with the Growth Management Act."

### FACTORS (RCW 36.93.170)

#### POPULATION AND TERRITORY

##### Population Density

The proposed annexation area is occupied almost entirely by heavy industries including log yards, woodchip and bark dust storage, and other industrial type business. There are some vacant lots within the area. There is no population residing within the proposed area.

##### Land Area and Uses

The current land use of the proposed annexation area is Heavy Industrial.

##### Comprehensive Plans and Zoning

The annexation area is within the Planning Area Boundary of the City of Longview per their adopted 2006 Comprehensive Plan. The Cowlitz County Comprehensive Plan designates the land area as Heavy Industrial, with a zoning classification of Heavy Industrial. The Longview Comprehensive Plan (2006) designates the area as Heavy Industrial.

##### Service agreements entered into under RCW 36.115 or 39.34

Cowlitz 2 Fire and Rescue and City of Longview Fire Department do have a Mutual Aid Intergovernmental Agreement in place. The agreement includes a first response agreement that establishes response protocol and procedures.

##### Interlocal agreements between a county and its cities

There are no associated interlocal agreements between the City of Longview and Cowlitz County in relation to the proposal. On November 22, 2000 the cities of Longview, Kelso, and Cowlitz 2 Fire & Rescue entered an agreement to consolidate the "functional management of fire services." On July 16, 2001, City of Longview council terminated this agreement.

##### Per capita assessed valuation

The 2014 assessed valuation of the proposed annexation is \$3,121,150. With a population of zero, assessed valuation per capita is irrelevant.

##### Topography, natural boundaries and drainage basins, proximity to other populated areas

The area is generally level as are the neighboring areas. Elevation in the area ranges from 0 to 20 feet above sea level. There are no natural boundaries between the proposed annexation area and adjacent unincorporated areas. Overall, the topography is relatively consistent throughout the entire proposed annexation area. The closest incorporated populated area is the City of Longview. The incorporated and unincorporated area surrounding the proposed annexation area is populated at similar densities consistent with low density residential classifications.

library services. Solid waste customers would not be required to switch service providers until seven years after the annexation per Washington State law. The City of Longview currently contracts with Waste Control, Inc.

**Probable future needs for such services and controls**

The proposed area falls within the City of Longview's service area for water and sewer. All services and controls are sufficient for future development and there are no additional regulatory controls anticipated.

**Probable effect of proposal on cost and adequacy of services and controls in area and adjacent area**

The level of services in the area is adequate and the changes to the property and surrounding area should be insignificant in terms of cost. Fire, police and library services are adequate and will not need to be expanded for this proposal.

**The effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units**

It would appear that the proposed 283-acre annexation would have negligible impacts on affected governmental units.

**The effect of the proposal on adjacent areas, on mutual economic and social interests, and on the local government structure of the county**

It would appear that the proposed annexation would have minimal impacts on adjacent areas, mutual economic and social interests, or the local government structure of the county. Cowlitz County will experience less property taxation revenues as a result of the proposed annexation.

**OBJECTIVES (RCW 36.93.180)**

**(1) Preservation of natural neighborhoods and communities**

The annexation area consists of industrial properties that are consistent with adjacent industrial properties within Longview City Limits. Adjacent existing neighborhoods should not be negatively impacted by the proposal.

**(2) Use of physical boundaries, including but not limited to bodies of water, highways and land contours**

The annexation area uses the city limits on the west and north. The proposed annexation area does create a peninsula to the Southeast. It does not utilize the State Route 432 highway as a use of physical boundary.

**(3) Creation and preservation of logical service areas**

The proposed annexation does create an illogical service area along Industrial Way to the east. It will be unclear to emergency responders where the City Limits terminate, as proposed. The annexation lies to the north of Fibre Way. As proposed, the annexation does not incorporate 66 acres of land to north of Fibre Way. Again, this proposed boundary creates an illogical service area for emergency responders.

**(4) Prevention of abnormally irregular boundaries**

The current proposal for annexation is irregular, lacking symmetry, continuity, and evenness of a typical boundary. Modification of the proposal by the Board would be required to conform to this objective.

**(5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas**

The proposed area will be annexed to a jurisdiction in excess of ten thousand in population.

## EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

Commencing at the northeast corner of Lot 1, Block 7 of the duly recorded plat of Columbia Industrial Park, said northeast corner also being the northwest corner of Parcel 1, Tract "A" of AFN 851003020; thence due south along the easterly line of said Lot 1, Block 7 and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020, 125.00 feet to the point of beginning of this description, said point being also the southeast corner of said Lot 1, Block 7, and a point on the existing Longview City limits line; thence westerly and southwesterly along the existing City limits line and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020 to a point on the northeasterly right-of-way line of Fibre Way, said point also being the most southerly corner of Block 8 of the plat of Columbia Industrial Park; thence leaving the City limits line southeasterly along the northeasterly right-of-way line of Fibre Way, to the southwesterly corner of Parcel 3 of AFN 870305022; thence northwesterly along the southwesterly line of Parcel 3 of AFN 870305022 to the most westerly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the southwesterly corner of Parcel "G" of AFN 3096010; thence easterly along the southerly line of Parcel "G" of AFN 3096010 to an intersection with the southeasterly line of the Royal C. Smith Donation Land Claim; thence northeasterly along said Donation Land Claim to an intersection with the northerly line of Parcel "G" of said AFN 3096010; thence westerly along the northerly line of Parcel "G" of said AFN 3096010 to the northwesterly corner thereof, being also a point on the northwesterly line of the aforementioned Parcel 3 of AFN 870305022; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northwesterly corner thereof; thence easterly along the northerly line of Parcel 3 of AFN 870305022 to the most northeasterly corner thereof; thence southeasterly along the northeasterly line of Parcel 3 of AFN 870305022 and AFN 3096010 to the northwesterly corner of Parcel "F" of AFN 3085541; thence easterly along said Parcel "F" to the most northerly corner of Parcel "F" of AFN 3085541; thence southeasterly along the northeasterly line of Parcel "F" of AFN 3085541 to the most easterly corner of Parcel "F" of said AFN 3085541, said corner being also a point on the northerly line of AFN 742645; thence easterly along the northerly line of AFN 742645 to the northeasterly corner thereof; thence southerly along the easterly line of AFN 742645 to the northwesterly line of Parcel "D" of AFN 3085541; thence southerly along the westerly line of said Parcel "D" of AFN 3085541 and the westerly line of Assessors' Parcel 61511 as described under AFN 901214051 to the most southerly corner of AFN 901214051, said corner being a point on the northerly bank of the Columbia River; thence northeasterly along the southeasterly line of AFN 901214051 to the southwesterly corner of AFN 841022008; thence northerly along the westerly line of AFN 841022008 to the northwesterly corner thereof, said northwesterly corner also being a point on the southeasterly line of AFN 3099529; thence westerly along the southerly line of AFN 3099529 to the southwesterly corner thereof; thence northerly along the Pacific Fibre Annexation

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR COWLITZ COUNTY

NOTICE OF INTENTION

Please submit this Notice of Intention form and the exhibits listed below to the Boundary Review Board, Cowlitz County Administration Annex, 207 4th Avenue North, Kelso, WA 98626 for determination of sufficiency by the Clerk of the Board. When deemed sufficient, the **original** and an additional **sixteen (16) copies of the Notice of Intention and Exhibits** and a **filing fee of \$50.00** are required for filing.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation.

1. Name of City, Town, or Special Purpose District City of Longview
2. Action Sought Pacific Fibre Products Annexation (ANX 2013-1)
3. Reason for seeking action Request by property owners to annex into the City
4. Method used to initiate the proposed action Petition by the property owners
5. State statute under which action is sought RCW 35A.14.120
6. Items submitted should be labeled in accordance in this format:

**EXHIBIT A.** A copy of the legal description of the boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor.

**EXHIBIT B.** A Cowlitz County Assessor's map certified by a registered engineer or land surveyor on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated.

**EXHIBIT C.** A vicinity map no larger than 11" x 17" and reproducible on a **non-color** photocopier displaying:

- 1) The boundary of the area involved in the proposal and the size in acres.
- 2) The current corporate boundaries of the proposing entity.
- 3) Major physical features such as streets and highways, railways, public facilities, rivers, freeways etc.,
- 4) The boundaries of all cities or special purpose districts having jurisdiction in or near the proposed area.
- 5) The location of the nearest service point(s) for the required utility services to the area.

RECEIVED

FEB 25 REC'D

COWLITZ COUNTY  
BOUNDARY  
REVIEW  
BOARD

10. Cowlitz County zoning for surrounding areas Heavy Manufacturing
11. Is the proposal within any identified Urban Service Area? (Public water, sewer, etc) Yes, this area is within the City's Planning Area Boundary. All of the area is within the City's water service area. The portion of the area between the Log Pond and Industrial Way is in the City's sewer service area (approximately 48 acres).
12. Is the proposed area within or include any environmentally Sensitive Areas? The Long Bell Log Pond, as identified by the Washington Department of Fish & Wildlife, has priority species/habitat. Some floodplain is associated with the shoreline of the Log Pond. Recently, the Washington Department of Ecology determined that the log pond is not a shorelines of the state.
13. Describe the topography, drainage basins and natural boundaries which are included in the area of the proposal and how each affects land use, accessibility and potential development. The proposed annexation area is near the confluence of the Cowlitz and Columbia Rivers. It is basically on flat river valley bottom. Drainage is to the 110± acre Log Pond and eventually the Columbia River. The southern tip of the annexation area reaches a backwater of the Columbia River. The area is already developed. The topography, drainage basins and natural boundaries should have minimal effect on future development.
14. Describe how much and what type of growth has been projected for this area and adjacent incorporated and unincorporated areas during the next ten-year period. What source is the basis for this projection?  
The area is currently zoned for heavy industry and will likely be zoned such upon annexation. The surrounding area is also zoned for industrial use. Industrial development and redevelopment may take place as time passes. The dredging of the Columbia River has provided more opportunities for trade. No known residences are in the annexation area or the area adjacent to it. For the City of Longview Planning Area, the City of Longview Comprehensive Plan, December 2006 projects a one percent average annual population growth for the next 20 years.

Unless a caretaker dwelling(s) is located in the area, no residential population is expected to be established in the annexation area.

## MUNICIPAL SERVICES

1. Name the current service purveyors in the proposed area.  
 Water Longview Police Cowlitz County  
 Sewer Longview School Longview School District  
 Fire By contract with Longview and Cowlitz Fire Dist. No. 2  
 Library Longview, thru a library district
2. What service changes will occur if the proposal is approved? If annexed, the area will be served by the City's police and fire departments. It will also be served directly by City of Longview Library services.

## OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe how this proposal meets the objectives of RCW 36.93.180. Give your reasons for each of the objectives chosen.

1. Preservation of natural neighborhoods and communities. The proposed annexation area is an industrial area surrounded by industrial properties. Annexing the area should not significantly change the neighborhood or community. It will allow urban services to be more readily available.
2. Use of physical boundaries, including but not limited to bodies of water, highways and land contours. The annexation area is bounded by City limits to the north and west and streets to the east and south. The southern tip of the annexation is adjacent to a backwater of the Columbia River.
3. Creation and preservation of logical service areas. The proposed annexation area is completely within the City's water service area and partially within the City's sewer service area and. Development within the proposed annexation area is already served by City water service. The areas surrounding the annexation area are also served by City water service area except lands to the south. Sewer mains run along Industrial Way to the North and Fibre Way to the east. The annexation area is within the City's Planning Area Boundary and as such has been designated by the City as an area for future annexation. Eventually, the City will likely expand its sewer service area to include all of the annexation area. Longview Police provides services to adjacent areas and already provide emergency response to the annexation area under mutual aid agreements with Cowlitz County. Currently, the annexation area is not within the service areas of Cowlitz Fire District No. 2 or Longview Fire Department. Individual businesses receive fire services through a contract with both agencies. Upon annexation, the area will be served by the City of Longview.
4. Prevention of abnormally irregular boundaries. The annexation area is bounded by streets and existing City limits.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas. The property will be annexed to a jurisdiction in excess of ten thousand in population.
6. Dissolution of inactive special purpose districts. This annexation will not result in the dissolution of inactive special purpose districts.
7. Adjustment (correction) of impractical boundaries. Not applicable
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character. The proposed annexation area contains industrial land uses

EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

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**Exhibit B**  
**Proposed Annexation 2013-1**  
**Pac Fibre**

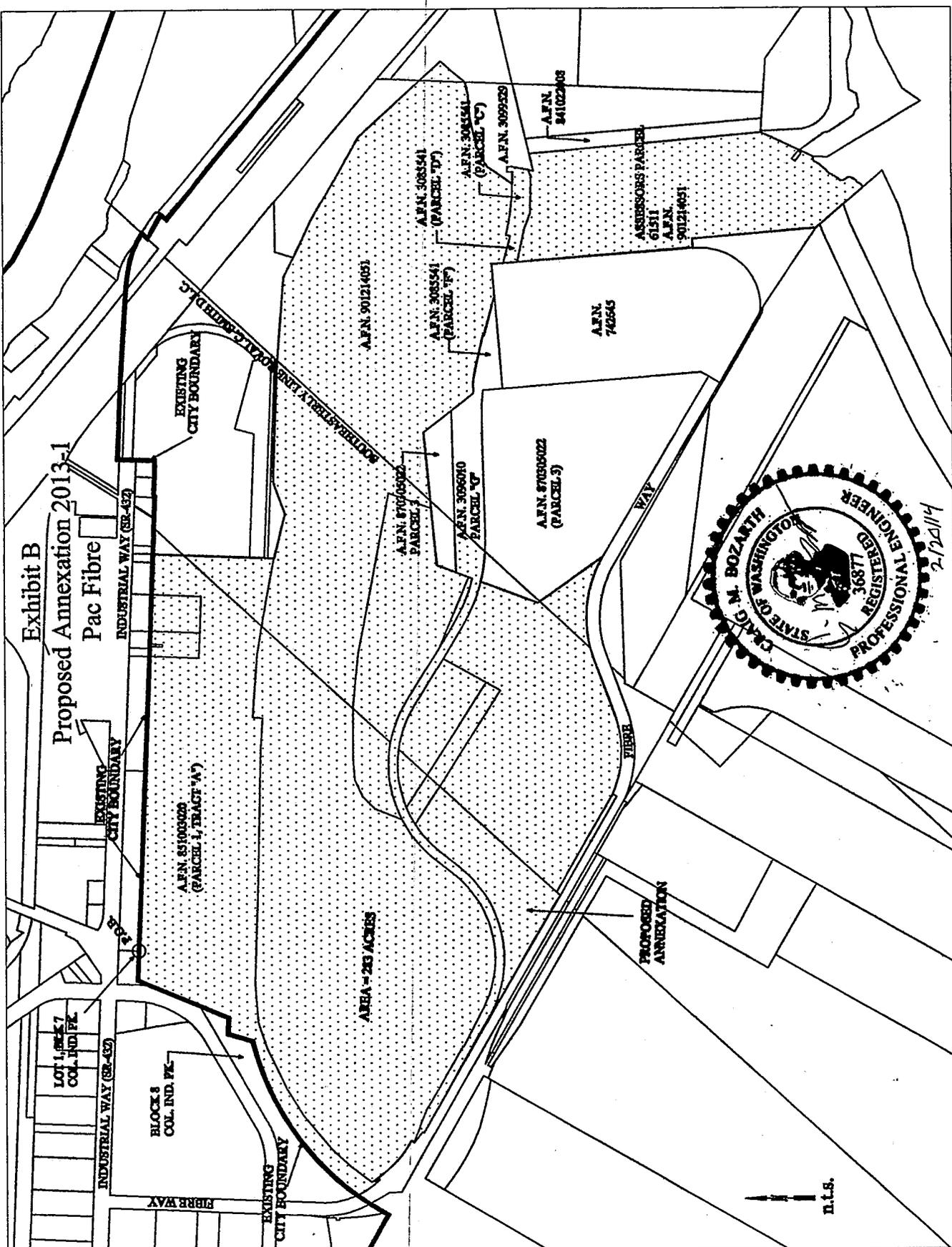
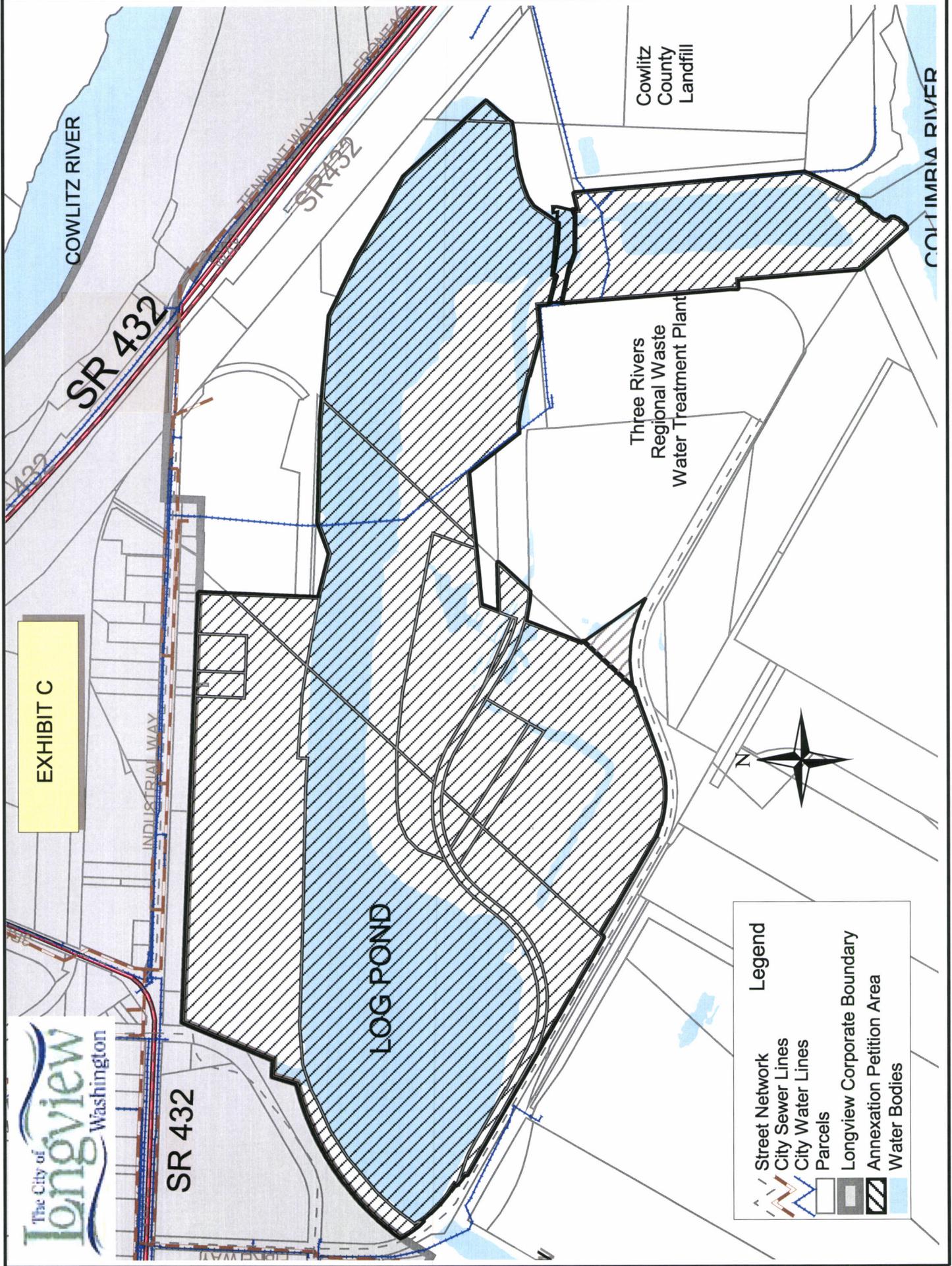


EXHIBIT C



**Legend**

- Street Network
- City Sewer Lines
- City Water Lines
- Parcels
- Longview Corporate Boundary
- Annexation Petition Area
- Water Bodies



LOG POND

SR 432

SR 432

COWLITZ RIVER

COLUMBIA RIVER

Cowlitz  
County  
Landfill

Three Rivers  
Regional Waste  
Water Treatment Plant

INDUSTRIAL WAY

TENNANT WAY  
SR 432

PERIMETER WAY

STATE OF WASHINGTON )  
COUNTY OF COWLITZ )  
CITY OF LONGVIEW )

**C E R T I F I C A T E**

I, Ann C. Davis, the duly appointed, qualified, and acting City Clerk of the City of Longview, County of Cowlitz, State of Washington, do hereby certify that the appended is a true and correct copy of

***60% Owners' Petition for Annexation to the City of Longview, Washington, ANX 2013-1***

as it appears on file and of record in my office in said City of Longview, Cowlitz County, Washington.

WITNESS MY HAND AND OFFICIAL SEAL this 24th day of February, 2014.

*Ann C. Davis*  
\_\_\_\_\_  
Ann C. Davis, City Clerk

**OWNERS PETITION FOR ANNEXATION  
TO THE CITY OF LONGVIEW, WASHINGTON**

**TO:** City Council of the City of Longview  
1525 Broadway  
P.O. Box 128  
Longview, WA 98632

**WE THE UNDERSIGNED** being the *OWNERS of more than sixty (60%) percent in value, according to the assessed valuation for general taxation* of the real property described on **EXHIBIT A** attached hereto or any portion thereof, lying contiguous to the City of Longview, Washington, do hereby petition that such territory be annexed to and made a part of the City of Longview, Washington under the provisions of RCW 35A.14, et seq., and any amendment thereto, of the State of Washington.

The territory proposed to be annexed is within Cowlitz County, Washington and is described on **EXHIBIT A** attached hereto and depicted on **EXHIBIT B**, a diagram which outlines the boundaries of the property sought to be annexed, further attached hereto.

**WHEREFORE**, the undersigned respectfully petition the Honorable City Council of the City of Longview and ask:

1. That appropriate action be taken to entertain this petition, fixing a date for public hearing, causing notice to be published and posted specifying the time and place of such hearing, and inviting all persons interested to appear and voice approval or disapproval of such annexations: and
2. That following such hearing, and subsequent to approval by the Boundary Review Board for Cowlitz County, if such is convened, the City Council determine by ordinance that such annexation shall be effective; and that property so annexed shall become a part of the City of Longview, Washington subject to its laws and ordinances then and thereafter in force, including a Comprehensive Plan designation to become effective upon annexation if the same is provided pursuant to RCW 35.13 or RCW 35A.14.
3. That the zoning for the area proposed for annexation be amended consistent with the City's Comprehensive Plan and that said zoning be implemented and effective upon annexation.

**THE PETITIONERS HERETO AGREE:** "that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and at the same basis as property within the City of Longview."

If more than one copy of the petition is distributed, all such signature pages will be presented and considered as one Petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single Petition.

***WARNING: EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS OR HER TRUE NAME, OR WHO KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS, OR SIGNS A PETITION SEEKING AN ELECTION WHEN HE OR SHE IS NOT A LEGAL VOTER, OR SIGNS A PETITION WHEN HE OR SHE IS OTHERWISE NOT QUALIFIED TO SIGN, OR WHO MAKES HEREIN ANY FALSE STATEMENT, SHALL BE GUILTY OF A MISDEMEANOR.***

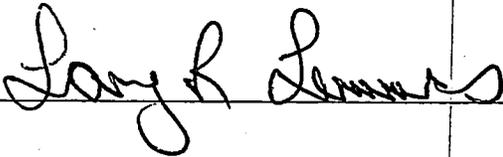
**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

**SIGN IN INK.**

**PACIFIC FIBRE PRODUCTS, INCORPORATED  
P.O. BOX 278  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60422	177 Fibre Way	\$894,900
6042203	465 Industrial Way	\$8,678,100
60423	None	\$55,600
60424	None	\$112,400
61499	None	\$2,600
61511	None	\$27,300
61520	None	\$421,700
63176	177 Fibre Way	\$1,897,700
631760200	None	\$271,200
63177	None	\$149,500
63178	None	\$495,600

X 

10-22-13  
Date

X \_\_\_\_\_

**City of Longview**

**OCT 31 2013**

**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

City of Longview

NOV 04 2013

Community Development

**SIGN IN INK.**

**DAVIS BROS INVESTMENTS, LLC  
1104 14<sup>TH</sup> AVENUE  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60426	161 Industrial Way	\$480,110

X Scott David MANAGER 11-4-13  
Date

X \_\_\_\_\_  
Date

---

**LOCKYEAR, CLIFFORD L. ETAL  
3526 FAIRWAY LANE  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60425	None	\$168,750

X \_\_\_\_\_  
Date

X \_\_\_\_\_  
Date

**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

**SIGN IN INK.**

PORT OF LONGVIEW  
P.O. BOX 1258  
LONGVIEW, WA 98632-7739

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
604220100	None	\$1,260,000
615200500*	None	\$85,800*

x Louis E. Johnson

10-22-2013  
Date

x Robert V. Bagnasco

10-22-13  
Date

\* Only the eastern 600± feet of this parcel are proposed to be annexed. This consists of approximately 22% of the total parcel size. The valuation shown above is based upon 22% of the total valuation of the parcel.

---

Please submit this "Petition for Annexation to the City of Longview, Washington" to the Community Development Department located at 1525 Broadway, Longview, WA 98632 for formal processing.

**EXHIBIT A**  
**Proposed Annexation Area - ANX 2013-1**

Property Owner	Site Address	Parcel Number	Land Value	Improvement Value	Total Valuation
Pacific Fibre Products, Inc.	177 Fibre Way	60422	\$894,900	\$0	\$ 894,900
Pacific Fibre Products, Inc.	465 Industrial Way	6042203	\$3,983,700	\$4,694,400	\$ 8,678,100
Pacific Fibre Products, Inc.		60423	\$55,600	\$0	\$ 55,600
Pacific Fibre Products, Inc.		60424	\$112,400	\$0	\$ 112,400
Pacific Fibre Products, Inc.		61499	\$2,600	\$0	\$ 2,600
Pacific Fibre Products, Inc.		61511	\$27,300	\$0	\$ 27,300
Pacific Fibre Products, Inc.		61520	\$421,700	\$0	\$ 421,700
Pacific Fibre Products, Inc.	177 Fibre Way	63176	\$1,897,700	\$0	\$ 1,897,700
Pacific Fibre Products, Inc.		631760200	\$271,200	\$0	\$ 271,200
Pacific Fibre Products, Inc.		63177	\$149,500	\$0	\$ 149,500
Pacific Fibre Products, Inc.		63178	\$495,600	\$0	\$ 495,600
Davis Bros Investments LLC	161 Industrial Way	60426	\$123,540	\$356,570	\$ 480,110
Clifford L. Lockyear ETAL		60425	\$168,750	\$0	\$ 168,750
Port of Longview		604220100	\$1,260,000	\$0	\$ 1,260,000
Port of Longview		615200500*	\$85,800	\$0	\$ 85,800
<b>Totals</b>			<b>\$9,950,290</b>	<b>\$5,050,970</b>	<b>\$15,001,260</b>

\* Only the eastern 600 feet of this tax parcel is proposed to be annexed. The total tax parcel size is 6.13 acres. The eastern portion of tax parcel is 22% of the total parcel size. The approximate valuation of the property is derived from multiplying 0.22 times the total valuation of the parcel (\$390,000).

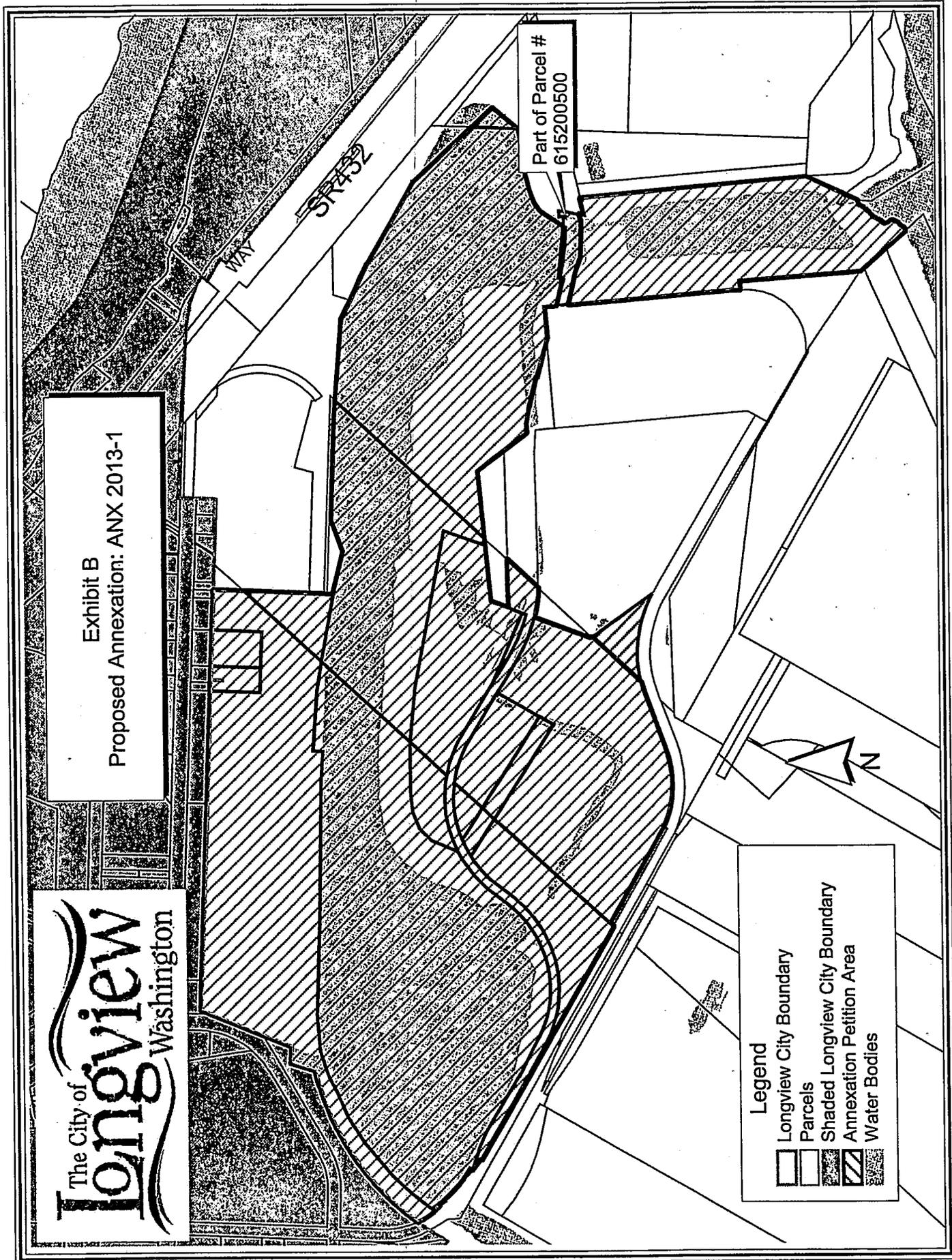


Exhibit B  
Proposed Annexation: ANX 2013-1

Part of Parcel #  
615200500

**Legend**

- Longview City Boundary
- Parcels
- Shaded Longview City Boundary
- Annexation Petition Area
- Water Bodies





# COWLITZ COUNTY ASSESSOR'S OFFICE

*Terry McLaughlin, Assessor*

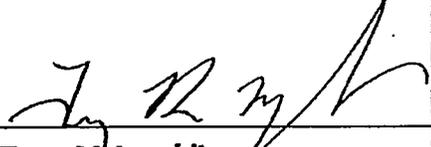
*Wesley T. Hagen, Chief Appraiser  
Janeene Niemi, Administrative Assistant*

## COWLITZ COUNTY ASSESSOR CERTIFICATE OF SUFFICIENCY

RCW 35A.01.040 & RCW 35A.14.120

I, Terry McLaughlin, Cowlitz County Assessor, pursuant to RCW 35A.01.040(9), do hereby certify that I have received the Pacific Fibre Products Annexation petition filed with the City of Longview. I further certify that said petition contains valid signatures of property owners of at least sixty percent (60%) in value according to the assessed valuation for general taxation of the property for which annexation is petitioned as required by RCW 35A.14.120.

Terminal Date: November 12, 2013

  
Terry McLaughlin  
Cowlitz County Assessor

11-12-2013  
Date

**AFFIDAVIT OF PUBLICATION**

IN THE MATTER NOTICE OF PUBLICATION

Ad Number 513025

**CITY OF LONGVIEW NOTICE**

**CITY OF LONGVIEW**

STATE OF WASHINGTON  
COUNTY OF COWLITZ

MELANIE CRISMAN being duly sworn says that she is the CHIEF CLERK of THE DAILY NEWS. And that THE DAILY NEWS, published in Cowlitz County, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com, for a period of 1 insertion commencing on November 23, 2013 and ending on November 23, 2013, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is the sum of \$420.00 and \$3.50 line for the first insertion and \$3.00 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

MELANIE CRISMAN

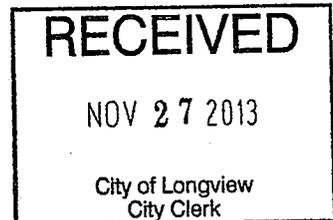
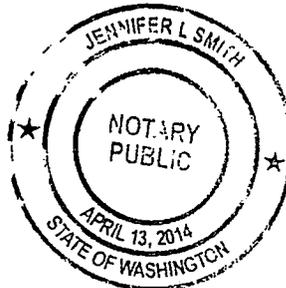
*Melanie Crisman*

Subscribed and sworn to before me this  
26th Day of November, 2013

JENNIFER L. SMITH

*Jennifer L. Smith*

Notary Public for the State of Washington  
Residing in Cowlitz County



*dupl orig + invoice to Adams/Steve, 11/27/13 as*

STATE OF WASHINGTON )  
COUNTY OF COWLITZ )  
CITY OF LONGVIEW )

**C E R T I F I C A T E**

I, Ann C. Davis, the duly appointed, qualified, and acting City Clerk of the City of Longview, County of Cowlitz, State of Washington, do hereby certify that the appended is a true and correct copy of

***Council Meeting minutes dated December 12, 2013,  
accepting 60% Owners' Petition for Annexation to the  
City of Longview, Washington, ANX 2013-1***

as it appears on file and of record in my office in said City of Longview, Cowlitz County, Washington.

WITNESS MY HAND AND OFFICIAL SEAL this 24th day of February, 2014.

*Ann C Davis*

Ann C. Davis, City Clerk



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Minutes - Final

### City Council

*Mayor Don Jensen*  
*Council Member Ken Botero*  
*Council Member Tom Hutchinson*  
*Council Member Chet Makinster*  
*Mayor Pro Tem Mary Jane Melink*  
*Council Member Steve Moon*  
*Council Member Michael Wallin*

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Thursday, December 12, 2013

7:00 PM

2nd Floor, City Hall

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#### 6:00 P.M. EXECUTIVE SESSION - POTENTIAL REAL ESTATE TRANSACTION

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. CALL TO ORDER

*Mayor Don Jensen called the meeting to order at 7:00 p.m.*

2. INVOCATION\*/FLAG SALUTE

*Pastor Mark Ford from the First Baptist Church Wheeler gave an invocation. The Pledge of Allegiance was recited.*

3. ROLL CALL

**Present:** 7 - Mayor Don Jensen, Council Member Botero, Council Member Hutchinson, Council Member Makinster, Mayor Pro Tem Melink, Council Member Moon and Council Member Wallin

**Staff present:**

*City Manager Bob Gregory; City Attorney James McNamara, and City Clerk Ann Davis.*

*Also present: David Campbell, Assistant City Manager/Director of Parks & Recreation; John Brickey, Director of Community Development; Jeff Cameron, Public Works Director; Jim Duscha, Police Chief; Judy Jones, Information Technology Director; Phil Jurmu, Fire Chief; Keith Larson, Human Resources Director; Kurt Sacha, Finance Director; Chris Skaugset, Library Director; and Engineers Amy Blain and Ivona Kininmonth.*

4. APPROVAL OF MINUTES

commendation award.

Longview Police Department - Captain Deborah Johnson  
Officer of the Year

Longview Fire Department - Master Firefighter Luke Amos  
Firefighter of the Year

*Steve White, Chaplain for the American Legion, presented Public Safety Awards commending an officer of the year for both fire and police. Master Fire Fighter Luke Amos was commended for leading by example and exceptional customer service. Firefighter Amos said he is one of 43 firefighters; "We do our jobs every day. My pride comes from working with my crew – everyone of them."*

*Police Captain Deborah Johnson was recognized as the police department officer of the year for her recognition a the problem and implementing a software solution to enable pawnbrokers to quickly report items received in order to cross check against items reported stolen. Captain Johnson thought every officer and firefighter in Longview is an "officer of the year."*

### Service Awards to Councilmembers

*City Manager Bob Gregory said it was his pleasure to present service awards to Councilmembers Ken Botero, Mary Jane Melink, and Ken Botero for having achieved five years of service. Mayor Don Jensen was recognized for his over 41+ years of service, and presented with a cypress tree.*

13-3096

### WATER QUALITY UPDATE

Attachments: [Water Quality Update 12 12 2013](#)  
[Water Quality Update 12 12 2013 B&W handouts](#)

*Mint Farm Regional Water Treatment Plant Project Manager Amy Blain gave the latest update on water quality issues.*

### 7. CONSTITUENTS' COMMENTS (Thirty Minutes)

### 8. PUBLIC HEARINGS

ANX 2013-1 PUBLIC HEARING FOR ANX 2013-1 PACIFIC FIBRE PRODUCTS  
12/12/13 ANNEXATION

#### COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Strengthen economic conditions & create new opportunities, Preserve and enhance neighborhoods, Address quality of place issues

CITY ATTORNEY REVIEW: N/A

#### SUMMARY STATEMENT:

Pacific Fibre Products and other have submitted a 60% petition to annex

**SUMMARY STATEMENT:**

The subject Ordinance has been prepared to amend the 2013-2014 biennial budget to authorize expenditures unforeseen at the time the 2013-2014 biennial budget was adopted. These amendments affect the Capital Projects and Parks and Recreation Memorial Trust Fund in the 2013-2014 biennial budget.

**RECOMMENDED ACTION:**

First reading of Ordinance. No Council action required until second reading.

Attachments: Ord No. 3257

*First reading of Ordinance amending 2013-2014 Biennial Budget. No action taken.*

OR 13 3258

**ORDINANCE NO. 3258, CREATING A NEW CHAPTER IN THE LMC AND FORMALLY ESTABLISHING A FUND TO BE KNOWN AS THE "PARKING ENFORCEMENT SPECIAL REVENUE FUND"**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative:

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The attached Ordinance amends LMC by the addition of a new chapter and formally establishing the "Parking Enforcement Special Revenue Fund" in accordance with federal requirements.

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3258.

Attachments: ORD NO. 3258

*Finance Director Kurt Sacha stated this is primarily a housekeeping issue. The Washington State Auditors would like to see a Special Revenue Fund be established, rather than tracking the funds within the General Fund.*

A motion was made by Council Member Ken Botero, seconded by Council Member Steve Moon, that this matter be adopted. The motion passed unanimously.

RS 13 2092

**RESOLUTION NO. 2092 - SEWER RATES FOR 2014**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management.

Provide sustainable water quality & environmental infrastructure.

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The 19% rate increase will in addition:

- Expand the grant-funded Tennant Way gateway stormwater low impact development upgrades from its current scope of two blocks (7th to 9th Avenues) to the full extent of the gateway (7th to 15th Avenues); and
- Transfer responsibility for funding repairs of sidewalks damaged by City trees from the Capital Projects Fund to the Urban Forestry Program. This will provide a stable source of revenue for the sidewalk program and allow its backlog to be reduced by about 20% in 2014.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2093 for the 19% increase and to direct staff to proceed with the full-length Tennant Way LID streetscape improvements.

Attachments:     PWAtt-Stormwater Rate Resolution #2093 with Changes  
                          PWAtt-Stormwater Rate Resolution #2093 Incl Alt A & B with Changes  
                          Proposed 2014 Utility Rates 12-12-2013  
                          Proposed 2014 Utility Rates 12-12-2013 B&W handouts

A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this Resolution be adopted including both Schedules A and B. The motion passed unanimously.

RS 13 2094

**RESOLUTION 2094 - SOLID WASTE & RECYCLING RATE INCREASE**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

The Solid Waste & Recycling Fund is requesting an increase of 8.5% for all solid waste and recycling utility rates. The rate resolution will be effective January 1, 2014.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2094.

Attachments:     2014 Resolution No 2094  
                          Proposed 2014 Utility Rates 12-12-2013  
                          Proposed 2014 Utility Rates 12-12-2013 B&W handouts

*Citizen Martin Wells commented that Council needs to provide incentive for residents to recycle. There are no brown recycling tubs in his neighborhood.*

A motion was made by Mayor Pro Tem Mary Jane Melink, seconded by Council Member Tom Hutchinson, that this Resolution be adopted. The motion passed unanimously.

RS 13 2096

**RESOLUTION 2096 - INTERLOCAL AGREEMENT WITH CITY OF KELSO FOR BUILDING PLAN REVIEW AND INSPECTION SERVICES**

- Downtown Advisory Committee: Scott Vydra, Ken Spring and Betsy DeSpain, reappointment to 3-year terms ending 12/31/16; Alice Dietz, appointment to a 3-year term to expire 12/31/16; and Alex Nelson and Sue Piper, appointment to unexpired terms that will end 12/31/14.
- Golf Advisory Committee: Arne Lund and Brenda Athey, reappointment to 1-year terms that will expire 12/31/14; Chuck Berquist, reappointment to a 3-year term that will expire 12/31/16; and Jeff Sowders, appointment to an unexpired term that will end 12/31/14.
- Library Board: Virginia Cowden-Kretzler, reappointment to a 5-year term to expire 12/31/18.
- Lodging Tax Advisory Committee: Bill Marcum, Gian Morelli, and Phillip Lovingfoss, reappointment to 1-year terms that will expire 12/31/14.
- Mosquito Control District Board: Sally Parks, reappointment to a 2-year term that will expire 12/31/15.
- Parks & Recreation Board: Louis LaPierre, reappointment to a 3-year term that will expire 12/31/16.
- Planning Commission: Thomas Warren, reappointment to a 5-year term that will expire 12/31/18.
- Stormwater Advisory: Howard Nagle and Mike Davis (Swanson Bark), reappointment to a 2-year term to expire on 12/31/15.

**RECOMMENDED ACTION:**

Motion to appoint or reappoint members as recommended above.

A motion was made by Council Member Tom Hutchinson, seconded by Council Member Chet Makinster, that this matter be approved. The motion passed unanimously.

**12. CONSENT CALENDAR**

*There being no items the Council wished removed from the Consent Calendar, a motion was duly made and passed approving the items on the Consent Calendar as though acted on individually.*

**13-3073****APPROVAL OF CLAIMS**

Based upon the authentication and certification of claims and demands against the city, prepared and signed by the City's auditing officer, and in full reliance thereon, it is moved and seconded as shown in the minutes of this meeting that the following vouchers/warrants are approved for payment:

First claims period December, 2013: \$1,958,917.05

Second Half November 2013 Payroll:

\$67,643.13, Checks No. 205865 - 205881

\$591,022.24, direct deposits

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

This action is to certify that the Hillcrest & Mt. Solo Reservoir SCADA Towers Project has been completed in accordance with the plans and specifications under Contract No. 13-0181-A entered into between the City of Longview and Five Rivers Construction, Inc., and the same is hereby accepted and approved.

**RECOMMENDED ACTION:**

Motion to accept and approve as complete the Hillcrest & Mt. Solo Reservoir SCADA Towers Project.

**PROJ #65**

**PROJECT COMPLETE CERTIFICATION - HUDSON STREET PUMP STATION FORCEMAIN - PHASE 2**

**COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure.

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

This action is to certify that the Hudson Street Pump Station Forcemain - Phase 2 Project has been completed in accordance with the plans and specifications under Contract No. 13-1908B2-S entered into between the City of Longview and Advanced Excavating Specialists LLC, and the same is hereby accepted and approved.

**RECOMMENDED ACTION:**

Motion to accept and approve as complete the Hudson Street Pump Station Forcemain - Phase 2 Project.

**13-3100**

**BID REVIEW - 2014 CHEMICAL PURCHASES**

**COUNCIL INITIATIVE ADDRESSED:**

Continue effective financial management

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Each year, the cities of Longview and Kelso combine their quantities of water treatment chemical purchases to obtain more favorable prices. Bids were received from six chemical suppliers, with staff's award recommendations as follow for the chemicals Longview uses:

Bid Item #2 Flourosilicic Acid - NO BIDS SUBMITTED

\$\_\_\_\_\_/gallon

Bid Item #3 Sodium Hydroxide - Northstar Chemical

\$0.685/gallon

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management.

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

As with many utilities, for the City of Longview delivering a door hanger notice is the last step in the delinquent utility account process before disconnecting service. The door hanger states that the account is delinquent and service will be discontinued unless payment is received on or before a specified time on the disconnect date.

Door Hangers are hand delivered which requires staff time and generally the use of a vehicle. For some customers, the door hanger has basically become a hand-delivered reminder notice. While past due accounts receive reminder notices by mail, the number of customers who wait until they get a door hanger has grown over the past several years along with the costs for hand-delivering the notices.

The costs associated with hand delivering these notices approximate \$37,000 per year and only applies to 4% of customers. The proposed recommendation is to discontinue hand delivering door hangers and eliminate the fees associated with them. Instead, the City will mail a "final notice letter" that will include the planned shut-off date. If accounts are not brought current by the planned shut-off date, the customer will be disconnected for nonpayment with no further notice. Providing a "final notice letter" in lieu of hand delivering door hangers will result in a \$34,000 reduction from current annual costs.

**RECOMMENDED ACTION:**

Motion to direct the City Attorney to prepare an Ordinance eliminating fees and discontinuing the hand delivery of disconnect notices.

**Attachments:**     Utility Billing Disconnect Notices (2013 1212)

*Finance Director Kurt Sacha proposed eliminating the personally-delivered cut-off notice door tags to past-due water consumers. This would save the City \$34,000 in labor costs. In lieu of the door hangers, a final letter would be sent to the accounts stating the deadline by which the past-due amount must be paid. Many other jurisdictions are trending away from door hangers.*

*In addition to the monetary savings, personnel currently delivering the tags could be doing other tasks. There also is an employee safety consideration; late accounts may not respond kindly to delivery of the notice and impending water shut-off.*

*Councilmember Hutchinson asked whether the final letters ought to be sent by certified mail. Mr. Sacha agreed this could be done, but it would also take up quite a bit of staff time and incur additional cost.*

**A motion was made by Council Member Hutchinson, seconded by Council Member Makinster, that this Agenda Item be approved . The motion carried by the following vote:**

---

Council Initiative: Address quality of place issues

**SUMMARY STATEMENT:**

Mahlon Moe has managed Mint Valley Golf Course under successive contracts with the city since the course opened in 1976. Last fall he announced his intention to retire at the end of this year, and the current contract expires as of December 31. An ad hoc committee of staff and MVGC players has helped guide the process of preparing a request for proposals for the future management and operation of the course, reviewing the proposals received in response to the RFP, and interviewing finalists. Based on the committee's recommendation, two months ago the council authorized staff to enter into contract negotiations with Nicholas (Nick) Van, doing business as NV Golf & Property Management.

Both the expiring agreement with Mr. Moe and the proposed new agreement with Mr. Van are attached for your reference and comparison. The new agreement would run for five years (2014 through 2018), but as with most contracts of that length, it includes both termination and amendment provisions that could be used prior to its expiration date. It also provides for the potential renewal and extension for an additional five year term.

Other than the term of the agreement, most of the substantive changes in the proposed new one revolve around compensation. Recognizing that this would be Mr. Van's first venture into the golf course management and operations business, the first two years of the agreement provide for a monthly management fee of \$5,700 up to a certain point (\$525,000 of gross revenues being collected, or through September 30, whichever occurs first). He would receive increasing percentages of the green fees and pass sales revenues collected after September 30 or beyond the gross revenues trigger point. During the remaining three years and any renewal of the agreement, that \$5,700 monthly management fee would go away, and Mr. Van's compensation would be largely based on the gross annual revenues alone, again with increasing shares of them as they rise from one level to another. That reflects the city's desire to provide an incentive for Mr. Van to help sell and market MVGC such that overall revenues grow.

The proposed new agreement also provides for greater shares of the driving range, cart rental, and food and beverage concession revenues accruing to the city compared to the existing agreement. On the other hand, Mr. Van would retain all of the golf lesson fees. Overall, the city should realize slightly more revenue from MVGC operations under this agreement if the course roughly "holds its own" at the past three years' levels; and *both* Mr. Van and the city stand to realize greater revenues as the gross amounts increase above recent levels.

**RECOMMENDED ACTION:**

Motion to authorize the City Manager to sign the new MVGC contractor services agreement on behalf of the city.

Attachments: MVGC Golf Pro Agreement (Nicholas Van) Dec 5

MVGC Golf Pro Agreement 2013

identified as non-historic and non-contributing in the Lake Sacajawea Park Preservation Plan. Cloney Park is located west of and across Nichols Boulevard from Lake Sacajawea Park. Both parks will be affected temporarily during construction of the project, and reconstruction of the Lake Sacajawea trails under the bridge will be necessary due to construction of the new bridge abutments and wing walls. Additionally, after a thorough evaluation of the geotechnical requirements for the bridge and the need to preserve the park, one tree in poor condition will be removed, and one tree in good condition will be pruned and protected to provide adequate overhead clearance for construction activities.

Under Section 4(f), the project team recommended a *de minimis* impact finding for Lake Sacajawea Park and for Cloney Park to the Historic Preservation Commission, Parks and Recreation Board, and the State Historic Preservation Officer within the state Department of Archeological and Historic Preservation. *De minimis* impact for parks and historic sites are defined as those that "do not adversely affect the activities, features and attributes qualifying the property for protection under Section 4(f) after measures to minimize, mitigate, avoid, or enhance are included in the project to address Section 4(f) use".

The Longview Historic Preservation Commission reviewed the project on September 23, 2013 and granted conditional Certificate of Appropriateness and concurred with the Section 4(f) *de minimis* finding. By granting a certificate, the commission certifies that the changes due to the project comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and will not adversely affect the historic characteristic of the Lake Sacajawea Park historic district. At the time the certificate was granted, the design team did not yet have recommendations for bridge color, texture, sidewalk scoring patterns, or street lighting pole style and color. The Commission requested that this information be presented when available for their review in order to finalize the certificate. The design team is scheduled to present this information to the Commission at their December 16, 2013 meeting.

The State Historic Preservation Officer is currently reviewing the project and held a consultation meeting with the design team on December 5, 2013.

The Parks and Recreation Board reviewed the project on November 18, 2013 and did not concur with the recommended *de minimis* finding for proposed design. The Board has a concern with the width of the bridge and believes the wider bridge will negatively impact the park. The Board approved a *de minimis* finding contingent upon the width of the sidewalks being reduced from the proposed 8 feet to 6 feet, thus reducing the total width of the new bridge by 4 feet.

Because Section 4(f) requires all "Officials with Jurisdiction" over these resources to agree on the *de minimis* finding for the project, we are not able to proceed with the design at this time because the Parks Board approval differs from the direction previously provided by the City Council. Several options are available to council for consideration.

sidewalks to 6' from the proposed 8'. This would also decrease the collateral damage to the red oak.

Councilmember Wallin amended his initial motion to ask the Parks Board to meet again in December so this project is not further delayed. This motion was duly seconded.

Councilmember Melink stated she does not think we need a "five-lane freeway" at this location. She cannot support the bridge design.

Ivona Kininmonth said engineering staff had considered different configurations for the bridge. To do away with that fifth lane, access to 26th Avenue would be cut off from Washington Way. Access to 26th would be right-in, right-out only.

A motion was made by Council Member Wallin, seconded by Council Member Makinster, that this Agenda Item be referred back to the Parks and Recreation Board for reconsideration, due back on 12/19/2013. The motion carried by the following vote:

Ayes: 6 - Mayor Don Jensen, Council Member Botero, Council Member Hutchinson, Council Member Makinster, Council Member Moon and Council Member Wallin

Nays: 1 - Mayor Pro Tem Melink

13-3086

#### THIRD QUARTER 2013 GENERAL FUND REVIEW

Attachments: 2013 Q3 General Fund Review Council(2013 1212)

Finance Director Kurt Sacha gave a brief update on the Third Quarter 2013 General Fund Budget. Revenues continue to slowly increase, and expenditures are being kept down.

14.

#### MISCELLANEOUS

The following item(s) were presented for Council's information. No Council action was taken or required.

13-3076

#### LIQUOR LICENSE REQUESTS

Attachments: LL - Feb 2014 Renewals 001

LL- Spec Occas Knights 001

LL-Hung Far Low

15.

#### ADJOURNMENT

The meeting was adjourned at 9:33 p.m. The next scheduled meeting of the Council is December 19, 2013, at 4:00 p.m.



Ann C. Davis  
City Clerk

## Exhibit E

LONGVIEW BOOMING CO INC  
1302 25TH ST  
LONGVIEW, WA 98632

Pacific Lumber/Shipping LLC  
Attn: Property Tax Dept.  
1325 4th Ave Ste 1000  
PO Box 21785  
Seattle, WA 98111-3785

Burlington Northern Inc.  
810 3<sup>rd</sup> Ave STE 437  
Seattle, WA 98104

COWLITZ SEWER OPERATING BOARD  
207 N 4TH AVE  
KELSO, WA 98626

LONGVIEW FIBRE PAPER/PACKAGING  
INC  
PO BOX 3000  
LONGVIEW, WA 98632

Kapstone Longview Kraft Paper Mill  
300 Fibre Way  
PO Box 639  
Longview, WA 98632

KAPSTONE PAPER  
& Packaging Corporation  
1101 SKOKIE BLVD STE 300  
NORTHBROOK, IL 60062-4124

COWLITZ COUNTY  
C/O PUBLIC WORKS WATER POL CTL MT  
1600 13TH AVE S  
KELSO, WA 98626

CXA CORPORATION  
7195 DALLAS PKWY 4E  
PLANO, TX 75024-4922

PORT OF LONGVIEW  
PO BOX 1258  
LONGVIEW, WA 98632-7739

NORTHWEST HARDWOODS INC  
C/O ACCOUNTS PAYABLE  
820 A ST SUITE 500  
TACOMA, WA 98402



**DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

1600 – 13th Avenue South  
Kelso, WA 98626  
TEL (360) 577-3030  
FAX (360) 636-0845  
Washington Relay Service 711 or (888) 833-8633

**Board of County Commissioners**  
Michael A. Karnofski District 1  
Dennis P. Weber District 2  
James R. Misner District 3

[www.co.cowlitz.wa.us/publicworks/](http://www.co.cowlitz.wa.us/publicworks/)

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April 8, 2014

Matt Herman  
Executive Officer  
Cowlitz County Boundary Review Board  
207 Fourth Avenue North  
Kelso, WA 98626

**SUBJECT: Cowlitz County Request to Invoke Jurisdiction  
Pacific Fibre Products Annexation (ANX 2013-1)**

Dear Matt:

On behalf of the Board of Cowlitz County Commissioners, I am formally seeking to invoke Cowlitz County jurisdiction with the Pacific Fibre annexation, to include the boundaries of the Three Rivers Regional Wastewater Authority's (TRWWA) wastewater treatment plant (Auditor's File Number 742645) located at 467 Fibre Way in Longview, in the proposed annexation to the City of Longview. I am further requesting that a public hearing be scheduled to consider this matter.

Cowlitz County is requesting this expanded boundary of the proposed annexation for the following reasons:

1. The Cowlitz County Sheriff's Office has primary jurisdiction for providing law enforcement to the TRRWA treatment plant. Access to the plant is through the City of Longview and creates unnecessary delays in service. The City of Longview Police Department is better located to provide immediate response.
2. Member agencies of the TRRWA must contract at great expense with Cowlitz 2 Fire & Rescue and the City of Longview Fire Department to provide fire response and confined space entry emergency response services since the treatment plant is located in the County. If the boundary were revised, these services would be provided by the City of Longview at no additional cost to the TRRWA member agencies and ratepayers.

The County understands that the TRRWA and the City of Longview are agreeable with this request. It is therefore the request of Cowlitz County that the Pacific Fibre annexation be modified to include the boundaries of the TRRWA treatment plant in the proposed annexation.

Please contact me at (360) 577-3030, extension 6535, or by e-mail at [cashk@co.cowlitz.wa.us](mailto:cashk@co.cowlitz.wa.us) if you have any questions.

Sincerely,



KENT A. CASH, P.E.  
Director

KAC:af

cc: Board of County Commissioners  
Bob Gregory, City Manager - City of Longview  
Phil Jurmu, Fire Chief – City of Longview  
Dave LaFave, Fire Chief – Cowlitz 2 Fire & Rescue  
Duane Leaf, Plant Superintendent - TRRWA

**WASHINGTON STATE BOUNDARY REVIEW BOARD FOR COWLITZ COUNTY**

**BRB File No. 202 Pacific Fibre Annexation  
Proposed Annexation of 283 acres to the City of Longview**

**STAFF REPORT**

**Date:** June 9, 2014  
**To:** Boundary Review Board Members  
**From:** Matt Hermen, Executive Officer/Chief Clerk

---

**Introduction**

The City of Longview filed a Notice of Intention on February 25, 2014 with the Boundary Review Board concerning the annexation of 283 acres of land owned by Pacific Fibre, Davis Brothers Investment, Clifford Lockyear, and Port of Longview. The proposed annexation lies south of Industrial Way, east of the Cowlitz River, and to the north of Fibre Way, in Sections 3, 4, 9, 10 Township 7 North, Range 2 West of the Willamette Meridian, Cowlitz County, Washington. The parcels in the annexation are currently zoned Heavy Industrial by Cowlitz County.

The Notice of Intention was circulated to governmental agencies and affected parties for review and comment. On April 8, 2014, Cowlitz County Board of County Commissioners invoked the jurisdiction of the Boundary Review Board and requested modification of the proposed boundary to include the Three Rivers Wastewater Authority's wastewater treatment plant.

The Board set a public hearing for June 9, 2014 at 6:30 PM (Resolution 2014-1). In accordance with state law and adopted rules of practice, the public hearing was advertised three times in the Daily News (May 4, 14 & June 3) and notices were posted on and around the site of the proposal, including the area proposed for modification. Affected jurisdictions were notified of the hearing on April 28, 2014.

The Boundary Review Board Chief Clerk prepared the following analysis of the factors and objectives the Board considers prior to making its decision. The report is based on a review of the Notice of Intention submitted by the City of Longview, the City of Longview Comprehensive Plan, and related planning documents.

The staff report is a supplement to BRB File No. 202. Board members will consider public testimony and exhibits submitted for the public hearing for individual analysis and decision-making on the proposal.

The Boundary Review Board may approve, modify by reduction, or deny the proposal based upon the factors and objectives listed in the law (RCW 36.93.170 and 36.93.180) and the State Environmental Protection Act (RCW 43.21 C and WAC 197-11). The Board has 120 days after jurisdiction was invoked (120 days expires August 6, 2014) but not later than 40 days after the close of the final public hearing to file its written decision on the proposal.

## **FACTORS (RCW 36.93.170)**

### **POPULATION AND TERRITORY**

#### **Population Density**

The proposed annexation area is occupied almost entirely by heavy industries including log yards, woodchip and bark dust storage, and other industrial type business. There are some vacant lots within the area. There is no population residing within the proposed area.

#### **Land Area and Uses**

The current land use of the proposed 283 acre annexation area is Heavy Industrial.

#### **Comprehensive Plans and Zoning**

The annexation area is within the Planning Area Boundary of the City of Longview per their adopted 2006 Comprehensive Plan. The Cowlitz County Comprehensive Plan designates the land area as Heavy Industrial, with a zoning classification of Heavy Industrial. The Longview Comprehensive Plan (2006) designates the area as Heavy Industrial.

#### **Service agreements entered into under RCW 36.115 or 39.34**

Cowlitz 2 Fire and Rescue and City of Longview Fire Department do have a Mutual Aid Intergovernmental Agreement in place. The agreement includes a first response agreement that establishes response protocol and procedures.

#### **Interlocal agreements between a county and its cities**

There are no associated interlocal agreements between the City of Longview and Cowlitz County in relation to the proposal. On November 22, 2000 the cities of Longview, Kelso, and Cowlitz 2 Fire & Rescue entered an agreement to consolidate the "functional management of fire services." On July 16, 2001, City of Longview council terminated this agreement.

#### **Per capita assessed valuation**

The 2014 assessed valuation of the proposed annexation is \$3,121,150. With a population of zero, assessed valuation per capita is irrelevant.

#### **Topography, natural boundaries and drainage basins, proximity to other populated areas**

The area is generally level as are the neighboring areas. Elevation in the area ranges from 0 to 20 feet above sea level. There are no natural boundaries between the proposed annexation area and adjacent unincorporated areas. Overall, the topography is relatively consistent throughout the entire proposed annexation area. The closest incorporated populated area is the City of Longview. The incorporated and unincorporated area surrounding the proposed annexation area is populated at similar densities consistent with low density residential classifications.

**The existence and preservation of prime agricultural soils and productive agricultural uses**  
The proposed area is developed as industrial land. There are no agricultural uses associated with the annexation area or the surrounding modification area.

**The likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years**

The subject area and the surrounding adjacent incorporated and unincorporated areas are substantially developed. The proposed annexation will not experience any population growth in the next ten years. Growth of the area will occur on existing developed properties, in terms of industrial redevelopment or operational expansions.

**Location and most desirable future location of community facilities**

To Staff's knowledge, there are no future community facilities planned within the proposed annexation area.

**MUNICIPAL SERVICES**

**Need for municipal services**

Urban governmental services, as defined by state law, include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

At present, the City of Longview already provides sewer and water service to the proposed annexation area. The annexation area is presently within the boundaries of Cowlitz 2 Fire & Rescue. The area will receive fire protection from the City of Longview upon annexation. While the transfer of fire protection service will change from Cowlitz 2 Fire and Rescue to the City of Longview Fire Department, both entities are likely to respond to an emergency because of the current mutual aid agreement in place. The Cowlitz County Sheriff's Office provides law enforcement and upon annexation, the area will receive police protection from the City of Longview. Library services are currently provided by the City of Longview through a library district. With annexation, the City of Longview will provide other municipal services including road maintenance and construction, and planning and zoning. School district service will not change.

**Effect of ordinances, governmental codes, regulations and resolutions on existing services**

The City of Longview initiated the annexation using the petition method. Sewer and water service will remain the same. Police services will change from Cowlitz County Sherriff's Office to the City of Longview. Library services will be provided directly by the City of Longview. With annexation, an urban level of service would be provided by the City of Longview and future development in the proposed annexation area would require meeting city standards and codes.

Cowlitz 2 Fire & Rescue currently serves the proposed annexation area. The area will receive fire protection from the City of Longview upon annexation. Emergency medical response has

been provided by Cowlitz 2 Fire and Rescue. The City of Longview contracts with American Medical Response (AMR) for ambulance service.

**Present cost and adequacy of governmental services and controls in the area**

Those owning property within the annexation areas should only experience slight changes in their taxes and fees as a whole. A comparison based on 2005 tax rates prepared by the City of Longview, showed that overall fees and taxes are lower within the City of Longview compared with unincorporated Cowlitz County. For example, a hypothetical property valued at \$150,000 would save over \$440 annually in property taxes.

**Prospects of governmental services from other sources**

The area is already served by city sewer and water. Fire and police protection will be the responsibility of the City of Longview, once annexation occurs. Electrical service will continue to be provided by Cowlitz PUD. Cowlitz County does not have a regional library system. City of Longview residents may use city library services. Solid waste customers would not be required to switch service providers until seven years after the annexation per Washington State law. The City of Longview currently contracts with Waste Control, Inc.

**Probable future needs for such services and controls**

The proposed area falls within the City of Longview's service area for water and sewer. All services and controls are sufficient for future development and there are no additional regulatory controls anticipated.

**Probable effect of proposal on cost and adequacy of services and controls in area and adjacent area**

The level of services in the area is adequate and the changes to the property and surrounding area should be insignificant in terms of cost. Fire, police and library services are adequate and will not need to be expanded for this proposal.

**The effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units**

It would appear that the proposed 283-acre annexation would have negligible impacts on affected governmental units. While the proposed annexation of 283 acres will marginally affect Cowlitz 2 Fire & Rescue's revenue stream, the fire district continues to see several small annexations contribute to a larger cumulative revenue reduction.

**The effect of the proposal on adjacent areas, on mutual economic and social interests, and on the local government structure of the county**

It would appear that the proposed annexation would have minimal impacts on adjacent areas, mutual economic and social interests, or the local government structure of the county. Cowlitz 2 Fire & Rescue will lose some tax revenue because of the annexation. Cowlitz County will experience less property taxation revenues as a result of the proposed annexation.

## OBJECTIVES (RCW 36.93.180)

### **(1) Preservation of natural neighborhoods and communities**

The annexation area consists of industrial properties that are consistent with adjacent industrial properties within Longview City Limits. Adjacent existing neighborhoods should not be negatively impacted by the proposal.

### **(2) Use of physical boundaries, including but not limited to bodies of water, highways and land contours**

The annexation area uses the city limits on the west and north. The proposed annexation area does create a peninsula to the Southeast. It does not utilize the State Route 432 highway as a use of physical boundary.

### **(3) Creation and preservation of logical service areas**

The proposed annexation does create an illogical service area along Industrial Way to the east. It will be unclear to emergency responders where the City Limits terminate, as proposed. The annexation lies to the north of Fibre Way. As proposed, the annexation does not incorporate 66 acres of land to north of Fibre Way. Again, this proposed boundary creates an illogical service area for emergency responders.

### **(4) Prevention of abnormally irregular boundaries**

The current proposal for annexation is irregular, lacking symmetry, continuity, and evenness of a typical boundary. Modification of the proposal by the Board would be required to conform to this objective.

### **(5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas**

The proposed area will be annexed to a jurisdiction in excess of ten thousand in population.

### **(6) Dissolution of inactive special purpose districts**

This objective does not seem to apply.

### **(7) Adjustment (correction) of impractical boundaries**

The proposed annexation area is an extension of the existing municipal boundaries. The intent of the annexation is not to correct impractical boundaries. However, this annexation, as proposed, will require future adjustment or correction.

### **(8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character**

The City of Longview is an incorporated area proposing to annex an adjacent area. The proposed annexation area is similar in urban character to other adjacent neighborhoods within Longview City Limits. The city provides sewer service, and water service is readily available.

**(9) Protection of agricultural and rural lands which are designated for long-term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.**

This area is not designated by Cowlitz County for agricultural or rural uses.

**CONSISTENCY WITH THE GROWTH MANAGEMENT ACT (RCW 36.70A)**

Cowlitz County and the cities within are not required to fully plan under the Washington State Growth Management Act. Accordingly, there are no Countywide Planning Policies or associated GMA-required Urban Growth Areas developed under the Growth Management Act. Therefore, this requirement is not applicable.

**List of Exhibits**

Notice of Intent to Annex

Cowlitz County, letter dated April 8, 2014



STOEL  
RIVES  
LLP



ATTORNEYS AT LAW

Elaine R. Albrich

Attorney

[eralbrich@stoel.com](mailto:eralbrich@stoel.com)

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Portland, Oregon 97204

direct 503.294.9394

[www.stoel.com](http://www.stoel.com)

main 503.224.3380 fax 503.220.2480

SPEAKER SHEET

COWLITZ COUNTY BOUNDARY REVIEW BOARD

PUBLIC HEARING – File No. 202 – Pacific Fibre Annexation

The undersigned requests an opportunity to be heard on the above matter:

<u>Name (signature)</u>	<u>Name (please print clearly)</u>	<u>Address</u>	<u>Representing</u>	<u>Favor or Oppose Above Action</u>
<i>[Signature]</i>	PAT ORTIZ		KAPSTONE	
<i>[Signature]</i>	JAMES BOBET		PAC FIBRE	
<i>[Signature]</i>	Dennis Weber	1224-22nd Ln	BOCC	Favor/Oppose
<i>[Signature]</i>	Hazel Lockyear	3526 Fairway Dr.	Prop. Owner	
<i>[Signature]</i>	Duane Leaf	1203 Carroll Rd	Kelso	The Rivers Was 8/1st. Favor
<i>[Signature]</i>	Jeff Cameron		CARR / Longview, WA	Favor
<i>[Signature]</i>	Steve Langdon	Stones River	City of Longview	FAVOR
<i>[Signature]</i>	Eileen Alivovich	900 SW 5th Dr 2600 Portland, OR	KapStone	appear as proposed
<i>[Signature]</i>	PATRICK HANSEN	97207 COWLITZ	COWLITZ COUNTY PUBLIC WORKS	

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone:360-577-3041

Fax :360-425-7760

E-mail: [mhermen@cwccog.org](mailto:mhermen@cwccog.org)

April 8, 2014

Kent Cash, Director  
Cowlitz County Public Works  
1600 13<sup>th</sup> Avenue South  
Kelso, WA 98626

Dear Kent:

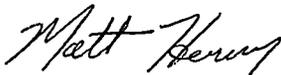
I am in receipt of your letter dated April 8, 2014 requesting that the Cowlitz County Boundary Review Board (BRB) invoke jurisdiction to modify Annexation 202 City of Longview described as Pacific Fibre Annexation. The official date of filing is April 8, 2014.

In accordance with RCW 36.93.100, the BRB shall review and approve, disapprove, or modify any actions set forth in RCW 36.93.090, when a request for review is filed by any governmental unit affected. Accordingly, the BRB will review your request and establish a date, time and place for public hearing at its next scheduled meeting. I will notify you once a public hearing has been scheduled.

Pursuant to RCW 36.93.100, the Board shall make a finding as prescribed in RCW 36.93.150 within 120 days after the filing of such a request for review.

Please feel free to contact me if you have any questions.

Sincerely,



Matt Hermen  
Executive Officer

cc: Don Jensen, Mayor  
Steve Langdon, Principal Planner  
Boundary Review Board  
Michael Karnofski, Chair, Cowlitz County Board of Commissioners  
Elaine Placido, Director Building and Planning



**DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

1600 – 13th Avenue South  
Kelso, WA 98626  
TEL (360) 577-3030  
FAX (360) 636-0845  
Washington Relay Service 711 or (888) 833-8633

[www.co.cowlitz.wa.us/publicworks/](http://www.co.cowlitz.wa.us/publicworks/)

**Board of County Commissioners**  
Michael A. Karnofski District 1  
Dennis P. Weber District 2  
James R. Misner District 3

April 8, 2014

Matt Herman  
Executive Officer  
Cowlitz County Boundary Review Board  
207 Fourth Avenue North  
Kelso, WA 98626

**SUBJECT: Cowlitz County Request to Invoke Jurisdiction  
Pacific Fibre Products Annexation (ANX 2013-1)**

Dear Matt:

On behalf of the Board of Cowlitz County Commissioners, I am formally seeking to invoke Cowlitz County jurisdiction with the Pacific Fibre annexation, to include the boundaries of the Three Rivers Regional Wastewater Authority's (TRWWA) wastewater treatment plant (Auditor's File Number 742645) located at 467 Fibre Way in Longview, in the proposed annexation to the City of Longview. I am further requesting that a public hearing be scheduled to consider this matter.

Cowlitz County is requesting this expanded boundary of the proposed annexation for the following reasons:

1. The Cowlitz County Sheriff's Office has primary jurisdiction for providing law enforcement to the TRRWA treatment plant. Access to the plant is through the City of Longview and creates unnecessary delays in service. The City of Longview Police Department is better located to provide immediate response.
2. Member agencies of the TRRWA must contract at great expense with Cowlitz 2 Fire & Rescue and the City of Longview Fire Department to provide fire response and confined space entry emergency response services since the treatment plant is located in the County. If the boundary were revised, these services would be provided by the City of Longview at no additional cost to the TRRWA member agencies and ratepayers.

The County understands that the TRRWA and the City of Longview are agreeable with this request. It is therefore the request of Cowlitz County that the Pacific Fibre annexation be modified to include the boundaries of the TRRWA treatment plant in the proposed annexation.

Please contact me at (360) 577-3030, extension 6535, or by e-mail at [cashk@co.cowlitz.wa.us](mailto:cashk@co.cowlitz.wa.us) if you have any questions.

Sincerely,



KENT A. CASH, P.E.  
Director

KAC:af

cc: Board of County Commissioners  
Bob Gregory, City Manager - City of Longview  
Phil Jurmu, Fire Chief – City of Longview  
Dave LaFave, Fire Chief – Cowlitz 2 Fire & Rescue  
Duane Leaf, Plant Superintendent - TRRWA

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax : 360-425-7760

E-mail: [mhermen@cwccog.org](mailto:mhermen@cwccog.org)

## NOTICE OF PUBLIC HEARING

Date: April 28, 2014

To: Affected Jurisdictions

From:   
Matt Hermen, Executive Officer

Re: **City of Longview Annexation, File No. 202**  
**Pacific Fibre**

This notice is provided in accordance with RCW 36.93.160(1) to all government units having jurisdiction within the boundaries of the territory proposed to be annexed.

The Board of County Commissioners invoked the jurisdiction of the Boundary Review Board pursuant to RCW 36.93.180 (3) on April 8, 2014 in order to enable a modification of this proposal (see enclosed map) to include the Three Rivers Regional Wastewater Authority's wastewater treatment plant, located at 467 Fibre Way. Per its authority, the BRB may approve, modify, or reject proposed actions.

On April 25, 2014 the Cowlitz County Boundary Review Board established the date, time and place of the public hearing to consider Annexation No. 202. Details of the hearing appear below:

**Public Hearing – File No. 202 (Pacific Fibre Annexation)**

**Date:** Monday, June 9, 2014

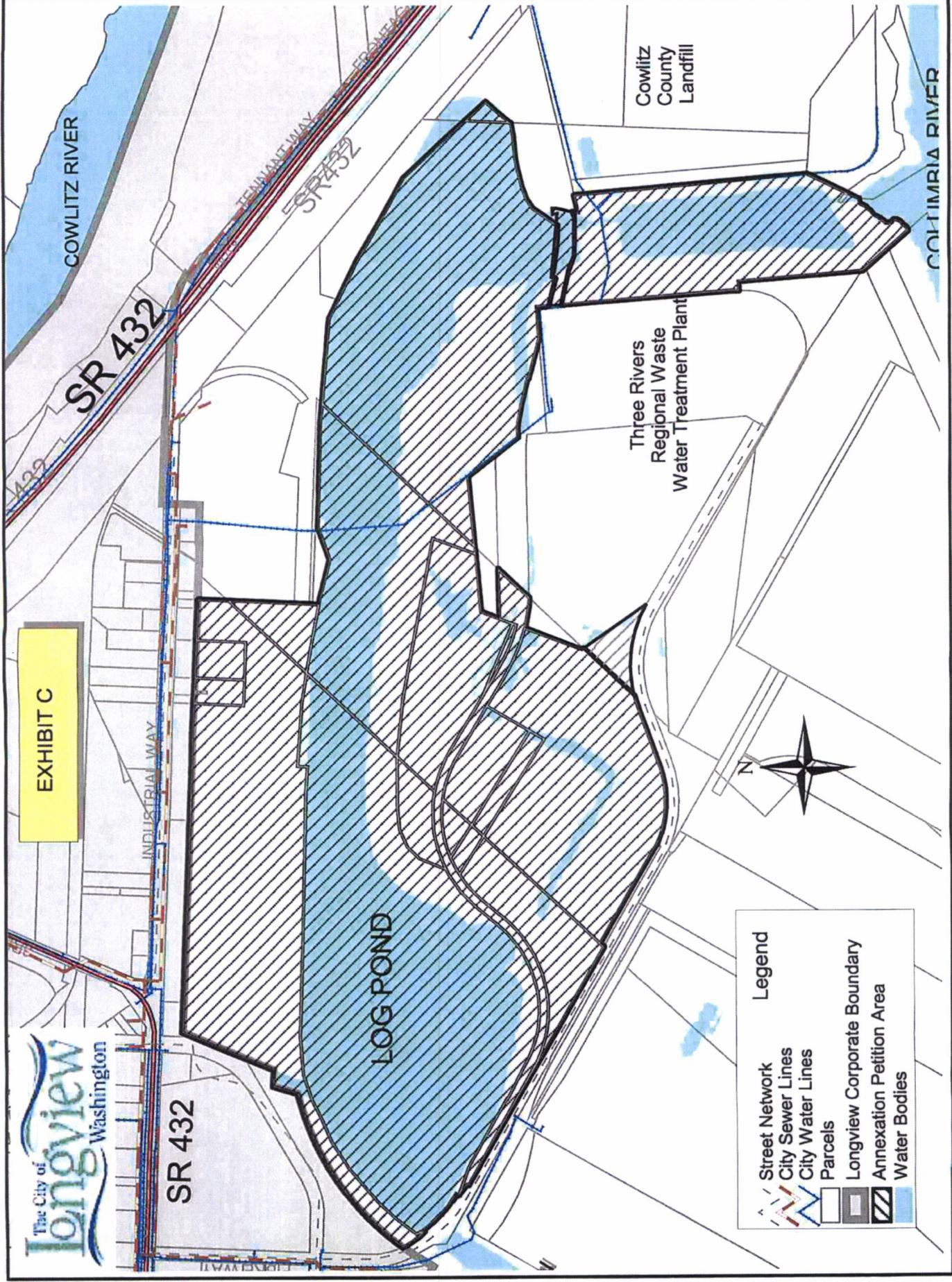
**Time:** 6:30 PM

**Place:** Cowlitz County Administration Building, General Meeting Room –  
3<sup>rd</sup> Floor, Kelso, WA

Please contact this office at (360) 577-3041 if you have any questions. Additional information is available upon request and additional correspondence from this office may be sent prior to the hearing.



EXHIBIT C



- Legend
- Street Network
  - City Sewer Lines
  - City Water Lines
  - Parcels
  - Longview Corporate Boundary
  - Annexation Petition Area
  - Water Bodies



COWLITZ RIVER

SR 432

SR 432

LOG POND

Cowlitz  
County  
Landfill

Three Rivers  
Regional Waste  
Water Treatment Plant

COWLITZ RIVER



900 S.W. Fifth Avenue, Suite 2600  
Portland, Oregon 97204  
main 503.224.3380  
fax 503.220.2480  
www.stoel.com

June 9, 2014

ELAINE R. ALBRICH  
Direct (503) 294-9394  
eralbrich@stoel.com

**VIA HAND DELIVERY**

Cowlitz Boundary Review Board  
Cowlitz County Administration Building  
207 N. 4th Avenue, Third Floor  
Kelso, WA 98626

**Re: Proposed Annexation, File No. 202 – Pacific Fibre Annexation**

Dear Board:

Our office represents KapStone Paper and Packaging Corporation (“KapStone”) on matters involving the Longview paper mill. We request that the Board enter this comment letter into the record of the above-referenced annexation proceeding. KapStone requests that the Board not consider modifying the proposed annexation boundaries to capture any KapStone property.

The Longview mill has almost a 90-year history in Cowlitz County (“County”), being a significant area employer and operator of a craft pulp and paper mill. The mill property expands over 350 acres. Kapstone’s goal is to maintain operations and remain a significant employer in the area, which requires predictable and leveled expenses when it comes to utility services, taxes, and requirements under local regulations. Kapstone has invested significant capital to improve and maintain the mill’s infrastructure under the County development standards. Consequently, KapStone has, and continues to oppose, any attempt to annex its property into the City of Longview (“City”). KapStone does not oppose the proposed annexation but strongly objects to any adjustment of the proposed annexation boundary that would include any KapStone property.

The City historically has had an agreement with the County that the City would not force annexation of industrial lands located between the existing City limits and the Columbia River. This way, when annexation occurs, there are mutually beneficial outcomes. This cooperative spirit has long enabled the City and the County to work collaboratively on planning efforts for industrial land and economic development. In 2012, the City amended its Comprehensive Plan and adopted Policy LU-F.1.16, which formalized the long-standing agreement and exception originally adopted in City Resolution 1552, dated September 4, 1994. KapStone’s property is located within the industrial lands that are exempt from forced water/sewer triggered

EXHIBIT C

SR 432

LOG POND

INDUSTRIAL WAY

SR 432

COWLITZ RIVER

SR 432

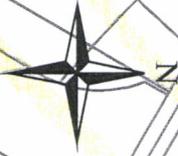
Three Rivers  
Regional Waste  
Water Treatment Plant

Cowlitz  
County  
Landfill

COLUMBIA RIVER

**Legend**

-  Street Network
-  City Sewer Lines
-  City Water Lines
-  Parcels
-  Longview Corporate Boundary
-  Annexation Petition Area
-  Water Bodies



*Yellow highlight = Kap Stone*

## BOUNDARY REVIEW BOARD

Good evening. My name is **Jim Holter**, and I will chair and conduct tonight's public hearing for Annexation #202 before the Washington State Boundary Review Board for Cowlitz County. With me this evening are Board members **Chuck Davison, Marcel Goulet, and Lynn Johnson.**

Before we begin this session, there are a few housekeeping items I would like to share with you. This is a **quasi-judicial proceeding.** As such, we will maintain some modicum of decorum throughout the evening.

**First**, please turn off your cell phones, pagers and electronic devices. If you need to take a call or twitter, please leave the hearing room. This a courtesy request on behalf of the public who are attending this meeting and so that board members can concentrate on the discussion before them.

**Second**, we ask everyone to remain silent while board members are listening to tonight's testimony. You may hear comments or questions that do not align with your personal beliefs or side of the argument. Please refrain from indicating your dissatisfaction or support for what is being voiced. It is very important that the board hear what is being said. The purpose of tonight's session is to hear from all interested parties while giving board members an opportunity to ask questions and ask for clarification of the material being presented tonight and what was given to the board.

**Third**, if there is any disruption in tonight's proceeding, the offending party will be asked to leave the hearing room and the building.

The public hearing this evening is on a proposed annexation by the **City of Longview, BRB No. 202.** This hearing has been advertised as required by law through the publishing of a **legal notice** in **The Daily News** on **May 4, May 14, and June 2, 2014.** Notices of the hearing

**Ask the Clerk to swear in all those who plan to testify.** Now, I would like everyone who is scheduled to testify, including anyone who might be asked to clarify any testimony, to now stand to be sworn in by the Chief Clerk.

Conduct the hearing as outlined by the agenda (from your notebook).

After the City of Longview's rebuttal, ask for a motion to close the public hearing. **(Vote)**

Having just concluded the public hearing on the matter of **BRB No. 202 for the City of Longview – Pacific Fibre Annexation**, the board will now deliberate and make an oral decision.

During the hearing, the Board received testimony from representatives of the Cowlitz County, City of Longview, and members of the public. The board considered all written material and other evidence, including but not limited to the notice of intent and attachments, and documents submitted by opponents as well as supplemental documentation submitted by Cowlitz County, City of Longview, and documents from the public.

### **Deliberation on Annexation #202**

Now, board members have you reviewed all the written materials in conjunction with this proposed annexation? [Ask each board member to affirm that they have reviewed the material.]

- Mr. Johnson
- Mr. Davison
- Mr. Goulet
- Chair Holter

Having now dispensed with the pre-requisites, the board will now consider if the annexation proposal meets or satisfies the requirements outlined in RCW 36.93.180 [Objectives] and RCW 36.93.170 [Factors].

### **RCW 36.93.170 [Factors]**

The board is also required to discuss the factors outlined in RCW 36.93.170 that state the board shall consider the factors affecting such proposal, which shall include, but are not limited to the following:

(1) Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34 RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units; and

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

### **Board Decision**

After all the objectives and factors have been discussed, ~~the Chair will summarize our preliminary findings.~~ The Chair will ask board

**WASHINGTON STATE BOUNDARY REVIEW BOARD FOR COWLITZ COUNTY**

**BRB File No. 202 Pacific Fibre Annexation  
Proposed Annexation of 283 acres to the City of Longview**

**STAFF REPORT**

**Date:** June 9, 2014  
**To:** Boundary Review Board Members  
**From:** Matt Hermen, Executive Officer/Chief Clerk

---

**Introduction**

The City of Longview filed a Notice of Intention on February 25, 2014 with the Boundary Review Board concerning the annexation of 283 acres of land owned by Pacific Fibre, Davis Brothers Investment, Clifford Lockyear, and Port of Longview. The proposed annexation lies south of Industrial Way, east of the Cowlitz River, and to the north of Fibre Way, in Sections 3, 4, 9, 10 Township 7 North, Range 2 West of the Willamette Meridian, Cowlitz County, Washington. The parcels in the annexation are currently zoned Heavy Industrial by Cowlitz County.

The Notice of Intention was circulated to governmental agencies and affected parties for review and comment. On April 8, 2014, Cowlitz County Board of County Commissioners invoked the jurisdiction of the Boundary Review Board and requested modification of the proposed boundary to include the Three Rivers Wastewater Authority's wastewater treatment plant.

The Board set a public hearing for June 9, 2014 at 6:30 PM (Resolution 2014-1). In accordance with state law and adopted rules of practice, the public hearing was advertised three times in the Daily News (May 4, 14 & June 3) and notices were posted on and around the site of the proposal, including the area proposed for modification. Affected jurisdictions were notified of the hearing on April 28, 2014.

The Boundary Review Board Chief Clerk prepared the following analysis of the factors and objectives the Board considers prior to making its decision. The report is based on a review of the Notice of Intention submitted by the City of Longview, the City of Longview Comprehensive Plan, and related planning documents.

The staff report is a supplement to BRB File No. 202. Board members will consider public testimony and exhibits submitted for the public hearing for individual analysis and decision-making on the proposal.

**The existence and preservation of prime agricultural soils and productive agricultural uses**  
The proposed area is developed as industrial land. There are no agricultural uses associated with the annexation area or the surrounding modification area.

**The likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years**

The subject area and the surrounding adjacent incorporated and unincorporated areas are substantially developed. The proposed annexation will not experience any population growth in the next ten years. Growth of the area will occur on existing developed properties, in terms of industrial redevelopment or operational expansions.

**Location and most desirable future location of community facilities**

To Staff's knowledge, there are no future community facilities planned within the proposed annexation area.

**MUNICIPAL SERVICES**

**Need for municipal services**

Urban governmental services, as defined by state law, include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

At present, the City of Longview already provides sewer and water service to the proposed annexation area. The annexation area is presently within the boundaries of Cowlitz 2 Fire & Rescue. The area will receive fire protection from the City of Longview upon annexation. While the transfer of fire protection service will change from Cowlitz 2 Fire and Rescue to the City of Longview Fire Department, both entities are likely to respond to an emergency because of the current mutual aid agreement in place. The Cowlitz County Sheriff's Office provides law enforcement and upon annexation, the area will receive police protection from the City of Longview. Library services are currently provided by the City of Longview through a library district. With annexation, the City of Longview will provide other municipal services including road maintenance and construction, and planning and zoning. School district service will not change.

**Effect of ordinances, governmental codes, regulations and resolutions on existing services**

The City of Longview initiated the annexation using the petition method. Sewer and water service will remain the same. Police services will change from Cowlitz County Sherriff's Office to the City of Longview. Library services will be provided directly by the City of Longview. With annexation, an urban level of service would be provided by the City of Longview and future development in the proposed annexation area would require meeting city standards and codes.

Cowlitz 2 Fire & Rescue currently serves the proposed annexation area. The area will receive fire protection from the City of Longview upon annexation. Emergency medical response has

## OBJECTIVES (RCW 36.93.180)

### **(1) Preservation of natural neighborhoods and communities**

The annexation area consists of industrial properties that are consistent with adjacent industrial properties within Longview City Limits. Adjacent existing neighborhoods should not be negatively impacted by the proposal.

### **(2) Use of physical boundaries, including but not limited to bodies of water, highways and land contours**

The annexation area uses the city limits on the west and north. The proposed annexation area does create a peninsula to the Southeast. It does not utilize the State Route 432 highway as a use of physical boundary.

### **(3) Creation and preservation of logical service areas**

The proposed annexation does create an illogical service area along Industrial Way to the east. It will be unclear to emergency responders where the City Limits terminate, as proposed. The annexation lies to the north of Fibre Way. As proposed, the annexation does not incorporate 66 acres of land to north of Fibre Way. Again, this proposed boundary creates an illogical service area for emergency responders.

### **(4) Prevention of abnormally irregular boundaries**

The current proposal for annexation is irregular, lacking symmetry, continuity, and evenness of a typical boundary. Modification of the proposal by the Board would be required to conform to this objective.

### **(5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas**

The proposed area will be annexed to a jurisdiction in excess of ten thousand in population.

### **(6) Dissolution of inactive special purpose districts**

This objective does not seem to apply.

### **(7) Adjustment (correction) of impractical boundaries**

The proposed annexation area is an extension of the existing municipal boundaries. The intent of the annexation is not to correct impractical boundaries. However, this annexation, as proposed, will require future adjustment or correction.

### **(8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character**

The City of Longview is an incorporated area proposing to annex an adjacent area. The proposed annexation area is similar in urban character to other adjacent neighborhoods within Longview City Limits. The city provides sewer service, and water service is readily available.

**RCW 36.93.100****Review of proposed actions by board — Procedure.**

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 when any of the following shall occur within forty-five days of the filing of a notice of intention:

(1) Three members of a five-member boundary review board or five members of a boundary review board in a county with a population of one million or more files a request for review: PROVIDED, That the members of the boundary review board shall not be authorized to file a request for review of the following actions:

(a) The incorporation of any special district or change in the boundary of any city, town, or special purpose district;

(b) The extension of permanent water service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the installation of water mains of six inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions; or

(c) The extension of permanent sewer service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the installation of sewer mains of eight inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions;

(2) Any governmental unit affected, including the governmental unit for which the boundary change or extension of permanent water or sewer service is proposed, or the county within which the area of the proposed action is located, files a request for review of the specific action;

(3) A petition requesting review is filed and is signed by:

(a) Five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) An owner or owners of property consisting of five percent of the assessed valuation within such area;

(4) The majority of the members of boundary review boards concur with a request for review when a petition requesting the review is filed by five percent of the registered voters who deem themselves affected by the action and reside within one-quarter mile of the proposed action but not within the jurisdiction proposing the action.

If a period of forty-five days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

If a review of a proposal is requested, the board shall make a finding as prescribed in RCW 36.93.150 within one hundred twenty days after the filing of such a request for review. If this period of one hundred twenty days shall elapse without the board making a finding as prescribed in RCW 36.93.150, the proposal shall be deemed approved unless the board and the person who submitted the proposal agree to an extension of the one hundred twenty day period.

[1994 c 216 § 13; 1992 c 162 § 1; 1991 c 363 § 96; 1989 c 84 § 3; 1987 c 477 § 3; 1983 c 76 § 1; 1982 c 220 § 1; 1967 c 189 § 10.]

**Notes:**

**Effective date -- 1994 c 216:** See note following RCW 35.02.015.

**Purpose -- Captions not law -- 1991 c 363:** See notes following RCW 2.32.180.

**Severability -- 1982 c 220:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 220 § 9.]

## Hermen, Matt

---

**From:** Mendenhall, John W. <John.Mendenhall@kapstonepaper.com>  
**Sent:** Tuesday, May 13, 2014 5:29 AM  
**To:** Hermen, Matt  
**Cc:** Ortiz, Patrick  
**Subject:** RE: City of Longview Annexation

Hi Mr. Hermen,

Thanks for sending the email. I have forwarded it to Patrick Ortiz, our company executive familiar with this issue. Please include him on all communications regarding this issue. His email address is: [patrick.ortiz@kapstonepaper.com](mailto:patrick.ortiz@kapstonepaper.com)

Regards,

**John Mendenhall, CPSM**

*Procurement Manager - Sourcing and Contracts*

email: [john.mendenhall@kapstonepaper.com](mailto:john.mendenhall@kapstonepaper.com)

phone: 360.575.5411

cell: 360.356.5648

fax: 360.575.6123

P.O. Box 639

300 Fibre Way

Longview, WA 98632

[KapStonePaper.com](http://KapStonePaper.com)

---

**From:** Hermen, Matt [<mailto:mhermen@cwco.org>]  
**Sent:** Monday, May 12, 2014 1:54 PM  
**To:** Mendenhall, John W.; Fletcher, Craig H.  
**Subject:** City of Longview Annexation

Dear Mr. Mendenhall,

I received your contact information from Kent Cash, Cowlitz County Public Works. I am including Craig Fletcher on this email because of his involvement with the SR 432 project.

The City of Longview is currently in the process of annexing the Pacific Fibre property into city limits. The Cowlitz County Board of County Commissioners has invoked jurisdiction of the Boundary Review Board (BRB), in order to include the Three Rivers Wastewater Treatment Plant in the territory to be annexed. In between the Treatment Plant and Pacific Fibre, north of Fibre Way is a large parcel owned by Kapstone.

The Boundary Review Board will be holding a public hearing on June 9<sup>th</sup> at 6:30 p.m. in the Cowlitz County Administration Building regarding this annexation. The BRB has the authority to modify the proposed annexation boundary to double the area in size. They will be deliberating on whether the Kapstone property should be included. Your attendance is highly recommended.

I have attached the map of the annexation proposal along with the letter sent to your corporate headquarters.

Thanks,

Washington State Boundary Review Board for Cowlitz County  
207 N. 4<sup>th</sup> Ave.  
Kelso, WA 98626

**MEMO TO: News Media**

**FROM: Matt Hermen, Boundary Review Board Executive Officer**

**RE: Public Hearing**

**Proposed Annexation to the  
City of Longview  
Public Hearing**

Monday, June 9, 2014

**6:30 pm**

General Meeting Room

**Cowlitz County Administrative Building  
207 N. 4<sup>th</sup> Ave, Kelso**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Washington State Boundary Review Board for Cowlitz County on the proposed annexation of 643 acres to the City of Longview.

The purpose of the public hearing is to hear testimony and deliberate on the proposal. Testimony and factual material concerning the proposal may be presented to the Board by an affected person or agency at this time or written testimony may be submitted to the Boundary Review Board Office before the hearing.

For more information about the proposal or an electronic copy of the map, please contact:

**Matt Hermen, Executive Officer  
Boundary Review Board Office  
207 N. 4<sup>th</sup> Ave., Administrative Annex Bldg., Kelso, WA 98626  
(360) 577-3041 or mhermen@cw cog.org**

Date of 1<sup>st</sup> Publication: May 4, 2014  
Date of 2nd Publication: May 14, 2014  
Date of 3rd Publication: June 3, 2014

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone:360-577-3041

Fax :360-425-7760

E-mail: [mhermen@cwcbog.org](mailto:mhermen@cwcbog.org)

May 6, 2014

Archer Associates, Inc.  
P.O. Box 1092  
Longview, WA 98632

This letter confirms your telephone conversation yesterday with my secretary Katie Wells regarding the Cowlitz County Boundary Review Board's request for your court reporting services at a public hearing scheduled for Monday, June 9, 2014 at 6:30 p.m. The hearing will be held in the General Meeting Room, third floor of the Cowlitz County Administration Building, 207 4<sup>th</sup> Avenue North, Kelso. I expect the hearing to last from one to two hours.

We are looking forward to working with you again. If you have any questions or need additional information, please call me.

Very truly yours,



Matt Hermen  
Executive Officer

MH:kw

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax : 360-425-7760

E-mail: [mhermen@cwkog.org](mailto:mhermen@cwkog.org)

May 1, 2014

To: Interested Parties and Adjacent Property Owners

From: Matt Hermen, Executive Officer **MH**

Re: Proposed Annexation by the City of Longview  
File No. 202 – Pacific Fibre Annexation

The Cowlitz County Boundary Review Board will hold a public hearing to review and decide on the above proposal by the City of Longview to annex approximately 272 acres of industrial and vacant land into the city. The property in question lies south of Industrial Way, east of the Cowlitz River, and to the north of Fibre Way, in Sections 3, 4, 9, 10 Township 7 North, Range 2 West of the Willamette Meridian, Cowlitz County, Washington.

The Boundary Review Board received a request from the Cowlitz County Board of Commissioners asking them for a more detailed review of the proposal in accordance with RCW 36.93.010 (purpose of the Boundary Review Board), RCW 36.93.170 (Factors to be considered by the Boundary Review Board), and RCW 36.93.180 (Objectives to be met by the Boundary Review Board). The Boundary Review Board, per RCW 36.93.150, has the ability to approve the proposal as presented, modify the proposal by adjusting boundaries, or disapprove the proposal.

As required by RCW 36.93.160, you are hereby notified of the public hearing scheduled for:

**Date: Monday, June 9, 2014**

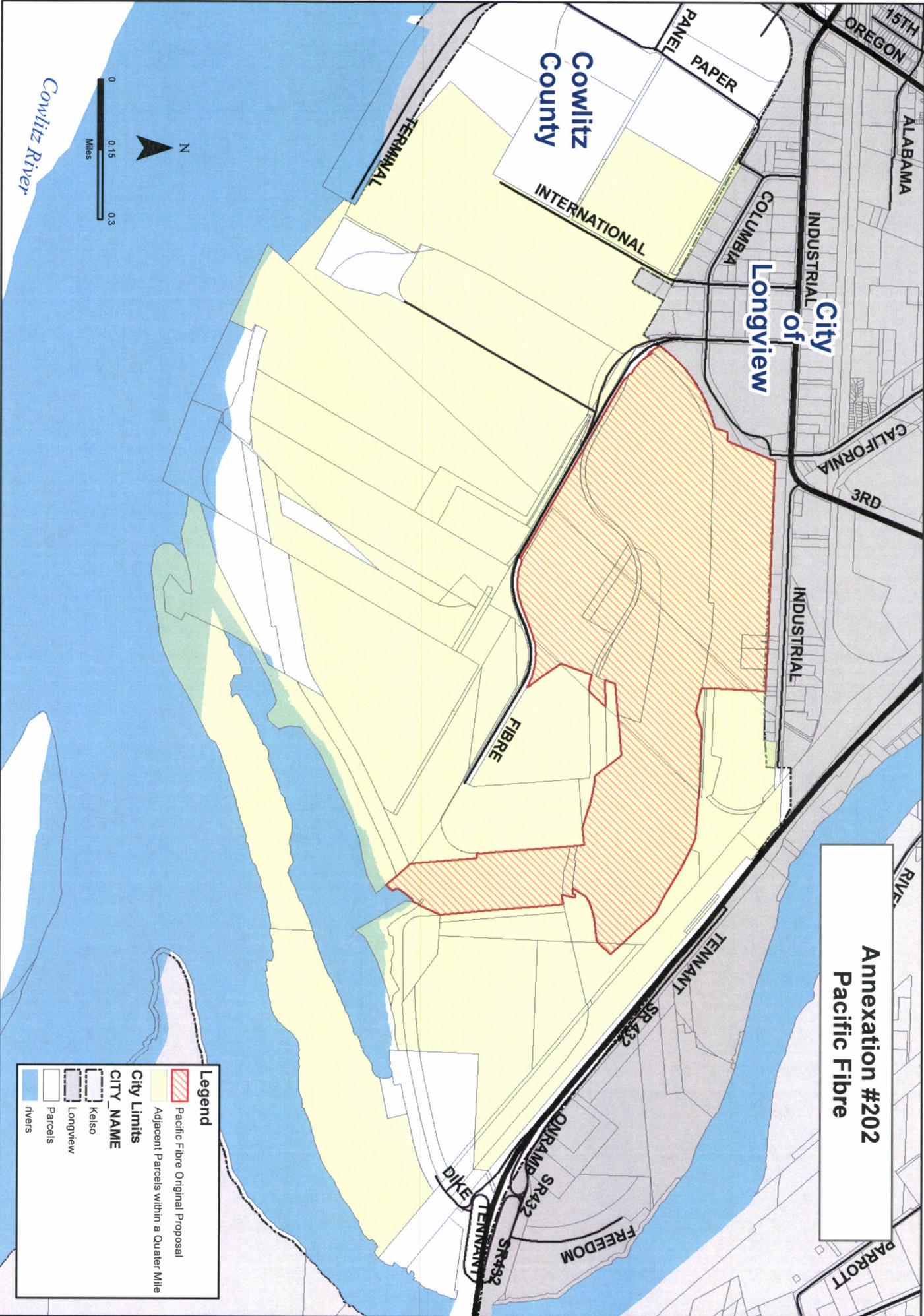
**Time: 6:30 p.m.**

**Place: General Meeting Room (3<sup>rd</sup> Floor)  
Cowlitz County Administration Building  
207 N. 4<sup>th</sup> Avenue  
Kelso, WA**

Enclosure

MH:kw

**Annexation #202  
Pacific Fibre**



**Legend**

-  Pacific Fibre Original Proposal
-  Adjacent Parcels within a Quarter Mile

**City Limits**

-  Kelso
-  Longview
-  Parcels
-  Rivers

**CITY\_NAME**



Cowitz River

BNSF RAILWAY COMPANY  
ATTN: PROPERTY TAX DEPT  
PO BOX 961089  
FORT WORTH, TX 76161

BURLINGTON NORTHERN, INC  
C/O NW HARDWOODS, INC  
820 A ST STE 500  
TACOMA, WA 98402

COWLITZ COUNTY  
C/O PUBLIC WORKS SOLID WASTE  
1600 13TH AVE S  
KELSO, WA 98626

COWLITZ SEWER OPERATING BOARD  
PUBLIC WORKS -ATTN: DUANE LEAF  
1600 13TH AVE S  
KELSO, WA 98626

CXA CORPORATION  
7195 DALLAS PKWY 4E  
PLANO, TX 75024

DAVIS BROS INVESTMENTS, LLC  
C/O SCOTT O DAVIS  
1104 14TH AVE  
LONGVIEW, WA 98632

LOCKYEAR, CLIFFORD L, ETAL  
3526 FAIRWAY LN  
LONGVIEW, WA 98632

LONGVIEW BOOMING CO, INC  
1302 25TH ST  
LONGVIEW, WA 98632

LONGVIEW FIBRE PAPER/ PACKAGING,  
INC  
PO BOX 3000  
LONGVIEW, WA 98632

LONGVIEW, PORT OF  
PO BOX 1258  
LONGVIEW, WA 98632

NORTHWEST HARDWOODS, INC  
C/O ACCOUNTS PAYABLE  
820 A ST SUITE 500  
TACOMA, WA 98402

PACIFIC FIBRE PRODUCTS, INC  
PO BOX 278  
LONGVIEW, WA 98632

PACIFIC LUMBER/SHIPPING LLC  
ATTN: PROPERTY TAX DEPT.  
PO BOX 21785  
SEATTLE, WA 98101

COWLITZ PUD #1  
PO BOX 3007  
LONGVIEW, WA 98632

RECEIVED

JAN 21 2014

COWLITZ COUNTY  
PUBLIC WORKS DEPT.

**Cowlitz County  
Boundary Review Board**

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax : 360-425-7760

E-mail: mhermen@cwccog.org

**Date:** January 16, 2014  
**To:** Brad Bastin, Cowlitz County Engineering Manager  
**From:** Matt Hermen, Executive Officer  
**Re:** City of Longview – PacFibre Proposed Annexation

Enclosed is the legal description and related map supplied by the City of Longview for a proposed annexation (Notice of Intention not yet submitted). Please review the legal description and report your findings below at your earliest convenience. I sincerely appreciate the expertise and advice of your staff on matters affecting this proposal. Electronic copies of the legal description and map may be furnished upon your request.

MH

Enclosures

PacFibre Proposed Annexation

	<u>Date</u>	<u>Initials</u>
sketch matches legal <del>Legal description correct</del>	<u>2/18</u>	<u>MH</u>
Total acreage <u>unknown</u>	<u>2/18</u>	<u>MH</u>
Correction as noted on attachment	<u>2/18</u>	<u>MH</u>

East Port Pro Annex MH12-13

There is no way to check the area from this description. It is a bounds only description (no measurements included). There is also no way to check the bounds without ~~the~~ researching & determining how they go together. Therefore, I checked their description against their sketch to see if they agree (which they do)

EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

Commencing at the northeast corner of Lot 1, Block 7 of the duly recorded plat of Columbia Industrial Park, said northeast corner also being the northwest corner of Parcel 1, Tract "A" of AFN 851003020; thence due south along the easterly line of said Lot 1, Block 7 and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020, 125.00 feet to the point of beginning of this description, said point being also the southeast corner of said Lot 1, Block 7, and a point on the existing Longview City limits line; thence westerly and southwesterly along the existing City limits line and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020 to a point on the northeasterly right-of-way line of Fibre Way, said point also being the most southerly corner of Block 8 of the plat of Columbia Industrial Park; thence leaving the City limits line southeasterly along the northeasterly right-of-way line of Fibre Way, to the southwesterly corner of Parcel 3 of AFN 870305022; thence northwesterly along the southwesterly line of Parcel 3 of AFN 870305022 to the most westerly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the southwesterly corner of Parcel "G" of AFN 3096010; thence easterly along the southerly line of Parcel "G" of AFN 3096010 to an intersection with the southeasterly line of the Royal C. Smith Donation Land Claim; thence northeasterly along said Donation Land Claim to an intersection with the northerly line of Parcel "G" of said AFN 3096010; thence westerly along the northerly line of Parcel "G" of said AFN 3096010 to the northwesterly corner thereof, being also a point on the northwesterly line of the aforementioned Parcel 3 of AFN 870305022; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northwesterly corner thereof; thence easterly along the northerly line of Parcel 3 of AFN 870305022 to the most northeasterly corner thereof; thence southeasterly along the northeasterly line of Parcel 3 of AFN 870305022 and AFN 3096010 to the northwesterly corner of Parcel "F" of AFN 3085541; thence easterly along said Parcel "F" to the most northerly corner of Parcel "F" of AFN 3085541; thence southeasterly along the northeasterly line of Parcel "F" of AFN 3085541 to the most easterly corner of Parcel "F" of said AFN 3085541, said corner being also a point on the northerly line of AFN 742645; thence easterly along the northerly line of AFN 742645 to the northeasterly corner thereof; thence southerly along the easterly line of AFN 742645 to the northwesterly line of Parcel "D" of AFN 3085541; thence southerly along the westerly line of said Parcel "D" of AFN 3085541 and the westerly line of Assessors' Parcel 61511 as described under AFN 901214051 to the most southerly corner of AFN 901214051, said corner being a point on the northerly bank of the Columbia River; thence northeasterly along the southeasterly line of AFN 901214051 to the southwesterly corner of AFN 841022008; thence northerly along the westerly line of AFN 841022008 to the northwesterly corner thereof, said northwesterly corner also being a point on the southeasterly line of AFN 3099529; thence westerly along the southerly line of AFN 3099529 to the southwesterly corner thereof; thence northerly along the Pacific Fibre Annexation

westerly line of AFN 3099529 to the southeasterly corner of Parcel "C" of AFN 3085541; thence northerly along the easterly line of Parcel "C" of AFN 3085541 to the northeasterly corner thereof; thence westerly, southerly and westerly along the northerly line of said Parcel "C" to an intersection with the easterly line of the log pond described under AFN 901214051; thence northeasterly along the easterly line of said AFN 901214051 to the most easterly corner thereof; thence northwesterly, and westerly along the northeasterly and northerly lines of the log pond described under said AFN 901214051 to the southeasterly corner of Parcel 1, Tract "A" of AFN 851003020; thence due north along the easterly line of said Parcel 1, Tract "A" to a point 125.00 feet south from the southerly right-of-way line of Industrial Way, said point being on the existing Longview City limits line; thence due west along said existing City limits line, on a line 125.00 feet south of and parallel to the southerly right-of-way line of Industrial Way, to the point of beginning.

Containing 283 acres more or less.

Pacific Fibre Annexation

# Exhibit B Proposed Annexation 2013-1 Pac Fibre

LOT 1, BLK 7  
COL IND. PK.

INDUSTRIAL WAY (SR-413)

BLOCK 3  
COL IND. PK.

FIBRE WAY

EXISTING  
CITY BOUNDARY

INDUSTRIAL WAY (SR-413)

EXISTING  
CITY BOUNDARY

A.F.N. 851003020  
(PARCEL 1, TRACT "A")

SPRINGFIELD MUNICIPAL C. SMTD.D.L.C.

AREA = 263 ACRES

A.F.N. 3095061  
PARCEL 3

A.F.N. 3096010  
PARCEL "G"

A.F.N. 870305022  
(PARCEL 3)

A.F.N.  
742645

WAY

PROPOSED  
ANNEXATION

A.F.N. 3085541  
(PARCEL "D")

A.F.N. 901214051

A.F.N. 3085582  
(PARCEL "E")

A.F.N. 3095529  
(PARCEL "C")

A.F.N.  
841022008

ASSESSORS PARCEL

A.F.N.  
801214051

*I'd like to see  
the background  
lines a little darker*

n.t.s.

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax : 360-425-7760

E-mail: mhermen@cwccog.org

**Date:** January 16, 2014  
**To:** Brad Bastin, Cowlitz County Engineering Manager  
**From:** Matt Hermen, Executive Officer  
**Re:** **City of Longview – PacFibre Proposed Annexation**

Enclosed is the legal description and related map supplied by the City of Longview for a proposed annexation (Notice of Intention not yet submitted). Please review the legal description and report your findings below at your earliest convenience. I sincerely appreciate the expertise and advice of your staff on matters affecting this proposal. Electronic copies of the legal description and map may be furnished upon your request.

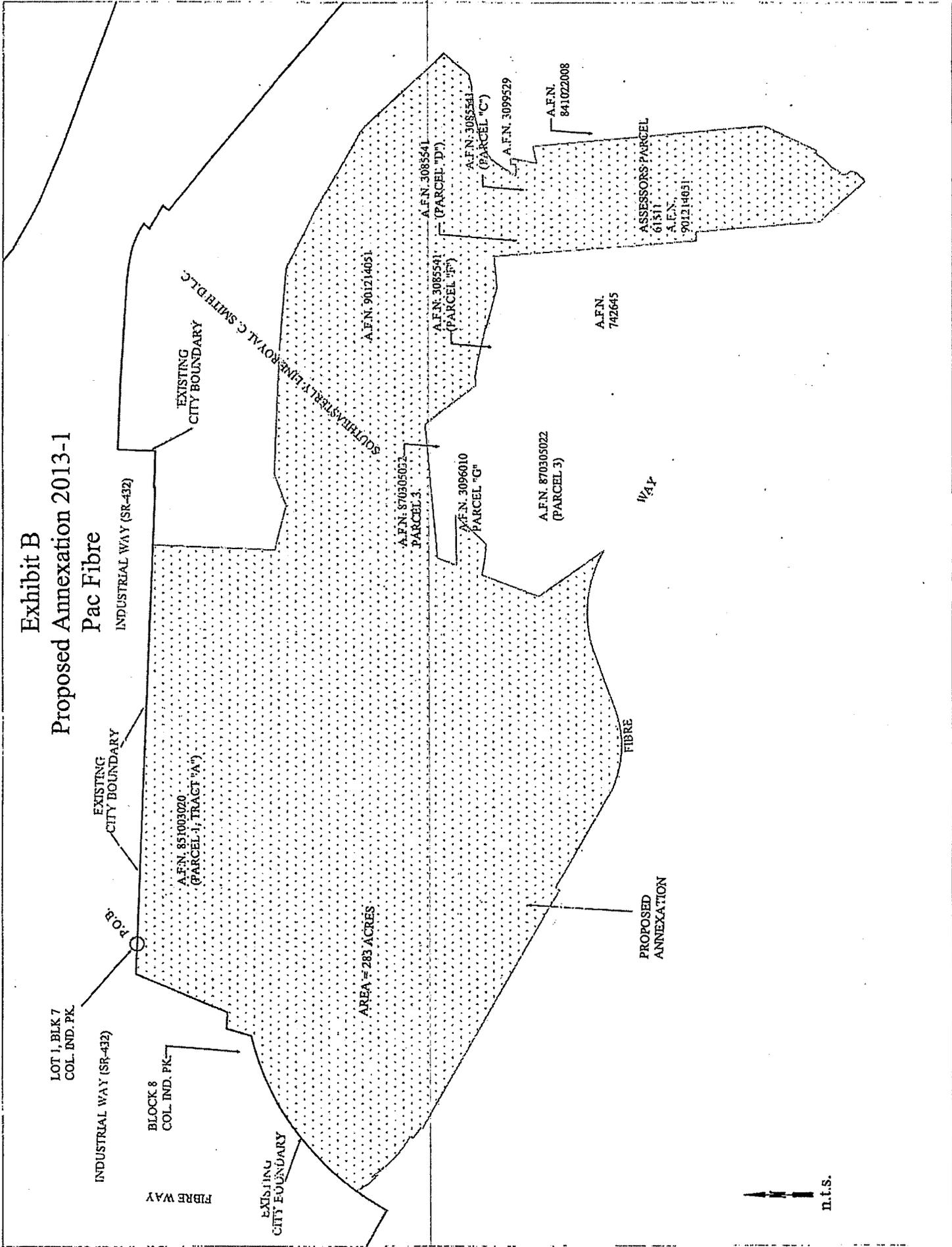
MH

Enclosures

## PacFibre Proposed Annexation

	<u>Date</u>	<u>Initials</u>
Legal description correct	_____	_____
Total acreage _____	_____	_____
Correction as noted on attachment	_____	_____

# Exhibit B Proposed Annexation 2013-1 Pac Fibre



LOT 1, BLK 7  
COL. IND. PK.

INDUSTRIAL WAY (SR-432)

BLOCK 8  
COL. IND. PK.

FIBRE WAY

A.F.N. 851003020  
(PARCEL "A")

AREA = 283 ACRES

A.F.N. 901214051

A.F.N. 870505022  
PARCEL "B"

A.F.N. 3085541  
(PARCEL "D")

A.F.N. 3096010  
PARCEL "G"

A.F.N. 3085541  
(PARCEL "E")

A.F.N. 3099529

A.F.N. 870305022  
(PARCEL "H")

A.F.N. 742645

A.F.N. 841022008

ASSESSORS PARCEL  
61511  
A.P.I.  
901214631

Way

FIBRE

PROPOSED  
ANNEXATION



EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

Commencing at the northeast corner of Lot 1, Block 7 of the duly recorded plat of Columbia Industrial Park, said northeast corner also being the northwest corner of Parcel 1, Tract "A" of AFN 851003020; thence due south along the easterly line of said Lot 1, Block 7 and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020, 125.00 feet to the point of beginning of this description, said point being also the southeast corner of said Lot 1, Block 7, and a point on the existing Longview City limits line; thence westerly and southwesterly along the existing City limits line and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020 to a point on the northeasterly right-of-way line of Fibre Way, said point also being the most southerly corner of Block 8 of the plat of Columbia Industrial Park; thence leaving the City limits line southeasterly along the northeasterly right-of-way line of Fibre Way, to the southwesterly corner of Parcel 3 of AFN 870305022; thence northwesterly along the southwesterly line of Parcel 3 of AFN 870305022 to the most westerly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the southwesterly corner of Parcel "G" of AFN 3096010; thence easterly along the southerly line of Parcel "G" of AFN 3096010 to an intersection with the southeasterly line of the Royal C. Smith Donation Land Claim; thence northeasterly along said Donation Land Claim to an intersection with the northerly line of Parcel "G" of said AFN 3096010; thence westerly along the northerly line of Parcel "G" of said AFN 3096010 to the northwesterly corner thereof, being also a point on the northwesterly line of the aforementioned Parcel 3 of AFN 870305022; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northwesterly corner thereof; thence easterly along the northerly line of Parcel 3 of AFN 870305022 to the most northeasterly corner thereof; thence southeasterly along the northeasterly line of Parcel 3 of AFN 870305022 and AFN 3096010 to the northwesterly corner of Parcel "F" of AFN 3085541; thence easterly along said Parcel "F" to the most northerly corner of Parcel "F" of AFN 3085541; thence southeasterly along the northeasterly line of Parcel "F" of AFN 3085541 to the most easterly corner of Parcel "F" of said AFN 3085541, said corner being also a point on the northerly line of AFN 742645; thence easterly along the northerly line of AFN 742645 to the northeasterly corner thereof; thence southerly along the easterly line of AFN 742645 to the northwesterly line of Parcel "D" of AFN 3085541; thence southerly along the westerly line of said Parcel "D" of AFN 3085541 and the westerly line of Assessors' Parcel 61511 as described under AFN 901214051 to the most southerly corner of AFN 901214051, said corner being a point on the northerly bank of the Columbia River; thence northeasterly along the southeasterly line of AFN 901214051 to the southwesterly corner of AFN 841022008; thence northerly along the westerly line of AFN 841022008 to the northwesterly corner thereof, said northwesterly corner also being a point on the southeasterly line of AFN 3099529; thence westerly along the southerly line of AFN 3099529 to the southwesterly corner thereof; thence northerly along the Pacific Fibre Annexation

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Containing 283 acres more or less.

RESOLUTION ESTABLISHING HEARING DATE

**WHEREAS**, there has been filed with the Cowlitz County Boundary Review Board a Notice of Intention, designated by the Executive Officer as File No. 202 – City of Longview Annexation – Pacific Fibre, proposing the following action: to annex approximately 272 acres of land into the city of Longview. The majority of the property in question lies south of Industrial Way, east of the Cowlitz River, and to the north of Fibre Way, in Sections 3, 4, 9, 10 Township 7 North, Range 2 West of the Willamette Meridian, Cowlitz County, Washington, and

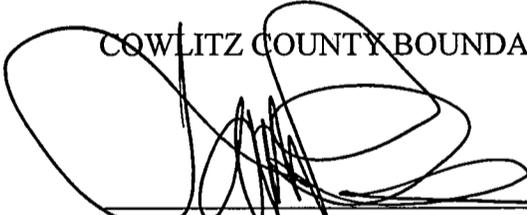
**WHEREAS**, there has been filed with the Cowlitz County Boundary Review Board, a request from the Board of Cowlitz County Commissioners to **invoke jurisdiction** in order to modify the proposed boundary to include the Three Rivers Regional Wastewater Authority's (TRWWA) wastewater treatment plant (Auditor File Number 742645) located at 467 Fibre Way.

NOW, THEREFORE, BE IT RESOLVED BY THE COWLITZ COUNTY BOUNDARY REVIEW BOARD, that,

The 9 day of June, 2014, at the hour of 6:30 pm in the General Meeting Room, Cowlitz Administrative Building, Kelso, Washington, be and the same is hereby fixed as the time, date, and place when and where the Cowlitz County Boundary Review Board will review said Notice of Intention, and the Executive Officer is hereby directed to give due notice of such hearing in the manner provided by law.

ADOPTED by the Cowlitz County Boundary Review Board on the 25<sup>th</sup> day of April, 2014, and then signed by me in authentication of its adoption on this 25<sup>th</sup> day of April, 2014.

COWLITZ COUNTY BOUNDARY REVIEW BOARD

  
James Bain, CHAIRMAN

ATTEST:

  
Matt Hermen, Executive Officer  
Cowlitz County Boundary Review Board

143 Resolution Establishing Hearing Decision mh0414

EXHIBIT C

SR 432

LOG POND

INDUSTRIAL WAY

SR 432

COWLITZ RIVER

SR 432

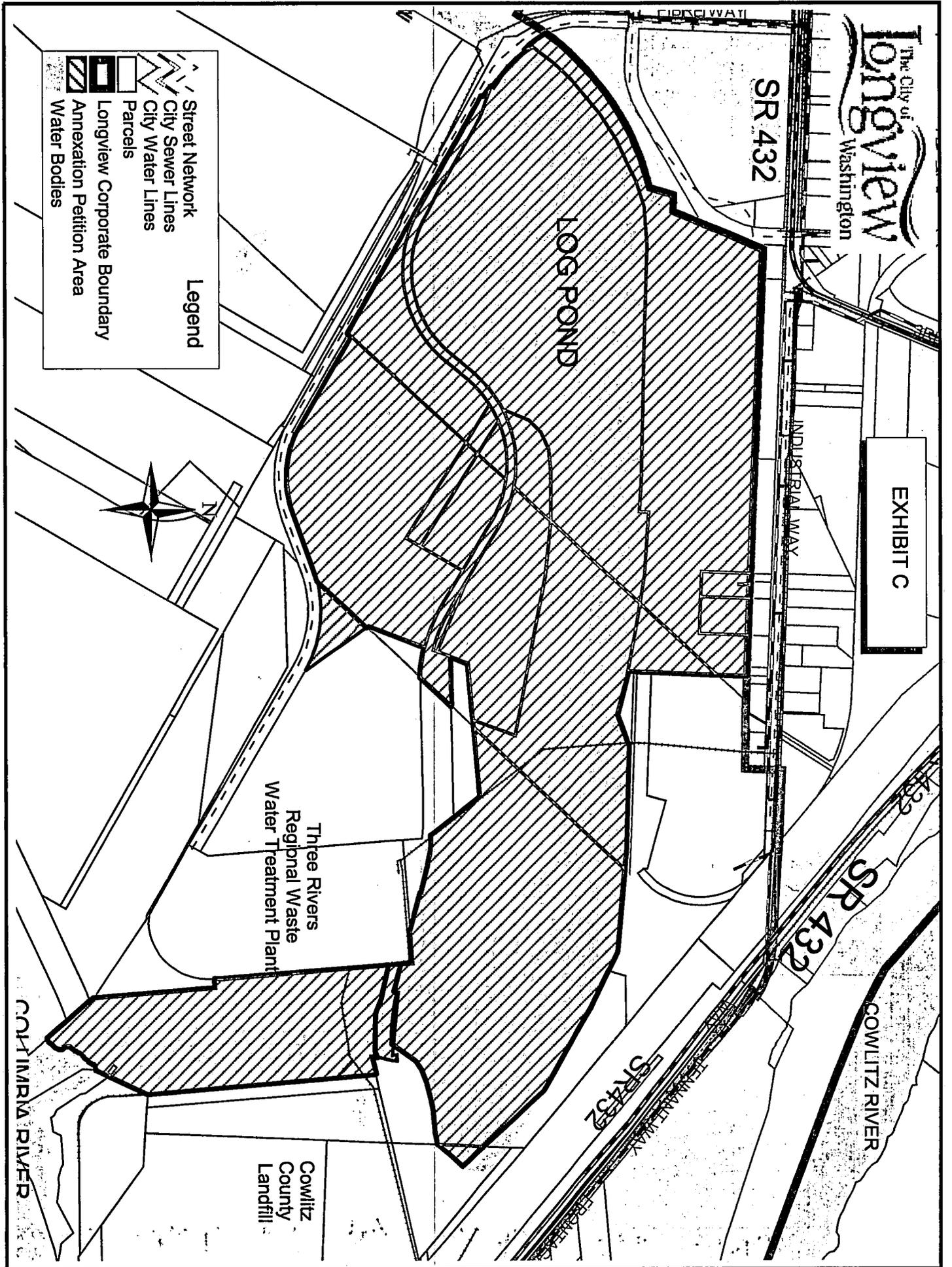
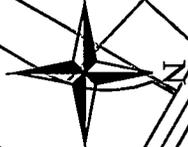
Three Rivers  
Regional Waste  
Water Treatment Plant

Cowlitz  
County  
Landfill

COLUMBIA RIVER

**Legend**

- Street Network
- City Sewer Lines
- City Water Lines
- Parcels
- Longview Corporate Boundary
- Annexation Petition Area
- Water Bodies



**Boundary Review Board Meeting**  
**Friday, April 25, 2014**  
**10:30 A.M. – 11:30 A.M.**  
**Cowlitz Annex Building – Conference Room**

**AGENDA**

- 1. Call to Order – *Chair Jim Bain***
- 2. April 2014 Minute Approval – *Matt Hermen***
- 3. Resolution to Set Public Hearing - Annexation #202: City of Longview Pacific Fibre Annexation – *Matt Hermen***
- 4. Upcoming BRB actions – *Matt Hermen***
- 5. Adjourn**

**143 BRB MTG Agenda 4-25-14 MH**

counties with 400,000 or more residents and that is bordered by the Columbia River also "died in committee." There were no additional legislative bills pertaining to Boundary Review Boards.

**Upcoming BRB Actions** – Matt stated there is nothing new on the horizon. The County is requesting that shape files be included with the intent to annex which means that the rules and regulations will need to be amended.

As information Lynn will not be available between April 15 and June 1. Jim Bain will not be available starting June 4. A meeting could possibly be scheduled on June 3, if needed.

Matt stated that Marcel should plan on attending the annual state conference held in October. Matt will forward any information to Marcel as it becomes available.

There being no further business, the meeting adjourned at 2:40 PM.

---

Matt Hermen, Executive Officer

DRAFT

# RECEIVED

MAR 24 2014

COWLITZ-WAHKIAKUM  
COUNCIL OF GOVERNMENTS

3526 Fairway Lane  
Longview, Washington 98632  
March 7, 2014

Cowlitz County Boundary Review Board  
Administration Annex  
207 4<sup>th</sup> Avenue  
Kelso, Washington 98626-4195

Attention: Mr. Matt Hermen, Executive Officer

Re: Proposed Annexation by the City of Longview – Pacific Fibre File No. 202

Dear Mr. Hermen:

Thank you for sending me the notice regarding the Boundary Review Board's consideration of Pacific Fibre's request for the city to annex county property. We are requesting that our property, **SUB: BURBEE J DLC DESC: T-2C SECT, TWN, RNG 3-7N-2W PARCEL: 60425**, be removed from the annexation request. We have no problem with other property owners in the area having their property annexed to the city although we cannot understand why Pacific Fibre or any other county property owner would want their property annexed. According to my calculations it would mean an increase in property taxes and in Pacific Fibre's case that would be over \$18,000.00 per year.

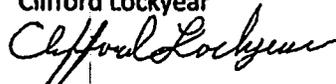
We did not request that our property be annexed to the city and even spoke against the annexation of our property at the city council meeting. When one of the council members asked why Pacific Fibre wanted the annexation, the answer given by the city representative was that they had other property in the city. Even though some of our property in this area is already in the city, we do not want this parcel annexed. We want to stay in the county.

The Lockyear family has owned this property since 1947 and it has always been county property. We cannot see any advantage to us to be in the city. Further, we cannot see any reason why the city would want to annex our property against our objections. Looking at the map it is clear that other property in the area is not being annexed. If the property is annexed we have the right to know exactly why our property is being put into the city. It is clear to us that if someone owns a lot of land they can dictate what happens to property owners who own small parcels.

We are requesting that the Boundary Review Board review the action to annex our property and deny the city the right to annex our parcel. Thank you for your consideration in this matter.

Very truly yours,

Clifford Lockyear



Hazel Lockyear



## RCW 36.93.100

# Review of proposed actions by board — Procedure.

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 when any of the following shall occur within forty-five days of the filing of a notice of intention:

(1) Three members of a five-member boundary review board or five members of a boundary review board in a county with a population of one million or more files a request for review: PROVIDED, That the members of the boundary review board shall not be authorized to file a request for review of the following actions:

(a) The incorporation of any special district or change in the boundary of any city, town, or special purpose district;

(b) The extension of permanent water service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the installation of water mains of six inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions; or

(c) The extension of permanent sewer service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the installation of sewer mains of eight inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions;

(2) Any governmental unit affected, including the governmental unit for which the boundary change or extension of permanent water or sewer service is proposed, or the county within which the area of the proposed action is located, files a request for review of the specific action;

(3) A petition requesting review is filed and is signed by:

(a) Five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) An owner or owners of property consisting of five percent of the assessed valuation within such area;

(4) The majority of the members of boundary review boards concur with a request for review when a petition requesting the review is filed by five percent of the registered voters who deem themselves affected by the action and reside within one-quarter mile of the proposed action but not within the jurisdiction proposing the action.

If a period of forty-five days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

If a review of a proposal is requested, the board shall make a finding as prescribed in RCW 36.93.150 within one hundred twenty days after the filing of such a request for review. If this period of one hundred twenty days shall elapse without the board making a finding as prescribed in RCW 36.93.150, the proposal shall be deemed approved unless the board and the person who submitted the proposal agree to an extension of the one hundred twenty day period.

## **RCW 36.93.100**

### **Review of proposed actions by board — Procedure.**

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# RECEIVED

MAR 24 2014

COWLITZ-WAHKIAKUM  
COUNCIL OF GOVERNMENTS

3526 Fairway Lane  
Longview, Washington 98632  
March 7, 2014

Cowlitz County Boundary Review Board  
Administration Annex  
207 4<sup>th</sup> Avenue  
Kelso, Washington 98626-4195

Attention: Mr. Matt Hermen, Executive Officer

Re: Proposed Annexation by the City of Longview – Pacific Fibre File No. 202

Dear Mr. Hermen:

Thank you for sending me the notice regarding the Boundary Review Board's consideration of Pacific Fibre's request for the city to annex county property. We are requesting that our property, **SUB: BURBEE J DLC DESC: T-2C SECT, TWN, RNG 3-7N-2W PARCEL: 60425**, be removed from the annexation request. We have no problem with other property owners in the area having their property annexed to the city although we cannot understand why Pacific Fibre or any other county property owner would want their property annexed. According to my calculations it would mean an increase in property taxes and in Pacific Fibre's case that would be over \$18,000.00 per year.

We did not request that our property be annexed to the city and even spoke against the annexation of our property at the city council meeting. When one of the council members asked why Pacific Fibre wanted the annexation, the answer given by the city representative was that they had other property in the city. Even though some of our property in this area is already in the city, we do not want this parcel annexed. We want to stay in the county.

The Lockyear family has owned this property since 1947 and it has always been county property. We cannot see any advantage to us to be in the city. Further, we cannot see any reason why the city would want to annex our property against our objections. Looking at the map it is clear that other property in the area is not being annexed. If the property is annexed we have the right to know exactly why our property is being put into the city. It is clear to us that if someone owns a lot of land they can dictate what happens to property owners who own small parcels.

We are requesting that the Boundary Review Board review the action to annex our property and deny the city the right to annex our parcel. Thank you for your consideration in this matter.

Very truly yours,

Clifford Lockyear



Hazel Lockyear



# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone:360-577-3041

Fax :360-425-7760

E-mail: mhermen@cwcb.org

February 26, 2014

**To:** Interested Parties and Adjacent Property Owners

**From:** Matt Hermen, Executive Officer <sup>MH</sup>

**Re:** Proposed Annexation by the City of Longview- Pacific Fibre File No. 202

The Washington State Boundary Review Board for Cowlitz County takes this means of informing interested parties and agencies of notices of intention that are filed with the Board. The Notice of Intention for the proposed annexation referenced above is acceptable for filing and has been **filed effective Wednesday, February 26, 2014 as file No. 202**. The Cowlitz County Boundary Review Board assigns the file number.

Provided the Board's jurisdiction is not invoked pursuant to RCW 36.93.100, the public review period will expire 45 days from the date of filing. If you feel the Boundary Review Board should review this action, you must request review in accordance with state law **no later than Friday, April 11, 2014**.

A map of the proposed annexation along with the legal description has been enclosed for your convenience. A full copy the notice is available at our office for review. I will be happy to provide you such additional information as is available upon request.

MH

Enclosures

cc: Boundary Review Board Members

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone:360-577-3041

Fax :360-425-7760

E-mail: [mhermen@cwco.org](mailto:mhermen@cwco.org)

February 26, 2014

**To:** Elaine Placido, Director Cowlitz Co. Dept. of Building & Planning

**From:** Matt Hermen, Executive Officer

**Re:** File No. 202 – City of Longview’s Pacific Fibre Annexation

Enclosed are nine (9) copies of the file furnished to this office on the above referenced action for your dispersal to the appropriate Cowlitz County Departments. Please give your consideration and report your findings to this office as soon as possible in order that they may be made available for the Board’s preliminary consideration of this proposal.

**The 45-day review period will end on Friday, April 11, 2014.**

Any additional data in our files can be furnished to you at your request. Your advice on factors affecting this proposal is sincerely appreciated.

MH

Enclosures

202 Annex Bldg/Plan MH 2-14

# Cowlitz County Boundary Review Board

Administration Annex 207 4<sup>th</sup> Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax: 360-425-7760

E-mail: mhermen@cwccog.org

February 26, 2014

Mayor Don Jensen  
City of Longview  
PO Box 128  
Longview, WA 98632

## **RE: File No. 202 – City of Longview – PacFibre Annexation**

The Notice of Intention for the proposed annexation referenced above is acceptable for filing and has been so filed effective **Wednesday, February 26, 2014 as Annexation 202.**

Provided the Board's jurisdiction is not invoked pursuant to RCW 36.93.100, the public review period will end 45 days from the date of filing. **The official date will be Friday, April 11, 2014.**

Please feel free to contact me if you have any questions.

Sincerely,

Matt Hermen  
Executive Officer

MH

cc: Steve Langdon, Planning Manager, City of Longview

Pacific Fibre Products, Inc.  
177 Fibre Way  
Longview, WA 98632

Clifford and Hazel Lockyear  
3526 Fairway Lane  
Longview, WA 98632

Cowlitz Sewer Operating Board  
207 N. 4<sup>th</sup> Ave.  
Kelso, WA 98626

Longview Fibre Paper/Packaging, Inc.  
PO Box 3000  
Longview, WA 98632

Burlington Northern, Inc.  
810 – 3<sup>rd</sup> Ave., Suite 437  
Seattle, WA 98104

Chuck Davison  
Boundary Review Board  
1146 Holcomb Road  
Kelso, WA 98626

Lynn H. Johnson  
Boundary Review Board  
2444 Archwood Drive  
Longview, WA 98632

Pacific Fibre Products, Inc.  
465 Industrial Way  
Longview, WA 98632

Port of Longview  
PO Box 1258  
Longview, WA 98632-7739

Cowlitz County  
c/o Public Works Water Pol Ctl Mt  
1600 – 13<sup>th</sup> Ave., S.  
Kelso, WA 98626

CXA Corporation  
7195 Dallas Pkwy, 4E  
Plano, TX 75024-4922

Kapstone Paper & Packaging Corp.  
1101 Skokie Blvd., Suite 300  
Northbrook, IL 60062-4124

Jim Holter  
Boundary Review Board  
292 Green Mountain Lane  
Kalama, WA 98625

Davis Bros. Investments, LLC  
161 Industrial Way  
Longview, WA 98632

Longview Booming Co., Inc.  
1302 – 25<sup>th</sup> St.  
Longview, WA 98632

Pacific Lumber/Shipping, LLC  
Attn: Property Tax Dept.  
PO Box 21785  
Seattle, WA 98111-3785

Kapstone Longview Kraft Paper Mill  
PO Box 639  
Longview, WA 98632

Northwest Hardwoods, Inc.  
c/o Accounts Payable  
820 A St., Suite 500  
Tacoma, WA 98402

Jim Bain  
Boundary Review Board  
PO Box 631  
Kalama, WA 98625

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR COWLITZ COUNTY

NOTICE OF INTENTION

Please submit this Notice of Intention form and the exhibits listed below to the Boundary Review Board, Cowlitz County Administration Annex, 207 4th Avenue North, Kelso, WA 98626 for determination of sufficiency by the Clerk of the Board. When deemed sufficient, the original and an additional sixteen (16) copies of the Notice of Intention and Exhibits and a filing fee of \$50.00 are required for filing.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation.

- 1. Name of City, Town, or Special Purpose District City of Longview
- 2. Action Sought Pacific Fibre Products Annexation (ANX 2013-1)
- 3. Reason for seeking action Request by property owners to annex into the City
- 4. Method used to initiate the proposed action Petition by the property owners
- 5. State statute under which action is sought RCW 35A.14.120

6. Items submitted should be labeled in accordance in this format:

**EXHIBIT A.** A copy of the legal description of the boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor.

**EXHIBIT B.** A Cowlitz County Assessor's map certified by a registered engineer or land surveyor on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated.

**EXHIBIT C.** A vicinity map no larger than 11" x 17" and reproducible on a non-color photocopier displaying:

- 1) The boundary of the area involved in the proposal and the size in acres.
- 2) The current corporate boundaries of the proposing entity.
- 3) Major physical features such as streets and highways, railways, public facilities, rivers, freeways etc.,
- 4) The boundaries of all cities or special purpose districts having jurisdiction in or near the proposed area.
- 5) The location of the nearest service point(s) for the required utility services to the area.

RECEIVED

FEB 25 REC'D

COWLITZ COUNTY  
BOUNDARY  
REVIEW  
BOARD

10. Cowlitz County zoning for surrounding areas Heavy Manufacturing
11. Is the proposal within any identified Urban Service Area? (Public water, sewer, etc) Yes, this area is within the City's Planning Area Boundary. All of the area is within the City's water service area. The portion of the area between the Log Pond and Industrial Way is in the City's sewer service area (approximately 48 acres).
12. Is the proposed area within or include any environmentally Sensitive Areas? The Long Bell Log Pond, as identified by the Washington Department of Fish & Wildlife, has priority species/habitat. Some floodplain is associated with the shoreline of the Log Pond. Recently, the Washington Department of Ecology determined that the log pond is not a shorelines of the state.
13. Describe the topography, drainage basins and natural boundaries which are included in the area of the proposal and how each affects land use, accessibility and potential development. The proposed annexation area is near the confluence of the Cowlitz and Columbia Rivers. It is basically on flat river valley bottom. Drainage is to the 110± acre Log Pond and eventually the Columbia River. The southern tip of the annexation area reaches a backwater of the Columbia River. The area is already developed. The topography, drainage basins and natural boundaries should have minimal effect on future development.
14. Describe how much and what type of growth has been projected for this area and adjacent incorporated and unincorporated areas during the next ten-year period. What source is the basis for this projection?  
The area is currently zoned for heavy industry and will likely be zoned such upon annexation. The surrounding area is also zoned for industrial use. Industrial development and redevelopment may take place as time passes. The dredging of the Columbia River has provided more opportunities for trade. No known residences are in the annexation area or the area adjacent to it. For the City of Longview Planning Area, the City of Longview Comprehensive Plan, December 2006 projects a one percent average annual population growth for the next 20 years.

Unless a caretaker dwelling(s) is located in the area, no residential population is expected to be established in the annexation area.

## MUNICIPAL SERVICES

1. Name the current service purveyors in the proposed area.  
 Water Longview      Police Cowlitz County  
 Sewer Longview      School Longview School District  
 Fire By contract with Longview and Cowlitz Fire Dist. No. 2  
 Library Longview, thru a library district
2. What service changes will occur if the proposal is approved? If annexed, the area will be served by the City's police and fire departments. It will also be served directly by City of Longview Library services.

## OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe how this proposal meets the objectives of RCW 36.93.180. Give your reasons for each of the objectives chosen.

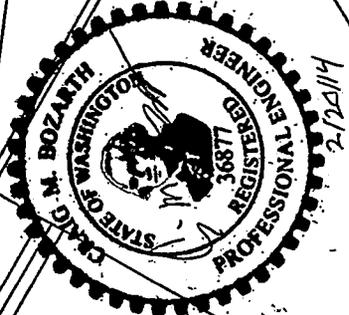
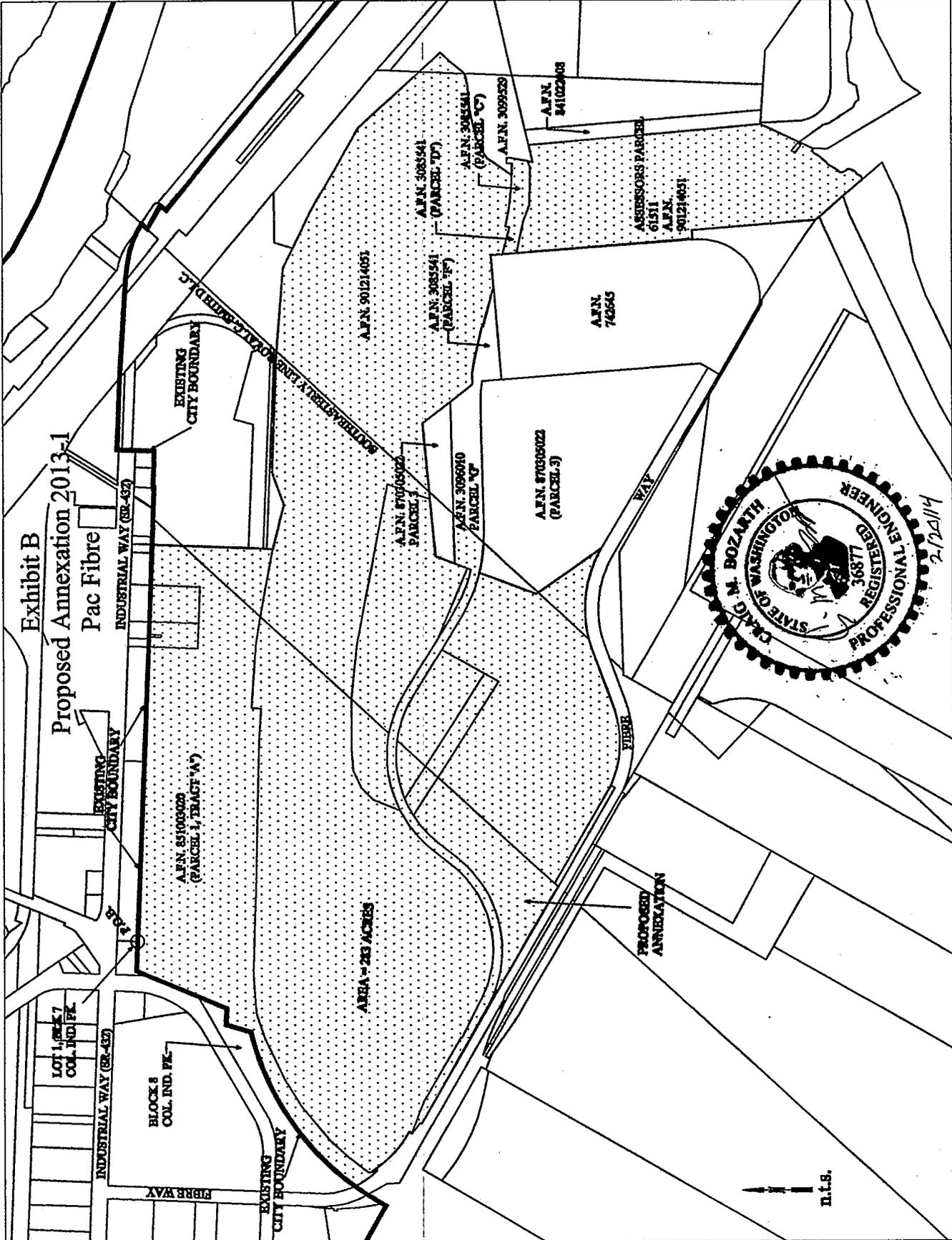
1. Preservation of natural neighborhoods and communities. The proposed annexation area is an industrial area surrounded by industrial properties. Annexing the area should not significantly change the neighborhood or community. It will allow urban services to be more readily available.
2. Use of physical boundaries, including but not limited to bodies of water, highways and land contours. The annexation area is bounded by City limits to the north and west and streets to the east and south. The southern tip of the annexation is adjacent to a backwater of the Columbia River.
3. Creation and preservation of logical service areas. The proposed annexation area is completely within the City's water service area and partially within the City's sewer service area and. Development within the proposed annexation area is already served by City water service. The areas surrounding the annexation area are also served by City water service area except lands to the south. Sewer mains run along Industrial Way to the North and Fibre Way to the east. The annexation area is within the City's Planning Area Boundary and as such has been designated by the City as an area for future annexation. Eventually, the City will likely expand its sewer service area to include all of the annexation area. Longview Police provides services to adjacent areas and already provide emergency response to the annexation area under mutual aid agreements with Cowlitz County. Currently, the annexation area is not within the service areas of Cowlitz Fire District No. 2 or Longview Fire Department. Individual businesses receive fire services through a contract with both agencies. Upon annexation, the area will be served by the City of Longview.
4. Prevention of abnormally irregular boundaries. The annexation area is bounded by streets and existing City limits.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas. The property will be annexed to a jurisdiction in excess of ten thousand in population.
6. Dissolution of inactive special purpose districts. This annexation will not result in the dissolution of inactive special purpose districts.
7. Adjustment (correction) of impractical boundaries. Not applicable
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character. The proposed annexation area contains industrial land uses

## EXHIBIT A

A portion of the Jonathan Burbee, Royal C. Smith and Harry Huntington Donation Land Claims located within Sections 3, 4, 9, 10 and 11 of Township 7 North, Range 2 west of the Willamette Meridian, records of the Auditor of Cowlitz County, Washington, more particularly described as follows:

Commencing at the northeast corner of Lot 1, Block 7 of the duly recorded plat of Columbia Industrial Park, said northeast corner also being the northwest corner of Parcel 1, Tract "A" of AFN 851003020; thence due south along the easterly line of said Lot 1, Block 7 and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020, 125.00 feet to the point of beginning of this description, said point being also the southeast corner of said Lot 1, Block 7, and a point on the existing Longview City limits line; thence westerly and southwesterly along the existing City limits line and the northwesterly line of said Parcel 1, Tract "A" of AFN 851003020 to a point on the northeasterly right-of-way line of Fibre Way, said point also being the most southerly corner of Block 8 of the plat of Columbia Industrial Park; thence leaving the City limits line southeasterly along the northeasterly right-of-way line of Fibre Way, to the southwesterly corner of Parcel 3 of AFN 870305022; thence northwesterly along the southwesterly line of Parcel 3 of AFN 870305022 to the most westerly corner thereof; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the southwesterly corner of Parcel "G" of AFN 3096010; thence easterly along the southerly line of Parcel "G" of AFN 3096010 to an intersection with the southeasterly line of the Royal C. Smith Donation Land Claim; thence northeasterly along said Donation Land Claim to an intersection with the northerly line of Parcel "G" of said AFN 3096010; thence westerly along the northerly line of Parcel "G" of said AFN 3096010 to the northwesterly corner thereof, being also a point on the northwesterly line of the aforementioned Parcel 3 of AFN 870305022; thence northeasterly along the northwesterly line of Parcel 3 of AFN 870305022 to the most northwesterly corner thereof; thence easterly along the northerly line of Parcel 3 of AFN 870305022 to the most northeasterly corner thereof; thence southeasterly along the northeasterly line of Parcel 3 of AFN 870305022 and AFN 3096010 to the northwesterly corner of Parcel "F" of AFN 3085541; thence easterly along said Parcel "F" to the most northerly corner of Parcel "F" of AFN 3085541; thence southeasterly along the northeasterly line of Parcel "F" of AFN 3085541 to the most easterly corner of Parcel "F" of said AFN 3085541, said corner being also a point on the northerly line of AFN 742645; thence easterly along the northerly line of AFN 742645 to the northeasterly corner thereof; thence southerly along the easterly line of AFN 742645 to the northwesterly line of Parcel "D" of AFN 3085541; thence southerly along the westerly line of said Parcel "D" of AFN 3085541 and the westerly line of Assessors' Parcel 61511 as described under AFN 901214051 to the most southerly corner of AFN 901214051, said corner being a point on the northerly bank of the Columbia River; thence northeasterly along the southeasterly line of AFN 901214051 to the southwesterly corner of AFN 841022008; thence northerly along the westerly line of AFN 841022008 to the northwesterly corner thereof, said northwesterly corner also being a point on the southeasterly line of AFN 3099529; thence westerly along the southerly line of AFN 3099529 to the southwesterly corner thereof; thence northerly along the Pacific Fibre Annexation

**Exhibit B**  
**Proposed Annexation 2013-1**  
**Pac Fibre**



STATE OF WASHINGTON )  
COUNTY OF COWLITZ )  
CITY OF LONGVIEW )

**C E R T I F I C A T E**

I, Ann C. Davis, the duly appointed, qualified, and acting City Clerk of the City of Longview, County of Cowlitz, State of Washington, do hereby certify that the appended is a true and correct copy of

***60% Owners' Petition for Annexation to the City of Longview, Washington, ANX 2013-1***

as it appears on file and of record in my office in said City of Longview, Cowlitz County, Washington.

WITNESS MY HAND AND OFFICIAL SEAL this 24th day of February, 2014.

*Ann C Davis*  
Ann C. Davis, City Clerk

**OWNERS PETITION FOR ANNEXATION  
TO THE CITY OF LONGVIEW, WASHINGTON**

**TO:** City Council of the City of Longview  
1525 Broadway  
P.O. Box 128  
Longview, WA 98632

**WE THE UNDERSIGNED** being the *OWNERS of more than sixty (60%) percent in value, according to the assessed valuation for general taxation* of the real property described on **EXHIBIT A** attached hereto or any portion thereof, lying contiguous to the City of Longview, Washington, do hereby petition that such territory be annexed to and made a part of the City of Longview, Washington under the provisions of RCW 35A.14, et seq., and any amendment thereto, of the State of Washington.

The territory proposed to be annexed is within Cowlitz County, Washington and is described on **EXHIBIT A** attached hereto and depicted on **EXHIBIT B**, a diagram which outlines the boundaries of the property sought to be annexed, further attached hereto.

**WHEREFORE**, the undersigned respectfully petition the Honorable City Council of the City of Longview and ask:

1. That appropriate action be taken to entertain this petition, fixing a date for public hearing, causing notice to be published and posted specifying the time and place of such hearing, and inviting all persons interested to appear and voice approval or disapproval of such annexations: and
2. That following such hearing, and subsequent to approval by the Boundary Review Board for Cowlitz County, if such is convened, the City Council determine by ordinance that such annexation shall be effective; and that property so annexed shall become a part of the City of Longview, Washington subject to its laws and ordinances then and thereafter in force, including a Comprehensive Plan designation to become effective upon annexation if the same is provided pursuant to RCW 35.13 or RCW 35A.14.
3. That the zoning for the area proposed for annexation be amended consistent with the City's Comprehensive Plan and that said zoning be implemented and effective upon annexation.

**THE PETITIONERS HERETO AGREE:** "that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and at the same basis as property within the City of Longview."

If more than one copy of the petition is distributed, all such signature pages will be presented and considered as one Petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single Petition.

***WARNING: EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS OR HER TRUE NAME, OR WHO KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS, OR SIGNS A PETITION SEEKING AN ELECTION WHEN HE OR SHE IS NOT A LEGAL VOTER, OR SIGNS A PETITION WHEN HE OR SHE IS OTHERWISE NOT QUALIFIED TO SIGN, OR WHO MAKES HEREIN ANY FALSE STATEMENT, SHALL BE GUILTY OF A MISDEMEANOR.***

**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

**SIGN IN INK.**

**PACIFIC FIBRE PRODUCTS, INCORPORATED  
P.O. BOX 278  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60422	177 Fibre Way	\$894,900
6042203	465 Industrial Way	\$8,678,100
60423	None	\$55,600
60424	None	\$112,400
61499	None	\$2,600
61511	None	\$27,300
61520	None	\$421,700
63176	177 Fibre Way	\$1,897,700
631760200	None	\$271,200
63177	None	\$149,500
63178	None	\$495,600

X Lang R Lemus

10-22-13  
Date

X \_\_\_\_\_

\_\_\_\_\_

**City of Longview**

**OCT 31 2013**

**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

City of Longview

NOV 04 2013

Community Development

**SIGN IN INK.**

**DAVIS BROS INVESTMENTS, LLC  
1104 14<sup>TH</sup> AVENUE  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60426	161 Industrial Way	\$480,110

X	<u>Scott David MANAGER</u>	<u>11-4-13</u>
		Date

X	_____	_____
		Date

---

**LOCKYEAR, CLIFFORD L. ETAL  
3526 FAIRWAY LANE  
LONGVIEW, WA 98632**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
60425	None	\$168,750

X	_____	_____
		Date

X	_____	_____
		Date

**SIGNATURE PAGE IN SUPPORT OF PETITION FOR ANNEXATION**

Every person who signs this petition with other than their true name, or who knowingly signs more than one of these petitions, or signs a petition seeking election when they are not a legal voter, or signs a petition when they are otherwise not qualified to sign, or who makes herein false statement, shall be guilty of a misdemeanor.

**SIGN IN INK.**

**PORT OF LONGVIEW  
P.O. BOX 1258  
LONGVIEW, WA 98632-7739**

<u>Parcel No.</u>	<u>Site Address</u>	<u>Assessed Value</u>
604220100	None	\$1,260,000
615200500*	None	\$85,800*

x Louis E. Johnson

10-22-2013  
Date

x Robert W. Bagnasco

10-22-13  
Date

\* Only the eastern 600± feet of this parcel are proposed to be annexed. This consists of approximately 22% of the total parcel size. The valuation shown above is based upon 22% of the total valuation of the parcel.

---

Please submit this "Petition for Annexation to the City of Longview, Washington" to the Community Development Department located at 1525 Broadway, Longview, WA 98632 for formal processing.

City of Longview

OCT 22 2013

Page 5 of 5

## EXHIBIT A

### Proposed Annexation Area - ANX 2013-1

Property Owner	Site Address	Parcel Number	Land Value	Improvement Value	Total Valuation
Pacific Fibre Products, Inc.	177 Fibre Way	60422	\$894,900	\$0	\$ 894,900
Pacific Fibre Products, Inc.	465 Industrial Way	6042203	\$3,983,700	\$4,694,400	\$ 8,678,100
Pacific Fibre Products, Inc.		60423	\$55,600	\$0	\$ 55,600
Pacific Fibre Products, Inc.		60424	\$112,400	\$0	\$ 112,400
Pacific Fibre Products, Inc.		61499	\$2,600	\$0	\$ 2,600
Pacific Fibre Products, Inc.		61511	\$27,300	\$0	\$ 27,300
Pacific Fibre Products, Inc.		61520	\$421,700	\$0	\$ 421,700
Pacific Fibre Products, Inc.	177 Fibre Way	63176	\$1,897,700	\$0	\$ 1,897,700
Pacific Fibre Products, Inc.		631760200	\$271,200	\$0	\$ 271,200
Pacific Fibre Products, Inc.		63177	\$149,500	\$0	\$ 149,500
Pacific Fibre Products, Inc.		63178	\$495,600	\$0	\$ 495,600
Davis Bros Investments LLC	161 Industrial Way	60426	\$123,540	\$356,570	\$ 480,110
Clifford L. Lockyear ETAL		60425	\$168,750	\$0	\$ 168,750
Port of Longview		604220100	\$1,260,000	\$0	\$ 1,260,000
Port of Longview		615200500*	\$85,800	\$0	\$ 85,800
<b>Totals</b>			<b>\$9,950,290</b>	<b>\$5,050,970</b>	<b>\$15,001,260</b>

\* Only the eastern 600 feet of this tax parcel is proposed to be annexed. The total tax parcel size is 6.13 acres. The eastern portion of tax parcel is 22% of the total parcel size. The approximate valuation of the property is derived from multiplying 0.22 times the total valuation of the parcel (\$390,000).

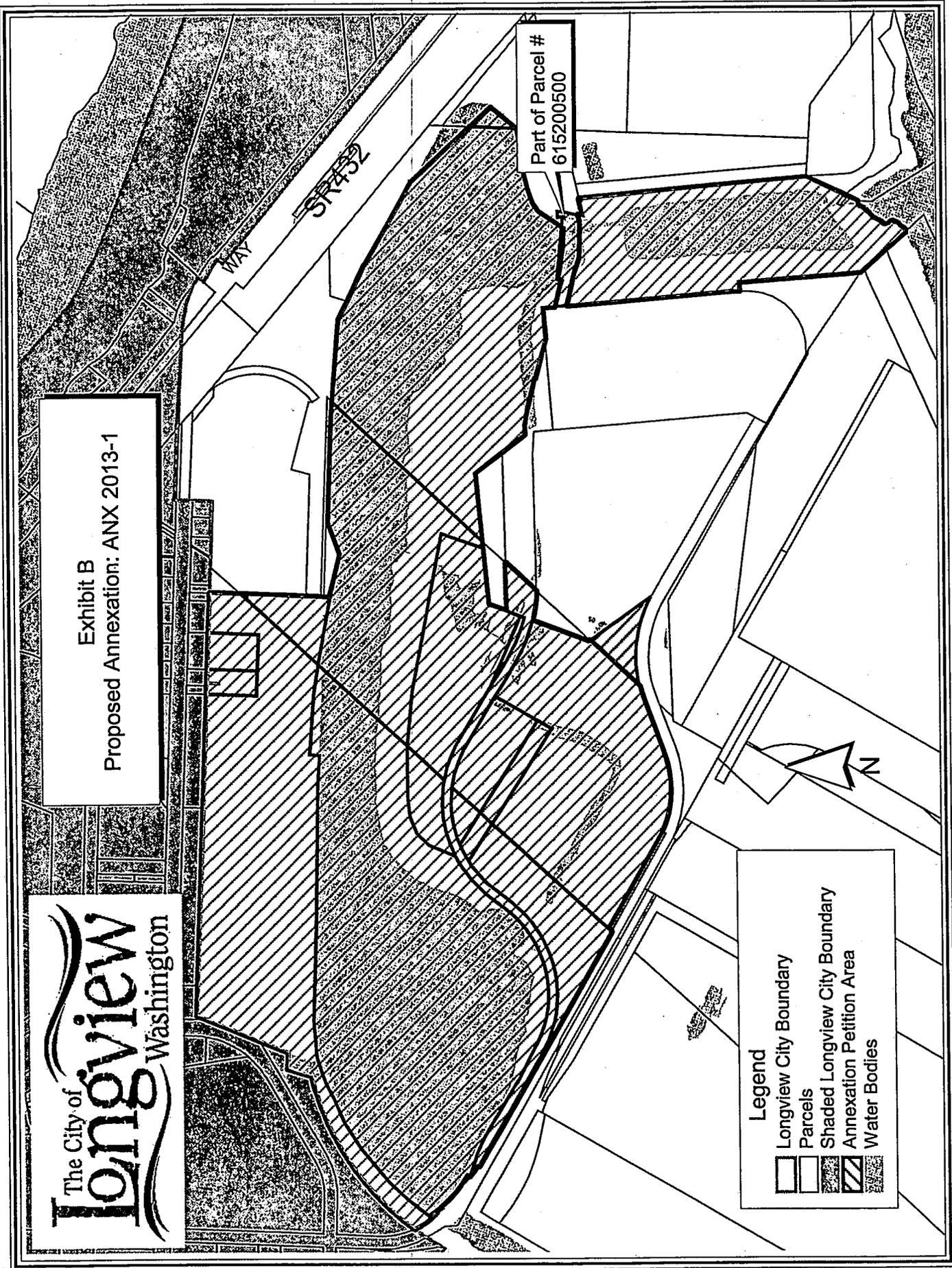


Exhibit B  
Proposed Annexation: ANX 2013-1

Part of Parcel #  
615200500

**Legend**

- Longview City Boundary
- Parcels
- Shaded Longview City Boundary
- Annexation Petition Area
- Water Bodies





# COWLITZ COUNTY ASSESSOR'S OFFICE

*Terry McLaughlin, Assessor*

*Wesley T. Hagen, Chief Appraiser  
Janeene Niemi, Administrative Assistant*

## COWLITZ COUNTY ASSESSOR CERTIFICATE OF SUFFICIENCY

RCW 35A.01.040 & RCW 35A.14.120

I, Terry McLaughlin, Cowlitz County Assessor, pursuant to RCW 35A.01.040(9), do hereby certify that I have received the Pacific Fibre Products Annexation petition filed with the City of Longview. I further certify that said petition contains valid signatures of property owners of at least sixty percent (60%) in value according to the assessed valuation for general taxation of the property for which annexation is petitioned as required by RCW 35A.14.120.

Terminal Date: November 12, 2013

  
Terry McLaughlin  
Cowlitz County Assessor

11-12-2013  
Date

**AFFIDAVIT OF PUBLICATION**

IN THE MATTER NOTICE OF PUBLICATION

Ad Number 513025

**CITY OF LONGVIEW NOTICE**

**CITY OF LONGVIEW**

STATE OF WASHINGTON  
COUNTY OF COWLITZ

MELANIE CRISMAN being duly sworn says that she is the CHIEF CLERK of THE DAILY NEWS. And that THE DAILY NEWS, published in Cowlitz County, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com, for a period of 1 insertion commencing on November 23, 2013 and ending on November 23, 2013, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is the sum of \$420.00 and \$3.50 line for the first insertion and \$3.00 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

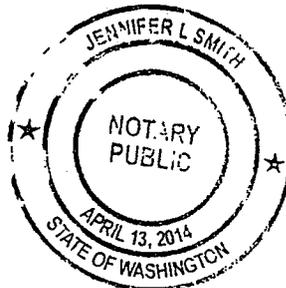
MELANIE CRISMAN

*Melanie Crisman*

Subscribed and sworn to before me this  
26th Day of November, 2013

JENNIFER L. SMITH

*Jennifer L. Smith*  
Notary Public for the State of Washington  
Residing in Cowlitz County



**RECEIVED**

NOV 27 2013

City of Longview  
City Clerk

*dupl orig & invoice to Adam Elve, 11/27/13 AD*

STATE OF WASHINGTON )  
COUNTY OF COWLITZ )  
CITY OF LONGVIEW )

**C E R T I F I C A T E**

I, Ann C. Davis, the duly appointed, qualified, and acting City Clerk of the City of Longview, County of Cowlitz, State of Washington, do hereby certify that the appended is a true and correct copy of

***Council Meeting minutes dated December 12, 2013,  
accepting 60% Owners' Petition for Annexation to the  
City of Longview, Washington, ANX 2013-1***

as it appears on file and of record in my office in said City of Longview, Cowlitz County, Washington.

WITNESS MY HAND AND OFFICIAL SEAL this 24th day of February, 2014.

*Ann C Davis*

---

Ann C. Davis, City Clerk



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Minutes - Final City Council

*Mayor Don Jensen  
Council Member Ken Botero  
Council Member Tom Hutchinson  
Council Member Chet Makinster  
Mayor Pro Tem Mary Jane Melink  
Council Member Steve Moon  
Council Member Michael Wallin*

---

Thursday, December 12, 2013

7:00 PM

2nd Floor, City Hall

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### 6:00 P.M. EXECUTIVE SESSION - POTENTIAL REAL ESTATE TRANSACTION

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. CALL TO ORDER

*Mayor Don Jensen called the meeting to order at 7:00 p.m.*

2. INVOCATION\*/FLAG SALUTE

*Pastor Mark Ford from the First Baptist Church Wheeler gave an invocation. The Pledge of Allegiance was recited.*

3. ROLL CALL

**Present:** 7 - Mayor Don Jensen, Council Member Botero, Council Member Hutchinson, Council Member Makinster, Mayor Pro Tem Melink, Council Member Moon and Council Member Wallin

**Staff present:**

*City Manager Bob Gregory; City Attorney James McNamara, and City Clerk Ann Davis.*

*Also present: David Campbell, Assistant City Manager/Director of Parks & Recreation; John Brickey, Director of Community Development; Jeff Cameron, Public Works Director; Jim Duscha, Police Chief; Judy Jones, Information Technology Director; Phil Jurmu, Fire Chief; Keith Larson, Human Resources Director; Kurt Sacha, Finance Director; Chris Skaugset, Library Director; and Engineers Amy Blain and Ivona Kininmonth.*

4. APPROVAL OF MINUTES

commendation award.

Longview Police Department - Captain Deborah Johnson  
Officer of the Year

Longview Fire Department - Master Firefighter Luke Amos  
Firefighter of the Year

*Steve White, Chaplain for the American Legion, presented Public Safety Awards commending an officer of the year for both fire and police. Master Fire Fighter Luke Amos was commended for leading by example and exceptional customer service. Firefighter Amos said he is one of 43 firefighters; "We do our jobs every day. My pride comes from working with my crew – everyone of them."*

*Police Captain Deborah Johnson was recognized as the police department officer of the year for her recognition a the problem and implementing a software solution to enable pawnbrokers to quickly report items received in order to cross check against items reported stolen. Captain Johnson thought every officer and firefighter in Longview is an "officer of the year."*

### Service Awards to Councilmembers

*City Manager Bob Gregory said it was his pleasure to present service awards to Councilmembers Ken Botero, Mary Jane Melink, and Ken Botero for having achieved five years of service. Mayor Don Jensen was recognized for his over 41+ years of service, and presented with a cypress tree.*

13-3096

### WATER QUALITY UPDATE

**Attachments:** [Water Quality Update 12 12 2013](#)  
[Water Quality Update 12 12 2013 B&W handouts](#)

*Mint Farm Regional Water Treatment Plant Project Manager Amy Blain gave the latest update on water quality issues.*

### 7. CONSTITUENTS' COMMENTS (Thirty Minutes)

### 8. PUBLIC HEARINGS

ANX 2013-1  
12/12/13

PUBLIC HEARING FOR ANX 2013-1 PACIFIC FIBRE PRODUCTS  
ANNEXATION

#### COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Strengthen economic conditions & create new opportunities, Preserve and enhance neighborhoods, Address quality of place issues

CITY ATTORNEY REVIEW: N/A

#### SUMMARY STATEMENT:

Pacific Fibre Products and other have submitted a 60% petition to annex

**SUMMARY STATEMENT:**

The subject Ordinance has been prepared to amend the 2013-2014 biennial budget to authorize expenditures unforeseen at the time the 2013-2014 biennial budget was adopted. These amendments affect the Capital Projects and Parks and Recreation Memorial Trust Fund in the 2013-2014 biennial budget.

**RECOMMENDED ACTION:**

First reading of Ordinance. No Council action required until second reading.

Attachments: Ord No. 3257

*First reading of Ordinance amending 2013-2014 Biennial Budget. No action taken.*

**OR 13 3258**

**ORDINANCE NO. 3258, CREATING A NEW CHAPTER IN THE LMC AND FORMALLY ESTABLISHING A FUND TO BE KNOWN AS THE "PARKING ENFORCEMENT SPECIAL REVENUE FUND"**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative:

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The attached Ordinance amends LMC by the addition of a new chapter and formally establishing the "Parking Enforcement Special Revenue Fund" in accordance with federal requirements.

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3258.

Attachments: ORD NO. 3258

*Finance Director Kurt Sacha stated this is primarily a housekeeping issue. The Washington State Auditors would like to see a Special Revenue Fund be established, rather than tracking the funds within the General Fund.*

A motion was made by Council Member Ken Botero, seconded by Council Member Steve Moon, that this matter be adopted. The motion passed unanimously.

**RS 13 2092**

**RESOLUTION NO. 2092 - SEWER RATES FOR 2014**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management.

Provide sustainable water quality & environmental infrastructure.

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The 19% rate increase will in addition:

- Expand the grant-funded Tennant Way gateway stormwater low impact development upgrades from its current scope of two blocks (7th to 9th Avenues) to the full extent of the gateway (7th to 15th Avenues); and
- Transfer responsibility for funding repairs of sidewalks damaged by City trees from the Capital Projects Fund to the Urban Forestry Program. This will provide a stable source of revenue for the sidewalk program and allow its backlog to be reduced by about 20% in 2014.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2093 for the 19% increase and to direct staff to proceed with the full-length Tennant Way LID streetscape improvements.

Attachments:     PWAtt-Stormwater Rate Resolution #2093 with Changes  
                           PWAtt-Stormwater Rate Resolution #2093 Incl Alt A & B with Changes  
                           Proposed 2014 Utility Rates 12-12-2013  
                           Proposed 2014 Utility Rates 12-12-2013 B&W handouts

A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this Resolution be adopted including both Schedules A and B. The motion passed unanimously.

RS 13 2094

**RESOLUTION 2094 - SOLID WASTE & RECYCLING RATE INCREASE**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

The Solid Waste & Recycling Fund is requesting an increase of 8.5% for all solid waste and recycling utility rates. The rate resolution will be effective January 1, 2014.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2094.

Attachments:     2014 Resolution No 2094  
                           Proposed 2014 Utility Rates 12-12-2013  
                           Proposed 2014 Utility Rates 12-12-2013 B&W handouts

*Citizen Martin Wells commented that Council needs to provide incentive for residents to recycle. There are no brown recycling tubs in his neighborhood.*

A motion was made by Mayor Pro Tem Mary Jane Melink, seconded by Council Member Tom Hutchinson, that this Resolution be adopted. The motion passed unanimously.

RS 13 2096

**RESOLUTION 2096 - INTERLOCAL AGREEMENT WITH CITY OF KELSO FOR BUILDING PLAN REVIEW AND INSPECTION SERVICES**

- Downtown Advisory Committee: Scott Vydra, Ken Spring and Betsy DeSpain, reappointment to 3-year terms ending 12/31/16; Alice Dietz, appointment to a 3-year term to expire 12/31/16; and Alex Nelson and Sue Piper, appointment to unexpired terms that will end 12/31/14.
- Golf Advisory Committee: Arne Lund and Brenda Athey, reappointment to 1-year terms that will expire 12/31/14; Chuck Berquist, reappointment to a 3-year term that will expire 12/31/16; and Jeff Sowders, appointment to an unexpired term that will end 12/31/14.
- Library Board: Virginia Cowden-Kretzler, reappointment to a 5-year term to expire 12/31/18.
- Lodging Tax Advisory Committee: Bill Marcum, Gian Morelli, and Phillip Lovingfoss, reappointment to 1-year terms that will expire 12/31/14.
- Mosquito Control District Board: Sally Parks, reappointment to a 2-year term that will expire 12/31/15.
- Parks & Recreation Board: Louis LaPierre, reappointment to a 3-year term that will expire 12/31/16.
- Planning Commission: Thomas Warren, reappointment to a 5-year term that will expire 12/31/18.
- Stormwater Advisory: Howard Nagle and Mike Davis (Swanson Bark), reappointment to a 2-year term to expire on 12/31/15.

**RECOMMENDED ACTION:**

Motion to appoint or reappoint members as recommended above.

A motion was made by Council Member Tom Hutchinson, seconded by Council Member Chet Makinster, that this matter be approved. The motion passed unanimously.

**12. CONSENT CALENDAR**

*There being no items the Council wished removed from the Consent Calendar, a motion was duly made and passed approving the items on the Consent Calendar as though acted on individually.*

**13-3073****APPROVAL OF CLAIMS**

Based upon the authentication and certification of claims and demands against the city, prepared and signed by the City's auditing officer, and in full reliance thereon, it is moved and seconded as shown in the minutes of this meeting that the following vouchers/warrants are approved for payment:

First claims period December, 2013: \$1,958,917.05

Second Half November 2013 Payroll:

\$67,643.13, Checks No. 205865 - 205881

\$591,022.24, direct deposits

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

This action is to certify that the Hillcrest & Mt. Solo Reservoir SCADA Towers Project has been completed in accordance with the plans and specifications under Contract No. 13-0181-A entered into between the City of Longview and Five Rivers Construction, Inc., and the same is hereby accepted and approved.

**RECOMMENDED ACTION:**

Motion to accept and approve as complete the Hillcrest & Mt. Solo Reservoir SCADA Towers Project.

**PROJ #65**

**PROJECT COMPLETE CERTIFICATION - HUDSON STREET PUMP STATION FORCEMAIN - PHASE 2**

**COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure.

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

This action is to certify that the Hudson Street Pump Station Forcemain - Phase 2 Project has been completed in accordance with the plans and specifications under Contract No. 13-1908B2-S entered into between the City of Longview and Advanced Excavating Specialists LLC, and the same is hereby accepted and approved.

**RECOMMENDED ACTION:**

Motion to accept and approve as complete the Hudson Street Pump Station Forcemain - Phase 2 Project.

**13-3100**

**BID REVIEW - 2014 CHEMICAL PURCHASES**

**COUNCIL INITIATIVE ADDRESSED:**

Continue effective financial management

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Each year, the cities of Longview and Kelso combine their quantities of water treatment chemical purchases to obtain more favorable prices. Bids were received from six chemical suppliers, with staff's award recommendations as follow for the chemicals Longview uses:

Bid Item #2 Flourosilicic Acid - NO BIDS SUBMITTED

\$\_\_\_\_\_/gallon

Bid Item #3 Sodium Hydroxide - Northstar Chemical

\$0.685/gallon

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management.

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

As with many utilities, for the City of Longview delivering a door hanger notice is the last step in the delinquent utility account process before disconnecting service. The door hanger states that the account is delinquent and service will be discontinued unless payment is received on or before a specified time on the disconnect date.

Door Hangers are hand delivered which requires staff time and generally the use of a vehicle. For some customers, the door hanger has basically become a hand-delivered reminder notice. While past due accounts receive reminder notices by mail, the number of customers who wait until they get a door hanger has grown over the past several years along with the costs for hand-delivering the notices.

The costs associated with hand delivering these notices approximate \$37,000 per year and only applies to 4% of customers. The proposed recommendation is to discontinue hand delivering door hangers and eliminate the fees associated with them. Instead, the City will mail a "final notice letter" that will include the planned shut-off date. If accounts are not brought current by the planned shut-off date, the customer will be disconnected for nonpayment with no further notice. Providing a "final notice letter" in lieu of hand delivering door hangers will result in a \$34,000 reduction from current annual costs.

**RECOMMENDED ACTION:**

Motion to direct the City Attorney to prepare an Ordinance eliminating fees and discontinuing the hand delivery of disconnect notices.

**Attachments:** Utility Billing Disconnect Notices (2013 1212)

*Finance Director Kurt Sacha proposed eliminating the personally-delivered cut-off notice door tags to past-due water consumers. This would save the City \$34,000 in labor costs. In lieu of the door hangers, a final letter would be sent to the accounts stating the deadline by which the past-due amount must be paid. Many other jurisdictions are trending away from door hangers.*

*In addition to the monetary savings, personnel currently delivering the tags could be doing other tasks. There also is an employee safety consideration; late accounts may not respond kindly to delivery of the notice and impending water shut-off.*

*Councilmember Hutchinson asked whether the final letters ought to be sent by certified mail. Mr. Sacha agreed this could be done, but it would also take up quite a bit of staff time and incur additional cost.*

**A motion was made by Council Member Hutchinson, seconded by Council Member Makinster, that this Agenda Item be approved. The motion carried by the following vote:**

Council Initiative: Address quality of place issues

**SUMMARY STATEMENT:**

Mahlon Moe has managed Mint Valley Golf Course under successive contracts with the city since the course opened in 1976. Last fall he announced his intention to retire at the end of this year, and the current contract expires as of December 31. An ad hoc committee of staff and MVGC players has helped guide the process of preparing a request for proposals for the future management and operation of the course, reviewing the proposals received in response to the RFP, and interviewing finalists. Based on the committee's recommendation, two months ago the council authorized staff to enter into contract negotiations with Nicholas (Nick) Van, doing business as NV Golf & Property Management.

Both the expiring agreement with Mr. Moe and the proposed new agreement with Mr. Van are attached for your reference and comparison. The new agreement would run for five years (2014 through 2018), but as with most contracts of that length, it includes both termination and amendment provisions that could be used prior to its expiration date. It also provides for the potential renewal and extension for an additional five year term.

Other than the term of the agreement, most of the substantive changes in the proposed new one revolve around compensation. Recognizing that this would be Mr. Van's first venture into the golf course management and operations business, the first two years of the agreement provide for a monthly management fee of \$5,700 up to a certain point (\$525,000 of gross revenues being collected, or through September 30, whichever occurs first). He would receive increasing percentages of the green fees and pass sales revenues collected after September 30 or beyond the gross revenues trigger point. During the remaining three years and any renewal of the agreement, that \$5,700 monthly management fee would go away, and Mr. Van's compensation would be largely based on the gross annual revenues alone, again with increasing shares of them as they rise from one level to another. That reflects the city's desire to provide an incentive for Mr. Van to help sell and market MVGC such that overall revenues grow.

The proposed new agreement also provides for greater shares of the driving range, cart rental, and food and beverage concession revenues accruing to the city compared to the existing agreement. On the other hand, Mr. Van would retain all of the golf lesson fees. Overall, the city should realize slightly more revenue from MVGC operations under this agreement if the course roughly "holds its own" at the past three years' levels; and *both* Mr. Van and the city stand to realize greater revenues as the gross amounts increase above recent levels.

**RECOMMENDED ACTION:**

Motion to authorize the City Manager to sign the new MVGC contractor services agreement on behalf of the city.

Attachments: MVGC Golf Pro Agreement (Nicholas Van) Dec 5

MVGC Golf Pro Agreement 2013

identified as non-historic and non-contributing in the Lake Sacajawea Park Preservation Plan. Cloney Park is located west of and across Nichols Boulevard from Lake Sacajawea Park. Both parks will be affected temporarily during construction of the project, and reconstruction of the Lake Sacajawea trails under the bridge will be necessary due to construction of the new bridge abutments and wing walls. Additionally, after a thorough evaluation of the geotechnical requirements for the bridge and the need to preserve the park, one tree in poor condition will be removed, and one tree in good condition will be pruned and protected to provide adequate overhead clearance for construction activities.

Under Section 4(f), the project team recommended a *de minimis* impact finding for Lake Sacajawea Park and for Cloney Park to the Historic Preservation Commission, Parks and Recreation Board, and the State Historic Preservation Officer within the state Department of Archeological and Historic Preservation. *De minimis* impact for parks and historic sites are defined as those that "do not adversely affect the activities, features and attributes qualifying the property for protection under Section 4(f) after measures to minimize, mitigate, avoid, or enhance are included in the project to address Section 4(f) use".

The Longview Historic Preservation Commission reviewed the project on September 23, 2013 and granted conditional Certificate of Appropriateness and concurred with the Section 4(f) *de minimis* finding. By granting a certificate, the commission certifies that the changes due to the project comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and will not adversely affect the historic characteristic of the Lake Sacajawea Park historic district. At the time the certificate was granted, the design team did not yet have recommendations for bridge color, texture, sidewalk scoring patterns, or street lighting pole style and color. The Commission requested that this information be presented when available for their review in order to finalize the certificate. The design team is scheduled to present this information to the Commission at their December 16, 2013 meeting.

The State Historic Preservation Officer is currently reviewing the project and held a consultation meeting with the design team on December 5, 2013.

The Parks and Recreation Board reviewed the project on November 18, 2013 and did not concur with the recommended *de minimis* finding for proposed design. The Board has a concern with the width of the bridge and believes the wider bridge will negatively impact the park. The Board approved a *de minimis* finding contingent upon the width of the sidewalks being reduced from the proposed 8 feet to 6 feet, thus reducing the total width of the new bridge by 4 feet.

Because Section 4(f) requires all "Officials with Jurisdiction" over these resources to agree on the *de minimis* finding for the project, we are not able to proceed with the design at this time because the Parks Board approval differs from the direction previously provided by the City Council. Several options are available to council for consideration.

sidewalks to 6' from the proposed 8'. This would also decrease the collateral damage to the red oak.

Councilmember Wallin amended his initial motion to ask the Parks Board to meet again in December so this project is not further delayed. This motion was duly seconded.

Councilmember Melink stated she does not think we need a "five-lane freeway" at this location. She cannot support the bridge design.

Ivona Kininmonth said engineering staff had considered different configurations for the bridge. To do away with that fifth lane, access to 26th Avenue would be cut off from Washington Way. Access to 26th would be right-in, right-out only.

A motion was made by Council Member Wallin, seconded by Council Member Makinster, that this Agenda Item be referred back to the Parks and Recreation Board for reconsideration, due back on 12/19/2013. The motion carried by the following vote:

Ayes: 6 - Mayor Don Jensen, Council Member Botero, Council Member Hutchinson, Council Member Makinster, Council Member Moon and Council Member Wallin

Nayes: 1 - Mayor Pro Tem Melink

13-3086

#### THIRD QUARTER 2013 GENERAL FUND REVIEW

Attachments: 2013 Q3 General Fund Review Council(2013 1212)

Finance Director Kurt Sacha gave a brief update on the Third Quarter 2013 General Fund Budget. Revenues continue to slowly increase, and expenditures are being kept down.

14.

#### MISCELLANEOUS

The following item(s) were presented for Council's information. No Council action was taken or required.

13-3076

#### LIQUOR LICENSE REQUESTS

Attachments: LL - Feb 2014 Renewals 001

LL- Spec Occas Knights 001

LL-Hung Far Low

15.

#### ADJOURNMENT

The meeting was adjourned at 9:33 p.m. The next scheduled meeting of the Council is December 19, 2013, at 4:00 p.m.



Ann C. Davis  
City Clerk

## Exhibit E

LONGVIEW BOOMING CO INC  
1302 25TH ST  
LONGVIEW, WA 98632

Pacific Lumber/Shipping LLC  
Attn: Property Tax Dept.  
1325 4th Ave Ste 1000  
PO Box 21785  
Seattle, WA 98111-3785

Burlington Northern Inc.  
810 3<sup>rd</sup> Ave STE 437  
Seattle, WA 98104

COWLITZ SEWER OPERATING BOARD  
207 N 4TH AVE  
KELSO, WA 98626

LONGVIEW FIBRE PAPER/PACKAGING  
INC  
PO BOX 3000  
LONGVIEW, WA 98632

Kapstone Longview Kraft Paper Mill  
300 Fibre Way  
PO Box 639  
Longview, WA 98632

KAPSTONE PAPER  
& Packaging Corporation  
1101 SKOKIE BLVD STE 300  
NORTHBROOK, IL 60062-4124

COWLITZ COUNTY  
C/O PUBLIC WORKS WATER POL CTL MT  
1600 13TH AVE S  
KELSO, WA 98626

CXA CORPORATION  
7195 DALLAS PKWY 4E  
PLANO, TX 75024-4922

PORT OF LONGVIEW  
PO BOX 1258  
LONGVIEW, WA 98632-7739

NORTHWEST HARDWOODS INC  
C/O ACCOUNTS PAYABLE  
820 A ST SUITE 500  
TACOMA, WA 98402

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COWLITZ COUNTY  
BOUNDARY REVIEW BOARD

PACIFIC FIBRE ANNEXATION            )    BRB File No. 202  
\_\_\_\_\_                                  )

BE IT REMEMBERED that on the ninth day of June, 2014,  
commencing at 6:30 p.m. of said day, pursuant to notice, a  
hearing of the Cowlitz County Boundary Review Board was held at  
the Cowlitz County Administration Building, General Meeting  
Room, 207 Fourth Avenue North, Kelso, Washington.

ORIGINAL

Tami Kern  
Archer Associates, Inc.  
P.O. Box 1092  
Longview, Washington 98632  
(360) 423-2195

1 BOARD CHAIR HOLTER: Is everybody signed in to the  
2 speaker sheet that wants to speak?

3 Good evening. My name is Jim Holter. I'll chair the  
4 public hearing for this annexation number 202 before the  
5 Washington State Boundary Review Board for Cowlitz County.  
6 I'll be conducting tonight's hearing. With me this evening are  
7 board members Chuck Davison and Lynn Johnson.

8 Before we begin the session, there are a few  
9 housekeeping items I'd like to share with you. This is a  
10 quasi-judicial proceeding, and as such we'll maintain a modicum  
11 of decorum through the evening. First, please turn off all  
12 your cell phones, pagers and electronic devices. If you need  
13 to take a call or Twitter, please leave the hearing room. This  
14 is a courtesy request on behalf of the public who are attending  
15 this meeting and so that the board members can concentrate on  
16 the discussion before them. Second, we ask that everyone  
17 remain silent while the board members are listening to  
18 tonight's testimony. You may hear comments or questions that  
19 don't align with your personal beliefs or side on your side of  
20 the argument. Please refrain from indicating your  
21 dissatisfaction or support for what is being voiced. Everybody  
22 hear me okay?

23 AUDIENCE MEMBERS: Yes.

24 BOARD CHAIR HOLTER: Okay. It's very important that  
25 the board hear what is being said. The purpose of tonight's

1 session is to hear from all the interested parties while giving  
2 board members an opportunity to ask questions and ask for  
3 clarification of materials being presented tonight and what is  
4 given to the Board. Third, if there's any disruptions in  
5 tonight's proceedings, the offending party will be asked to  
6 leave the hearing room and the building.

7 The public hearing this evening is on the proposed  
8 annexation by the City of Longview, Boundary Review Board  
9 number 202. This hearing has been advertised as required by  
10 law through the publishing of legal notice in the Daily News on  
11 May 4, May 14th, as well as June second of 2014. Notices of  
12 the hearing were posted in the subject areas for at least five  
13 days prior to this hearing. For the purpose of record, today  
14 is Monday, June ninth, 2014.

15 The Board's jurisdiction was invoked by Cowlitz  
16 County. The Board will hear the issues and receive testimony  
17 this evening. The public hearing will then be closed and the  
18 Board will deliberate and render an oral decision tonight, as  
19 previously advertised. The Board will adopt its written  
20 decision by June 16th, 2014, in the administrative annex  
21 conference room across from the plaza. On adopting its written  
22 decision there will be a 30-day appeal period which will end by  
23 July 16, 2014. Any appeal will be made to Cowlitz County  
24 Superior Court. By statute, the Board may only consider the  
25 factors and objectives from the RCW making this decision.

1 Where possible, I ask that you confine your testimony this  
2 evening to those relevant factors and objectives under RCW  
3 36.93.170 and 180. A list of factors and objectives are  
4 available on the table with the agendas.

5 AUDIENCE MEMBER: Where are those?

6 MR. HERMEN: Oh.

7 BOARD CHAIR HOLTER: I have an extra set here.

8 AUDIENCE MEMBER: You don't have them available?

9 MR. HERMEN: No. We will.

10 BOARD MEMBER JOHNSON: Here. I think I have an extra  
11 copy.

12 AUDIENCE MEMBER: Thank you.

13 BOARD CHAIR HOLTER: All right. Before we begin,  
14 let's see a show of hands of people who want to testify  
15 tonight. We also ask that each speaker not repeat what has  
16 been stated by a previous speaker. Please indicate if you  
17 concur and then offer something new for the Board to consider.  
18 Please keep your testimony to three minutes for each individual  
19 and five minutes for organized groups. If you have written  
20 testimony, you can submit this to the chief clerk, Matt, when  
21 you testify, and will be included in the record. When it's  
22 your turn to testify, please step up to the podium and begin by  
23 giving your full name, and speak clearly. Do any of our board  
24 members have any disclosures they would like to offer regarding  
25 this issue?

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BOARD MEMBER JOHNSON: (Shook head.)

BOARD CHAIR HOLTER: I'd like for everyone who's scheduled to testify, including anyone who might be asked to clarify any testimony, to now stand to be sworn in by the chief clerk.

MR. HERMEN: Okay. Do you solemnly swear that the evidence you shall give in this issue now pending before the Board shall be the truth, the whole truth and nothing but the truth, so help you God?

AUDIENCE MEMBERS: (Indicated agreement.)

BOARD CHAIR HOLTER: All right. So first of all, we'd like to start with testimony. I think we'll just go down in order that we have here. Pat Ortiz, would you like to come up first?

MR. ORTIZ: The podium is the table here?

MR. HERMEN: Yeah. Makeshift.

MR. ORTIZ: First of all, I do have a submittal hard copy for everybody on the Board.

Thank you for the time tonight to speak to this group. I'm Pat Ortiz. I'm the director of engineering, environmental and safety for the Kapstone container plant, what used to be known as Longview Fibre Paper and Packaging, which is directly to the south of the large part of the annexation area. I am submitting a comment that I have had Counsel help me prepare. And I just want to cover a few points of that with

1 my verbal testimony. The mill's been there for a long time.  
2 It employs 1,100 employees in the county. We do not oppose the  
3 annexation before you. But what I want to express tonight is  
4 their -- our desire not to change. And the reason for that is  
5 that Longview or Kapstone has a small piece of property, a  
6 couple of parcels that are between the annexation areas in the  
7 map there, just to the left of the regional treatment plant or  
8 to the west of the treatment plant.

9 In 2012 the City adopted a policy as part of its  
10 comprehensive plan which formalized an agreement with the  
11 county and the City that they would not force annexation on  
12 industrial lands located between the City and the Columbia  
13 River. Kapstone's property is located within those industrial  
14 lands. Including any Kapstone property in the small parcel  
15 would contradict that policy. Our goal is to maintain our  
16 operations and remain a significant employer in the county. We  
17 work very closely with the county on developments, on following  
18 the rules and following the things that we need to do to do  
19 mill infrastructure, improvements and projects out at the mill.  
20 The inclusion of that property really would not make sense,  
21 even though it's a level ground and grassy area, for the  
22 facility and for us in order to have to now start to navigate  
23 two different sets of systems in order to do any of our work  
24 there at the Kapstone facility. Also outlined in the  
25 submission, I don't believe, you know, based on what I know

1 that there are any beneficial outcomes from annexing that land  
2 in between. I don't know if this board was considering that or  
3 not. But I just want to make sure that you all understand that  
4 Kapstone as a company believes the annexation should go forward  
5 as it's been outlined and diagramed, and leave that parcel out  
6 of the annexation. Thank you for your time.

7 BOARD MEMBER JOHNSON: I would have maybe a brief,  
8 one question. And that would be concerning the ground rules  
9 that or the RCW that Mr. Holter spoke to. When you consulted  
10 with your legal counsel, was there any attempt to compare the  
11 proposed area with the RCW around our factors and objectives?

12 MR. ORTIZ: Can I call on her to come up and answer  
13 that question?

14 BOARD MEMBER JOHNSON: Sure. My direct question  
15 would be, in our objectives we're required to reconcile  
16 irregular boundaries. We're strongly encouraged to stay away  
17 from irregular boundaries. And as the proposed annexation  
18 shows on the map, we end up with a significant peninsula, I  
19 would call it, that goes up into the proposed area. And so as  
20 we deliberate, and if you choose to stay around and watch us  
21 deliberate, you may see us talk about this as one of our  
22 criteria that we have to consider. So ...

23 MR. ORTIZ: So I believe we have looked at that?

24 MS. ALBRICH: Yeah. Elaine Albrich for the record.

25 MR. ORTIZ: In the written comments.

1 MS. ALBRICH: That has been addressed in the written  
2 comments, and considering your factors and objectives that you  
3 have to consider and the larger public policy considerations.  
4 We've illustrated on the attachment to the submission  
5 specifically the Kapstone property that we're talking about.  
6 And we recognize that there's a small parcel that's north of  
7 the railroad easement, and that creates the peninsula that  
8 you're talking about. But Pat can continue to explain a little  
9 further about some of the limitations on this property right  
10 here which would prevent future development. And so in our  
11 opinion, we think when you balance all the factors, you can  
12 still approve the proposed annexation without including this  
13 without violating your objectives or the interest of public  
14 policy.

15 MR. ORTIZ: And for those that don't know, that part  
16 of our property is a closed landfill with restrictions from the  
17 State Department of Ecology to not develop it. It's got a clay  
18 cap on it. It's been monitored for 20 years. We received a  
19 letter from the State about five or six years ago that it is --  
20 it's met its remediation requirements, so we don't have to  
21 monitor the wells any more. But the basis for that  
22 understanding of what we can and can't do with it is still in  
23 place and will be in place for perpetuity, which is you're not  
24 allowed to make penetrations through that clay cap or do any  
25 sort of development on it.

1 BOARD CHAIR HOLTER: The response of the lawyer.

2 MR. ORTIZ: I'm sorry?

3 BOARD CHAIR HOLTER: That particular piece will not  
4 be developed at all then in the future? Okay.

5 MR. ORTIZ: You're allowed surface uses of it, as you  
6 might see when you go out there. There's a gravel area where  
7 we do park some trucks and things. But we're not allowed to  
8 build anything on it that would penetrate that cap. And the  
9 cap is a certain thickness, and you can't put a whole lot of  
10 weight on it, either.

11 BOARD MEMBER JOHNSON: Now, there's a -- talking  
12 about the two pieces that are directly north or west of there.  
13 There's a Longview Port piece of Longview Port land that goes  
14 right across.

15 MR. ORTIZ: Where the rail tracks are.

16 BOARD MEMBER JOHNSON: And then there's another piece  
17 of Kapstone.

18 MR. ORTIZ: M-hm.

19 BOARD MEMBER JOHNSON: So there's a railroad  
20 easement, or what would you want to call it?

21 MR. HERMEN: For the audience, this is what we're  
22 talking about.

23 MR. ORTIZ: Thank you for that.

24 MR. HERMEN: The Kapstone property. And this is the  
25 same parcel. And it's split through a BNSF or Port of Longview

1 railroad easement.

2 BOARD MEMBER DAVISON: The landfill area is in this  
3 portion?

4 MR. ORTIZ: That's correct.

5 MR. HERMEN: The waste water treatment.

6 BOARD CHAIR HOLTER: Do you know approximately how  
7 big that little piece of property is north or east of the north  
8 road there?

9 MR. ORTIZ: I believe it's about 20 acres. I don't  
10 know the exact number. I can certainly get that at the county.

11 BOARD CHAIR HOLTER: All right. Thank you, Mr.  
12 Ortiz.

13 MR. ORTIZ: Thank you, board members.

14 BOARD MEMBER DAVISON: Do you have any?

15 BOARD CHAIR HOLTER: We have Mr. James Bobst? Is  
16 that correct?

17 MR. BOBST: Bobst.

18 BOARD CHAIR HOLTER: Okay.

19 MR. BOBST: James Bobst. I represent the Pacific  
20 Fibre Products. Thank you for the opportunity to speak to you,  
21 Mr. Chair and board members. We appreciate this opportunity.  
22 Just by way of history, Pacific Fibre Products is in somewhat  
23 of a unique situation that I believe few other businesses are  
24 down in the industrial area where our production facilities are  
25 located outside of the city limits of Longview. However, our

1 offices are located inside the City of Longview. And so we  
2 find ourselves in the awkward possession of, even though our  
3 goods are produced in the county, we have to pay B and O tax on  
4 it as if we were fully located within the City of Longview on  
5 our entire property. But yet, since a major portion of our  
6 footprint is located outside of the city limits, we're in that  
7 position of having to contract for fire services and those type  
8 of services as well. And so in analyzing this over the years,  
9 we thought now would be a good time to look at annexing our  
10 properties in for those reasons I just stated, and also so that  
11 we're working with one entity right now, such as right now we  
12 work with the City of Longview on some issues and then Cowlitz  
13 County on others. And it becomes very difficult, you know, to  
14 coordinate projects and to know exactly who to deal with  
15 sometimes, cause sometimes we're just right on the boundary  
16 line. And so that's why we proceeded with this annexation  
17 petition. We do support it as proposed. We also support the  
18 treatment plant being annexed in.

19 But I too would share the concerns of our neighbor,  
20 Kapstone, that it was never our intent to impact, you know,  
21 their facility and their properties by way of this annexation.  
22 I guess we're kind of surprised to see that it was actually  
23 under consideration for inclusion. So we would ask that their  
24 request be honored and that they not be annexed in for the  
25 reasons that Mr. Ortiz just gave you that you asked us not to

1 repeat. But we fully support, of course, the annexation moving  
2 forward, also including the treatment plant, but not the  
3 Kapstone property. I think in talking and doing some research,  
4 I believe that while you want to have nice, organized  
5 boundaries, you also have that latitude to consider all these  
6 circumstances and make decisions that may not fully support  
7 that. And so that being the case, and if that is the case, I  
8 would ask that this be considered and that they be excluded  
9 from further consideration in annexation.

10 BOARD CHAIR HOLTER: Commissioners, any questions?  
11 Thank you.

12 MR. BOBST: Thank you.

13 BOARD CHAIR HOLTER: Mr. Weber, would you like to  
14 step up, please.

15 MR. WEBER: Good evening. My name is Dennis Weber.  
16 I live in Longview. And I come a little bit conflicted because  
17 I'm a member of the Cowlitz County Board of Commissioners, but  
18 I'm also the former chairman of this Board and understand the  
19 objectives by which you are to be guided in determining whether  
20 to reduce or expand the annexation before you.

21 The Cowlitz County Board of Commissioners, however,  
22 has asked me to strongly object to any consideration of  
23 additional expansion of the Pacific Fibre annexation proposal  
24 beyond that mentioned in our April 8, 2014 letter. Despite the  
25 objectives of the state law governing boundary review boards,

1 any expansion that would transfer Northwest Hardwoods from the  
2 county to the City of Longview would cause a financial hardship  
3 to Cowlitz County. Property taxes from Northwest Hardwoods for  
4 this year amount to a little over \$151,000. If you robustly  
5 adhere to the BRB objectives of RCW 63.93.180 when you review  
6 this request, you'll discover the following. With regards to  
7 the preservation of natural neighborhoods and communities,  
8 Pacific Fibre and Northwest Hardwoods do form a distinct  
9 neighborhood focused on the forest products industry. But the  
10 proposal would continue the current division of this  
11 neighborhood. Another functional neighborhood is the  
12 multimodal transportation corridor consisting of State Route  
13 432 and the Longview Switching Company operations. However,  
14 current city limits also divide this neighborhood.

15 (Board Member Goulet entered the hearing room.)

16 A third neighborhood only partially embraced by this  
17 proposal is what could be called an environmental neighborhood  
18 consisting of the valuable but controlled shoreline of the log  
19 pond and canal within the proposal, the Three Rivers Regional  
20 Waste Water Treatment Plant and the closed Cowlitz County  
21 Tennant Way landfill both excluded. By expanding the  
22 annexation easterly and southeasterly, the Boundary Review  
23 Board could preserve all three neighborhoods and further this  
24 objective.

25 With regards to the use of physical boundaries, the

1 exclusion of the waste water treatment plant and the closed  
2 Cowlitz County landfill from the annexation creates nonphysical  
3 boundaries. By expanding the proposal southeasterly to the  
4 southern edge of Fibre Way between the treatment plant and  
5 Kapstone Paper and easterly to include the closed Cowlitz  
6 County landfill to the Dike Road southwest, the BRB would  
7 fulfill this objective. The county only supports including the  
8 treatment plant.

9 With regard to creation and preservation of logical  
10 service areas, our April 2014 letter agrees with the -- that  
11 the City of Longview is the most logical source for municipal  
12 fire and police protection services in an expanded annexation,  
13 since it already services east Industrial Way to Northwest  
14 Hardwoods, most of SR 432, half of the Longview Switching  
15 Company operations, and all of Tennant Way to Gearhart Gardens,  
16 a closed municipal landfill and current city park. Especially  
17 if the high assessed value Northwest Hardwoods is added to the  
18 City, the addition of all of Fibre Way would be an affordable,  
19 appropriate responsibility for the City. By avoiding what  
20 would be an illogical peninsula between SR 432 and the log  
21 pond, plus adding the waste water treatment plant, the Boundary  
22 Review Board would fulfill this objective. Keep in mind that  
23 the City of Longview already includes two other closed  
24 landfills, Radakovich Mt. Solo and Gearhart Gardens. All three  
25 are subject to monitoring review by the county's environmental

1 health unit of our Department of Health, as per state law.

2 With regards to prevention of abnormally irregular  
3 boundaries, West Longview is replete with examples of irregular  
4 boundaries that ignore this objective. But that's no excuse  
5 for continuing to ignore state law. Just expanding the  
6 proposal to include the waste water treatment plant would still  
7 leave a most abnormally irregular unincorporated peninsula  
8 consisting of the Tennant Way landfill, Longview Switching and  
9 other railroad property plus Northwest Hardwoods. However, the  
10 Boundary Review Board could satisfy this objective by including  
11 everything between SR 432 and the log pond plus the waste water  
12 treatment plant.

13 So in summary, to follow the state law's objectives,  
14 the Boundary Review Board could modify the current annexation  
15 proposal to include areas to the northeast, the east and the  
16 south. But by doing so, it would cause a financial hardship on  
17 the county. Such an annexation could include -- would include  
18 parcels owned by Northwest Hardwoods, BNSF Railroad. CXA  
19 Corporation, Cowlitz County, the Tennant Way landfill, the Port  
20 of Longview, Kapstone and the Three Rivers Waste Water  
21 Treatment Plant. The new city limits would begin at the  
22 southern edge of the right of way of Fibre Way, continuing  
23 southeasterly to the southern boundary of the waste water  
24 treatment plant, following the western right-of-way to the  
25 railroad tracks until it meets the northern boundary of the

1 Kapstone parcel, then east to the Pacific Fibre parcel  
2 containing the canal, and then to the western and southern  
3 right-of-way of the Dike Road southwest, continuing east to the  
4 railroad property and southeast to the Kelso city limits. By  
5 excluding the uninhabited and largely vacant Longview Booming  
6 property, the total expanded annexation should be within the  
7 BRB's authority to modify the proposal by up to 100 percent.  
8 But make no mistake. The county only wants the waste water  
9 treatment plant in.

10 MR. HERMEN: Can you go over --

11 MR. WEBER: Sure. Start right there at Fibre Way.  
12 And go right down Fibre Way. There. Go over to the Dike Road  
13 all the way. Then stop. Before there. Right at the railroad  
14 property. Go to the river. Go to the river. Right there.  
15 Yeah.

16 MR. HERMEN: Include this?

17 MR. WEBER: Yeah. Now, that's if you follow the  
18 objectives. That's not what the county wants. I know we're  
19 supposed to confine our testimony to the objectives.

20 BOARD MEMBER JOHNSON: I think I have a question.  
21 You've given -- you've loaded us as a county official, as an  
22 ex-city official and an ex-board member.

23 MR. WEBER: I'm conflicted. Yes.

24 BOARD MEMBER JOHNSON: Yes. And you know how the  
25 objectives and factors work. And just in what you've outlined

1 is exactly the dilemma we have in front of us. And as a  
2 government official, does it matter that this is industrial  
3 land? Is it looked at -- I could see where if this was some  
4 residential area, West Longview, which happened before either  
5 of us were on the Boundary Review Board, thankfully, would we  
6 look at this the same as we look at West Longview?

7 MR. WEBER: Well, if I were to put on my former City  
8 Council hat, I would tell you that one thing that I learned is  
9 that it is a financial drain for cities to only annex  
10 residential areas. They do not provide the tax revenue to  
11 provide the cost of services. So cities have to look at other  
12 mixes, primarily commercial. But from the very beginning the  
13 City of Longview has included a mix of some industrial  
14 properties. The central manufacturing district just adjacent  
15 is a prime example of that. At the same time, we're also  
16 concerned that as annexations occur, the county is left hanging  
17 without the financial resources to take care of, you know,  
18 roads and other basic requirements. That's one of the reasons  
19 I said if you decide to follow the state's objectives and end  
20 up including Northwest Hardwoods, the City's got more revenue.  
21 They ought to take over maintenance of that roadway. It would  
22 be unfair for the county to take over that burden, Fibre Way,  
23 and Dike Road. They would have extra money to do that. So  
24 it's that balancing guideline.

25 Now, it is true that there was -- there is an

1 understanding and agreement between the waterfront industries  
2 and the City of Longview that the City of Longview is not going  
3 to go after the industrial properties along the waterfront.  
4 And I get that. I mean, that is an understanding. That's with  
5 the City and the industries. You're not obligated to follow  
6 that. You have a set of objectives. You have to follow --  
7 you're supposed to follow the state law. It doesn't always  
8 happen. If jurisdiction is not invoked, we get all kind of  
9 crazy, idiotic and irregular annexations. And the best recent  
10 example of that, it was the one that was just approved by  
11 Kalama because nobody invoked jurisdiction. You couldn't  
12 yourself. So you had this crazy annexation of about a mile of  
13 one road bed connecting Kalama with the new northern industrial  
14 development site. Not -- you know, I would have hoped, had we  
15 asked you to invoke jurisdiction, you would have followed the  
16 state law and done it the right way. And again, West Longview  
17 is filled with those same kind of examples. Since you can't  
18 invoke jurisdiction yourself, it requires an interested party.

19 BOARD MEMBER JOHNSON: Do we have anyone from -- are  
20 you from Cowlitz 2 or --

21 AUDIENCE MEMBER: No.

22 BOARD MEMBER JOHNSON: Oh. You. Okay. We're going  
23 to have some testimony from -- the way I understand it,  
24 Longview Fire Department?

25 MR. WEBER: Am I okay to leave?

1 BOARD MEMBER JOHNSON: You aren't the one that I  
2 would ask that question to.

3 MR. HERMEN: Why don't we wait for their testimony.

4 BOARD CHAIR HOLTER: Anybody else have any questions  
5 for Mr. Weber?

6 BOARD MEMBER GOULET: First of all, I apologize to  
7 the chair of the Board and participating citizens for being  
8 late. But the question I do have, I understand the statement.  
9 The portion of the statement that I heard is that the county is  
10 suggesting that we simply consider that portion of the parcel  
11 that contains the Three Rivers Regional Waste Water Treatment  
12 Plant and not the rest of that northern -- western section of  
13 that parcel?

14 MR. WEBER: The letter that we sent asked you to  
15 invoke jurisdiction in order to include the waste water  
16 treatment plant.

17 BOARD MEMBER GOULET: But not the rest of that area?  
18 Didn't address that?

19 MR. WEBER: We didn't address that.

20 BOARD MEMBER GOULET: Okay.

21 MR. WEBER: We just received the request from the  
22 waste water treatment plant and agreed to ask for jurisdiction.

23 BOARD MEMBER GOULET: Thank you.

24 MR. WEBER: Okay. Thank you.

25 BOARD CHAIR HOLTER: Do we -- any consideration?

1 Matt, do we have to deny them for another -- for more  
2 information?

3 MR. HERMEN: I'm sorry?

4 BOARD CHAIR HOLTER: Would we have to go in for to  
5 get Longview Booming and those companies involved in this if  
6 they want to be in?

7 MR. HERMEN: They have been noticed. Our noticing  
8 has been a quarter mile from -- of the parcels from the  
9 boundary.

10 BOARD CHAIR HOLTER: Any more questions? Okay. We  
11 get Hazel Lockyear.

12 MS. LOCKYEAR: I'm Hazel Lockyear. And my husband  
13 Cliff and I, we own a very small parcel that's in the part  
14 that's going to be annexed.

15 MR. HERMEN: Do you want me to point it out?

16 MS. LOCKYEAR: Okay. We purchased -- our family  
17 purchased this property in 1947 from Long Bell. We've had it  
18 ever since. We have property in the same area that is already  
19 in the City. But this particular piece of property, we do not  
20 want it annexed. It would increase our property taxes. And it  
21 would be not a loss like Northwest Hardwoods would be to the  
22 county, but they would lose a couple of thousand dollars a  
23 year, because that's what we pay in taxes. And we feel like  
24 it's just bare land. And we have had a really good  
25 relationship with the county, and that's the way we'd like it

1 to stay. We have no intention at this time to develop it.  
2 We'd like to just leave it as it is. And if we do decide to do  
3 something with in the future, I think we would have more  
4 opportunity with the county than we would with the City. So I  
5 have no problem with Pacific Fibre having their property  
6 annexed. But like Kapstone and Northwest Hardwoods, we would  
7 like our property to stay in the county.

8 MR. HERMEN: Thank you.

9 BOARD MEMBER JOHNSON: Thank you.

10 BOARD CHAIR HOLTER: Any questions for Ms. Lockyear?  
11 Thank you for your time.

12 BOARD MEMBER JOHNSON: Do you understand our factors  
13 and objectives?

14 MS. LOCKYEAR: I do. But I also think that there are  
15 a lot of irregular borders in Longview. I kind of looked at  
16 the map and I can see that. And you could easily just move  
17 over just a tiny little bit. You wouldn't have an irregular  
18 border.

19 BOARD CHAIR HOLTER: Thank you. Hear testimony from  
20 Duane Leaf, please.

21 MR. LEAF: Need me to -- Duane Leaf. I live at 1203  
22 Carrolls Road, Kelso. Here representing the Three Rivers Waste  
23 Water Authority. Sorry about creating the weird, irregular  
24 border. We do have reason we're requesting it, though. It's  
25 actually summarized in the letter that you got on April 8 from

1 (inaudible). Basically for law enforcement to reach us, they  
2 have to go through Longview to get to us at the current time.  
3 It's really kind of ineffective from that point of view from  
4 them. From our point of view, we do contract with Cowlitz 2  
5 Fire and Rescue and the City of Longview to provide confined  
6 space entry protection, which is a state law that we have to  
7 have. And every year we have to negotiate a contract, and  
8 takes a lot of time and effort to do that, I suspect even on  
9 Longview's part, because it involves a lot of calculations.  
10 And, you know, I think the last one took us probably around  
11 five months to actually get in place. And it would be nice for  
12 us to be in Longview. That service would then be provided  
13 automatically. We wouldn't have to deal with that on an every  
14 year basis. So that's really -- that's really the extent of  
15 why we would like to be in. I don't know if you have any  
16 questions.

17 BOARD CHAIR HOLTER: Who will manage the waste water  
18 treatment plant?

19 MR. LEAF: Well, kind of odd arrangement. It's owned  
20 by Longview, Kelso, the county, and the Beacon Hill Water and  
21 Sewer District. I'm the person they hire to manage the plant.  
22 It's sort of an independent board formed by an interlocal  
23 agreement. So the costs for the plant are derived by the flow  
24 percentages, and the county is by far the lowest percentage, 2  
25 percent. Longview is the largest at right around 63 percent.

1 So anything that impacts our budget, which an extra agreement  
2 does impact our budget, affects everybody by the percentage of  
3 their flow. So any money we save essentially goes back either  
4 to all of our (inaudible). That's really what the driving  
5 factor behind this is.

6 BOARD MEMBER JOHNSON: Is it staffed 100 percent of  
7 the time, 24 hours a day, seven days a week?

8 MR. LEAF: It's staffed from 6 a.m. to 10 p.m. at  
9 night, seven days a week.

10 BOARD MEMBER JOHNSON: And if you have a service  
11 that's needed, police or fire, the sheriff now comes for  
12 police?

13 MR. LEAF: M-hm.

14 BOARD MEMBER JOHNSON: And who comes for fire if you  
15 have it?

16 MR. LEAF: Longview and Cowlitz 2.

17 BOARD MEMBER JOHNSON: Okay. They have an interlocal  
18 agreement?

19 MR. LEAF: Yeah. We get fire suppression and we get  
20 confined space entry rescue. But the confined space entry  
21 rescue is a pretty big portion of that.

22 BOARD CHAIR HOLTER: Marcel? Chuck, any questions?

23 MR. LEAF: Oh, one other thing. I do echo everybody  
24 else's statements that our intent was never to force anybody  
25 additional to what was originally proposed, with us being added

1 to it. So, you know, not that our plant's not a go or  
2 anything, but I think our understanding and our board's  
3 understanding was it would just be us adding. We were not  
4 trying to force anybody else by our actions.

5 BOARD CHAIR HOLTER: Thank you. All right. Jeff  
6 Cameron.

7 MR. CAMERON: Good evening.

8 BOARD CHAIR HOLTER: Good evening.

9 MR. CAMERON: Jeff Cameron. Like Commissioner Weber,  
10 I'm a little conflicted and schizophrenic as well.

11 BOARD CHAIR HOLTER: This is an interesting one.

12 MR. CAMERON: I actually wear three hats tonight.  
13 City of Longview, I'm the Public Works Director for City of  
14 Longview. I'm also Longview's representative on the Three  
15 Rivers Regional Waste Water Authority Board, and I am a  
16 commissioner for Cowlitz 2 Fire and Rescue. So I'm seeing lots  
17 of different pieces of this puzzle. I echo most of the  
18 comments that were made here. I will take exception to one  
19 comment that Commissioner Weber suggested, and that is if you  
20 choose to expand the boundary, he suggested that Fibre Way  
21 become a City of Longview roadway. We would object to taking  
22 over the right-of-way, and we would prefer the boundary remain  
23 on the north side of Fibre Way. The predominant traffic load  
24 on Fibre Way is from Kapstone, which would remain in the  
25 county, and therefore we believe the county should be

1 responsible for maintenance of that roadway.

2           Regarding the annexation request, we do support  
3 focusing on the Three Rivers plant. It is a net loss to the  
4 City of Longview in terms of revenue. The general fund gets  
5 some money from the fire contract. The City nor Cowlitz 2 are  
6 obligated to serve Three Rivers, so it's done by contract. And  
7 with annexation, that would become part of the City and  
8 therefore an obligation of the City to serve it. The contract  
9 goes away and no additional revenue is received by the City.  
10 So that part is not a good idea. However, we are part of the  
11 Three Rivers Board. We pay Longview 63 percent of -- our  
12 customers pay the cost of the fire service. The water service,  
13 there's a surcharge because the treatment plant is outside the  
14 city limits, so there is a surcharge on the water bill. So all  
15 those things affect our sewer ratepayers. So from that  
16 standpoint it's in the best interest of our sewer ratepayers,  
17 not only in Longview, but in all the other entities, Cowlitz  
18 County, City of Kelso and Beacon Hill Sewer District, to try  
19 and reduce the rates of sewer service. And annexing into the  
20 City would provide that benefit to our ratepayers. So that's  
21 all I have. If you had a question about Cowlitz 2, perhaps.

22           BOARD MEMBER JOHNSON: My question was around who is  
23 responsible for fire protection in this area right now.

24           MR. CAMERON: Outside of the city limits there is no  
25 responsibility. It's an unprotected area. The City of

1 Longview and Cowlitz County have been providing service via  
2 contract, so the property owner pays for that response. And  
3 the most recent contract has City of Longview and Cowlitz 2  
4 Fire and Rescue splitting the cost of the contract, the revenue  
5 from the contract, 50-50.

6 BOARD MEMBER JOHNSON: So let me make sure I  
7 understand this. A call goes in to 911, fire at, let's say,  
8 Northwest Hardwoods.

9 MR. CAMERON: M-hm.

10 BOARD MEMBER JOHNSON: Both Longview --

11 MR. CAMERON: And Cowlitz 2.

12 BOARD MEMBER JOHNSON: -- and Cowlitz 2 respond?

13 MR. CAMERON: That's because there's a contract in  
14 place. I believe there are 16 or 17 properties that are  
15 outside of the City of Longview and outside of Cowlitz 2's fire  
16 district. If any of those chose not to contract with Longview  
17 or Cowlitz 2, then no response would be required.

18 BOARD MEMBER JOHNSON: Okay. If I understand the  
19 notion behind irregular boundaries and islands and all of the  
20 idiosyncrasies that can happen in the development of areas, one  
21 of the concerns is around, you know, how do people know where  
22 to respond? A good example is going up Cowlitz Heights.  
23 Columbia Heights. And you go from Kelso to Longview to Kelso  
24 to Longview. So how did a fire, police -- how do they know  
25 where the boundaries are? That was where my question was

1 coming from.

2 MR. CAMERON: It can be challenging. I think from a  
3 response standpoint, although it would leave a peninsula there  
4 if you don't bring in Kapstone, because Kapstone owns on both  
5 sides of the roadway, I think that emergency services would not  
6 be very confused in that area, unlike up Columbia Heights or  
7 Ocean Beach Highway where the boundaries are all over the  
8 place, property ownerships are all over the place. I think  
9 there would be very little confusion over that particular  
10 parcel.

11 BOARD MEMBER GOULET: Considering the number of hats  
12 you indicate that you're wearing, would you be in a position to  
13 indicate one way or the other if there would be any impact on  
14 the availability of the quality of services that are being  
15 delivered in that area now by virtue of the annexation? Other  
16 than the contract negotiation component going away, would there  
17 be any impact to the availability of services or the type of  
18 services that are being received?

19 MR. CAMERON: And you're referring to utilities?

20 BOARD MEMBER GOULET: Fire safety.

21 MR. CAMERON: Emergency services?

22 BOARD MEMBER GOULET: Yeah.

23 MR. CAMERON: I think the services would probably be  
24 about the same. An example -- or maybe even improved. An  
25 example is Three Rivers. The sheriff is typically responsible

1 for that. However, if there was a life-threatening event,  
2 Longview police would be there because they are the closest.  
3 So when it comes to the true dire emergencies, I would see no  
4 change in response issues whether they're in or out.

5 BOARD MEMBER GOULET: So then is it fair to say that  
6 the annexation would affect predominantly the contract in  
7 reference to who pays for the services, but that doesn't  
8 necessarily change anything else in terms of the availability,  
9 quality or anything else?

10 MR. CAMERON: Correct. Yeah. If the contract goes  
11 away and Three Rivers becomes included within the city limits,  
12 then there's an automatic mutual aid agreement between Cowlitz  
13 2 and Longview Fire. And the same with law enforcement.  
14 Mutual aid.

15 BOARD MEMBER GOULET: And then final question on  
16 that. Since the contract negotiation and local agreements  
17 would be modified, you indicate that the fees for the water  
18 treatment or anything else could potentially go lower?

19 MR. CAMERON: They would be reduced. So the  
20 customers of Three Rivers would see reduced expense.

21 BOARD MEMBER GOULET: And who is the service areas  
22 for Three Rivers, just to be clear?

23 MR. CAMERON: It is all of the City of Longview, all  
24 of the City of Kelso, all of Beacon Hill Water and Sewer  
25 District, which is up in the Lexington area, and then a portion

1 of Cowlitz County, mostly down in the industrial area. And  
2 then the new Headquarters landfill is going to be connected  
3 into the treatment plant.

4 BOARD MEMBER GOULET: So again, round numbers, how  
5 many households are we talking about?

6 MR. CAMERON: Well, we're talking about a population  
7 of close to 50,000.

8 BOARD MEMBER GOULET: Okay. Thank you.

9 BOARD CHAIR HOLTER: Thank you, Mr. Cameron.

10 MR. CAMERON: Thank you.

11 BOARD CHAIR HOLTER: All right. Mr. Langdon, would  
12 you like to speak?

13 MR. LANGDON: I'm Steve Langdon. I'm with the City  
14 of Longview. I'm their planning manager. And I gave -- was  
15 responsible for putting together the notice of intention to  
16 annex. So I'm here just primarily to be available to answer  
17 any questions.

18 BOARD CHAIR HOLTER: In consideration of moving the  
19 Cowlitz landfill, has that ever come up in your discussions up  
20 to this point?

21 MR. LANGDON: No, sir.

22 BOARD CHAIR HOLTER: And would the City be in favor  
23 of doing anything like that, or do you think they would be?

24 MR. LANGDON: It was never discussed at the City  
25 Council level when we had that public hearing. So I can't

1 speak to the City for that.

2 BOARD CHAIR HOLTER: Any other questions?

3 BOARD MEMBER JOHNSON: I don't think I have any.

4 BOARD MEMBER DAVISON: No, thank you.

5 MR. LANGDON: Can I -- just as an aside, they talked  
6 about West Longview quite a bit. And at one time we had an  
7 annexation in front of you. The jurisdiction of the Boundary  
8 Review Board was invoked and the decision was to include all of  
9 that peninsula area along Ocean Beach Highway. But it was  
10 overturned by Supreme Court decision. So, you know, between  
11 Longview and the Boundary Review Board, we did try and clean up  
12 some of those boundaries.

13 BOARD MEMBER JOHNSON: Our conscience.

14 BOARD CHAIR HOLTER: All right. Thank you, Mr.  
15 Langdon. Any other testimony? Anybody want to come up and  
16 speak?

17 MS. ALBRICH: Yes. I haven't had an opportunity to  
18 sign in beforehand. I'll sign in. Good evening. I'm Elaine  
19 Albrich, attorney with Stoel Rives, here on behalf of Kapstone.  
20 And I just wanted to echo a few more things that Pat talked  
21 about a little earlier tonight. And, Board Member Goulet, you  
22 weren't present for his testimony. So I just want to point you  
23 to our letter that we submitted. And are we on the record? So  
24 maybe you could review his testimony, too, and take it into  
25 account in your decision making. But it seems like tonight

1 Pacific Fibre here is here to consolidate their property under  
2 a single jurisdiction. They want to bring it all within the  
3 City of Longview for the ease of -- for a variety of reasons  
4 that they've presented on tonight. And we're here, Kapstone is  
5 here, to prevent bifurcation of jurisdictional oversight for  
6 their property. Longview -- Longview, the mill, has operated  
7 within the county limits for an extensive period of time. They  
8 have significant financial investment in their operations and  
9 the management of their property and their facilities. And so  
10 we hate to see their property boundaries disrupted for the sake  
11 of creating straight lines.

12 I think if we look to the objectives to consider in  
13 RCW in 184.7 particularly, there's been a lot of emphasis how  
14 do we draw clear lines and what does abnormally irregular  
15 boundaries and impractical boundaries mean. And I think there  
16 should be more consideration of the Board than just what is the  
17 cleanest line, but also considering property ownership,  
18 existing operations, who provides services to what areas, which  
19 you've been talking about. I think with respect to the factors  
20 that are outlined in .1701, looking at population and territory  
21 as a part of that, the Board is to look at and consider  
22 existing land area and land uses, comprehensive plans and  
23 zoning. And we point to that policy and the City of Longview's  
24 comprehensive plan that they adopted in 2012, and we do think  
25 that's really significant for the Board's consideration is that

1 there has been a lot of discussion over the last several years  
2 about forced annexation, and in Kapstone's view, if the Board  
3 was to consider expanding the proposal right now, we're  
4 concerned that that would be a forced annexation for the  
5 Longview mill property.

6 Looking to sub part 2 of your factors and looking at  
7 municipal services, you look at the need for municipal  
8 services, which is some of the justification for the proposed  
9 annexation itself. But from Kapstone's perspective, we're fine  
10 with what we have right now. And actually, changing the  
11 boundary would be more problematic.

12 And then if you look to subpart 3 of the factors, you  
13 look at the effect of the proposal or any alternatives that you  
14 may consider on adjacent areas on mutual economic and social  
15 interests and on the local government structures. And I think  
16 under this factor 2, we have serious concern about mutual  
17 economic interests by just trying to capture small parts of  
18 what is a large, contiguous, long-standing economic contributor  
19 to the county.

20 So with that, unless there's any questions, I'll  
21 close. I will note, though, that if the Board is going to  
22 consider significantly expanding its consideration of property  
23 to add to the proposed annexation boundary, that you continue  
24 the hearing and provide more specific notice to property owners  
25 that may be impacted, because I think given the notice that

1 went out, there may not have been a realization of whose  
2 property may be subject to inclusion. Thank you.

3 BOARD MEMBER JOHNSON: Thank you. I did have a  
4 question. From what your letter says and the testimony I've  
5 heard, this land is rather insignificant when it comes to the  
6 uses what you people -- what Kapstone uses it for. And when I  
7 know how large Kap- -- the mill at Longview Kapstone is, and  
8 when I compare it to this piece of land that you have, are  
9 objecting to including in the annexation, I wonder -- I'm  
10 wondering. I heard what your explanation was. And I'm just --  
11 I haven't quite got there yet in understanding the significance  
12 of that being included in the annexation unless you're -- you  
13 did mention the takeover of land through annexation. Well,  
14 annexation does take it over in one respect. It just puts it  
15 under a different jurisdiction. But is the fear, and maybe  
16 this is too big a question, that Longview is going to come  
17 after all of Kapstone in the future? I don't know. We're a  
18 board that is, like Jim explained at the beginning, we're  
19 quasi-judicial, put in place by Washington State to settle  
20 these types of matters. And I'm just -- I have a fundamental  
21 question in the back of my mind, what -- why that is of such a  
22 big deal in Kapstone's mind.

23 MR. ORTIZ: If the Board would, may I address that?

24 BOARD MEMBER JOHNSON: Sure.

25 MR. ORTIZ: I think it gets around what I would call

1 the law of unintended consequences. So the savings in water to  
2 the treatment plant would be a detriment, because we already  
3 purchase city water at the Longview plant site. The fire is  
4 protected by Longview. We have a contract to do that. So  
5 there's a lot of services that are already there and in place  
6 that are covered by the City, but we're paying for those. And  
7 we're happy to pay for them because we need those services.  
8 But if you go and annex that small piece of property, I guess I  
9 don't know the intended consequences of what James was  
10 explaining that he wanted to get out, which is paying B and O  
11 taxes or not paying B and O taxes. Now the City has a small  
12 piece of property. Does that mean I'm required to pay those or  
13 not? That's a huge financial hit if I do. And I don't think  
14 for the property that's gained there by the City, that makes  
15 any sense just because of that. And so part of the objection  
16 for us is we just don't know what's going to happen this year,  
17 next year and three years down the road. If you annex it in,  
18 we can't go back and unannex it.

19 MS. ALBRICH: And then that's a boundary.

20 MR. ORTIZ: And if there's a good reason in the  
21 future, we could do it. We could come and ask you, we'd like  
22 to see this annexed in. There's runoff from that parcel that  
23 we treat now. Does the City want to treat that? I don't know  
24 the answers to those questions. And I think there's a lot of  
25 things there that, since this proposal was initiated, it didn't

1 include us. And now just to say that it's going to be  
2 included, it is a forced annexation without us being able to  
3 really understand the impact to Longview and the impact to us  
4 and the impact to the county.

5 BOARD MEMBER JOHNSON: And your questions are  
6 basically the same as ours. I don't think we have the -- you  
7 know, our questions are around, are we doing the right thing  
8 for the City and the county and any people that might be within  
9 those areas. And so we're considering kind of the same thing  
10 you are. My background is pulp and paper. So I understand the  
11 consequences of what you're talking about, leachate, all those  
12 other things. So I'm not uncomfortable with what you said or  
13 what you're outlining to us.

14 MR. ORTIZ: Again, you asked why we're so passionate  
15 about it. I think a lot of it is just the unknown, what all  
16 that means, because we weren't given the opportunity to analyze  
17 it and come present a better case. It was outside the  
18 boundaries. The City was okay with that. And now we're here  
19 trying to figure out if it should or shouldn't be in the  
20 boundaries.

21 BOARD CHAIR HOLTER: Was this originally part of  
22 the -- in the planning for the --

23 MR. HERMEN: Annexation? No.

24 BOARD CHAIR HOLTER: The original proposal was the  
25 orange area?

1 MR. HERMEN: The area invoked by the BRB was  
2 concerning the waste water treatment facility, and that's it.

3 BOARD CHAIR HOLTER: So as far as I know, we were  
4 never working on Kapstone's property as far as including it.

5 MS. ALBRICH: And it's our position that you don't  
6 need to. There's no basis.

7 MR. ORTIZ: As is, happy to support it. Regional  
8 treatment plant, happy to support it. But if it starts to get,  
9 trying to clean things up to make lines, adamantly oppose it.

10 BOARD CHAIR HOLTER: Thank you, Mr. Ortiz.

11 MR. HERMEN: You have one more, too.

12 BOARD CHAIR HOLTER: Want to step up and identify  
13 yourself, please? You could also sign in if you haven't.

14 MR. HARBINSON: Good evening. Patrick Harbinson,  
15 Cowlitz County Public Works. I'm here to kind of represent  
16 Kent Cash, even though Kent Cash is working for the  
17 commissioners. So kind of a double. I wasn't planning on  
18 speaking, but I did want to speak regarding some of the  
19 testimony that came out and some of the questions that have  
20 been asked and then answer any questions you have regarding any  
21 of Kent's thoughts. I sat down and talked to him today about  
22 it.

23 Regarding the Tennant Way landfill, I'd like to  
24 highly discourage including that in any of the future  
25 boundaries at this point in time. The landfill is working on

1 closing at this point, which includes multiple processes with  
2 multiple state agencies who have the landfill in the county  
3 right now. Moving it into the City, once again, unknown,  
4 unintended consequences. What kind of -- would we have to  
5 restart those processes? Would we have to do all that stuff  
6 with the state agencies? The monitoring stuff stays with the  
7 county, but the state agencies, you know, who knows what they  
8 think, and they could change their mind at any point in time.  
9 I'd also like to comment on regarding the large boundary  
10 issues. One thing we should really consider when you look at  
11 the large boundaries to the north and the east is how they're  
12 served via the road system. Everything to the east of the  
13 canal and locks is completely served by a completely separate  
14 road. So fire, emergency, all those would come in completely  
15 off of a different road, not Fibre Way. Everything from the  
16 north, once you get to the city limits, you're on county road,  
17 same as, you know, you do any other place. Ocean Beach  
18 Highway, Coal Creek Road, you know, Pacific Way. So just  
19 something to consider as you start talking of that stuff.  
20 That's all I got.

21 BOARD CHAIR HOLTER: Okay. Any questions? Thank you  
22 very much. Do we have anybody else that wants to testify?

23 MR. HERMEN: Yeah. Staff report.

24 BOARD CHAIR HOLTER: Staff report? Did you want to  
25 go ahead and do that now?

1 MR. HERMEN: I can. All right. As for the staff  
2 report, the City of Longview filed a notice of intention on  
3 February 25th, 2014, with the Boundary Review Board concerning  
4 the annexation of 283 acres of land owned by Pacific Fibre,  
5 Davis Brothers Investment, Clifford Lockyear and the Port of  
6 Longview. The proposed annexation lies south of Industrial  
7 Way, east of Cowlitz River, and to the north of Fibre Way in  
8 sections 3, 4, 9, 10, township 7 north, range 2, west of the  
9 Willamette Meridian, Cowlitz County, Washington. Parcels in  
10 the annexation are currently zoned heavy industrial by Cowlitz  
11 County.

12 The notice of intention was circulated to  
13 governmental agencies and affected parties for review and  
14 comment on April 8, 2014. Cowlitz County Board of County  
15 Commissioners invoked the jurisdiction of the Boundary Review  
16 Board and requested modification of the proposed boundary to  
17 include the Three Rivers Waste Water Authority's waste water  
18 treatment plant. The board set public hearing for June 9,  
19 2014, at 6:30 p.m. Resolution 2014-1, in accordance with state  
20 law and adopted rules of practice, the public hearing was  
21 advertised three times in the Daily News, May fourth, 14th,  
22 June third, and notices were posted on and around the site of  
23 the proposal, including the area proposed for modification.  
24 Affected jurisdictions were notified of the hearing on April  
25 28, 2014.

1           The Boundary Review Board chief clerk, myself,  
2 prepared the following analysis of factors and objectives for  
3 the Board to consider prior to making its decision. The report  
4 is based on a review of the notice of intent submitted by the  
5 City of Longview, City of Longview's comprehensive plan and  
6 related planning documents. The staff report is a supplement  
7 to Boundary Review Board file number 202. Board members will  
8 consider public testimony and exhibits submitted for the public  
9 hearing for individual analysis and decision making on the  
10 proposal. Boundary Review Board may approve, modify by  
11 reduction, modify by expansion or deny the proposed -- the  
12 proposal based on the factors and objectives listed in the law,  
13 RCW 36.93.170 and 36.93.180, and the State Environmental  
14 Protection Act, RCW 43.21C, and WAC 197-11. The Board has 120  
15 days after the jurisdiction, which was invoked -- that is  
16 August 6, 2014, but no later than 40 days after the close of  
17 the public hearing to file its written decision on a proposal.

18           The factors. Population, territory. The population  
19 density. The proposed annexation area is occupied by -- almost  
20 entirely by heavy industries including log yards, wood chip and  
21 barkdust storage and other industrial type businesses. There  
22 are some vacant lots within the area. There is no population  
23 residing within the proposed area. Land area and uses. The  
24 current land use of the proposed 283-acre annexation is heavy  
25 industrial. Comprehensive planning, zoning. The annexation

1 area is within the planning area boundary of the City of  
2 Longview, further adopted 2006 comprehensive plan. The Cowlitz  
3 County comprehensive plan designates the land as heavy  
4 industrial with the zoning classification of heavy industrial.  
5 The Longview comprehensive plan 2006 designates the area as  
6 heavy industrial.

7 Service agreements entered into RCW 36.115 or 36.34,  
8 Cowlitz 2 Fire and Rescue and Cowlitz Longview -- I'm sorry --  
9 City of Longview Fire Department do have a mutual aid  
10 intergovernmental agreement in place. The agreement includes  
11 the first response agreement that establishes response,  
12 protocol and procedures. Interlocal agreements between city  
13 and county, there are no associated interlocal agreements  
14 between the City of Longview and Cowlitz County in relation to  
15 the proposal. On November 22, 2000, the cities of Longview,  
16 Kelso and Cowlitz 2 Fire and Rescue entered into an agreement  
17 to consolidate the functional management of fire services. On  
18 July 16, 2001, the City of Longview Council terminated that  
19 agreement.

20 Per capita assessed valuation. 2014 assessed  
21 valuation for the proposed annexation is \$3,121,150, with  
22 population of zero. Assessed valuation per capita is  
23 irrelevant due to the lack of population.

24 Topography, natural boundary, drainage basins,  
25 proximity to other populated areas. The area is generally

1 level, as are neighboring areas. Elevation in the area ranges  
2 from zero to 20 feet above sea level. There are no natural  
3 boundaries between the proposed annexation area and adjacent  
4 unincorporated areas. Overall, topography is relatively  
5 consistent throughout the entire proposed annexation.

6 Closest incorporated populated area is the City of  
7 Longview. The incorporated and unincorporated area surrounding  
8 the proposed annexation area is populated at similar densities  
9 consistent with low-density residential classifications.

10 The existence and preservation of prime agriculture  
11 soils and productive agricultural uses, proposed area is  
12 developed as industrial land. There are no agricultural uses  
13 associated with the annexation area or surrounding modification  
14 area.

15 The likelihood of significant growth in the area and  
16 adjacent incorporated and unincorporated area during the next  
17 ten years. The subject area and the surrounding adjacent  
18 incorporate unincorporated areas are substantially developed.  
19 The proposed annexation will not experience any population  
20 growth in the next ten years. Growth of the area will occur on  
21 existing developed properties in terms of industrial  
22 redevelopment or operational expansions.

23 Location and most desirable future use of community  
24 facilities. To staff's knowledge, there are no community  
25 facilities planned within the proposed annexation area.

1                   Now, municipal services. The need for municipal  
2 services, to be specific. Urban governmental services as  
3 defined by state law include storm and sanitary sewer systems,  
4 domestic water systems, street cleaning services, fire and  
5 police protection services, public transit services and other  
6 public utilities associated with the urban areas and normally  
7 not associated with nonurbanized areas. At present the City of  
8 Longview already provides sewer and water service to the  
9 proposed annexation area. The annexation area is presently  
10 within the boundaries of Cowlitz 2 Fire and Rescue. The area  
11 will receive fire protection from the City of Longview upon  
12 annexation, while the transfer of fire protection service will  
13 change from Cowlitz 2 Fire and Rescue to the City of Longview  
14 Fire Department. Both entities are likely to respond in an  
15 emergency because of the current mutual aid agreements in  
16 place. The Cowlitz County Sheriff's Office provides law  
17 enforcement upon annexation, and the area will receive police  
18 protection from the City of Longview. Library services are  
19 provided by the City of Longview through a library district.  
20 With annexation, the City of Longview will provide other  
21 municipal services, including road maintenance and construction  
22 and planning and zoning. School district service will not  
23 change.

24                   Effective ordinances, governmental codes, regulations  
25 and resolutions on existing services. City of Longview

1 initiated the annexation using the petition method. Sewer and  
2 water service will remain the same. Police service will change  
3 from Cowlitz County Sheriff's Office to the City of Longview.  
4 Library service will be provided directly with the City of  
5 Longview. With the annexation, an urban level of service will  
6 be provided to the City of Longview, and future development in  
7 the proposed annexation would require meeting city standards  
8 and codes. Cowlitz 2 Fire and Rescue currently serves the  
9 proposed annexation area. The area will receive fire  
10 protection from the City of Longview upon annexation.  
11 Emergency medical response has been provided by Cowlitz 2 Fire  
12 and Rescue. City of Longview contracts with AMR, American  
13 Medical Response, for ambulatory services.

14 Present costs and adequacy of governmental services  
15 and controls in the area. Those owning properties within the  
16 annexation area should only experience slight changes in their  
17 taxes and fees as a whole. A comparison of 2005 tax rates  
18 prepared by the City of Longview showed that overall fees and  
19 taxes are lower in the City of Longview compared with  
20 unincorporated Cowlitz County. For example, a hypothetical  
21 property valued at \$150,000 would save over \$440 annually in  
22 property tax.

23 The prospect of governmental services and other  
24 sources. The area is already served by city sewer and water.  
25 Fire protection will be the responsibility of the City of

1 Longview once annexation occurs. Electrical service will  
2 continue to be provided by Cowlitz PUD. Cowlitz County does  
3 not have a regional library system. City of Longview residents  
4 do. Solid waste customers would not be required to switch  
5 service providers until seven years after the annexation per  
6 Washington state law. The City of Longview contracts with  
7 Waste Control for solid waste disposal.

8 Probable future areas for such services and control.  
9 The proposed area falls within the City of Longview's service  
10 area for water and sewer. All services and controls are  
11 sufficient for future development and there is no additional  
12 regulatory controls anticipated.

13 Probable effect of proposal on cost and adequacy of  
14 services and controls in the area. The adjacent level of  
15 service in the area is adequate and changes for the property  
16 and surrounding area should be insignificant in terms of cost.  
17 Fire, police and library services are adequate and will not  
18 need to be expanded for this proposal.

19 The effect on finances, debt structure, contractual  
20 obligations and rights of all affected governmental units. It  
21 would appear that the proposed 283-acre annexation would have  
22 negligible impacts on affected governmental units. While the  
23 proposed annexation of 283 acres will marginally affect Cowlitz  
24 Fire and Rescue's revenue stream, the fire district continues  
25 to see small annexations that contribute to a larger cumulative

1 revenue reduction.

2 The effect of the proposal on adjacent areas, on  
3 mutual economic and social interest and on the local government  
4 structure of the county. It would appear that the proposed  
5 annexation would have minimal impacts on the adjacent areas,  
6 mutual economic and social interest or the local governmental  
7 structure of the county. Cowlitz 2 Fire and Rescue will lose  
8 some tax revenue because of the annexation. Cowlitz County  
9 will experience less property taxation revenues as a result of  
10 the proposed annexation.

11 Objectives. Number 1. Preservation of the natural  
12 neighborhoods and communities. The annexation area consists of  
13 industrial properties that are consistent with adjacent  
14 industrial properties within the City of Longview. Adjacent  
15 existing neighborhoods should not be negatively impacted by the  
16 proposal.

17 Objective number 2, which is the use of physical  
18 boundaries, including but not limited to bodies of water,  
19 highways and land contours. The annexation area uses the city  
20 limits to the west and north. The proposed annexation area  
21 does create a peninsula to the southeast. It does not utilize  
22 the State Route 432 highway as a use of a physical boundary.

23 Number 3, creation and preservation of logical  
24 service areas. The proposed annexation does create an  
25 illogical service area along Industrial Way to the east. It

1 will be unclear to emergency responders where the city limits  
2 terminate as proposed. The annexation lies to the north of  
3 Fibre Way. As proposed, the annexation does not incorporate 66  
4 acres to the land north of Fibre Way. Again, this proposed  
5 boundary creates an illogical service area for those emergency  
6 service responders.

7 Number 4, prevention of abnormally irregularly  
8 boundaries. The current proposal for the annexation is  
9 irregular, lacking symmetry, continuity and evenness of a  
10 typical boundary. Modification of the proposal by the Board  
11 would be required to conform to this objective.

12 Number 5, discouragement of multiple incorporations  
13 of small cities and encouragement of incorporation of cities in  
14 excess of 10,000 population and heavily populated urban areas.  
15 Response, the proposed area will be annexed to a jurisdiction  
16 in excess of 10,000 population.

17 Objective number 6, dissolution of inactive special  
18 purpose districts. This objective does not seem to apply.

19 Number 7, adjustment or correction of impractical  
20 boundaries. The proposed annexation area is an extension of  
21 existing municipal boundaries. The intent of the annexation is  
22 not to correct impractical boundaries. However, this  
23 annexation as proposed will require future adjustment or  
24 correction for this objective to be met.

25 Number 8, incorporation as cities or towns or

1 annexations to cities or towns of unincorporated areas which  
2 are urban in character. City of Longview is an incorporated  
3 area proposing to annex an adjacent area. The proposed  
4 annexation area is similar in urban character to other adjacent  
5 neighborhood within the City of Longview. The City provides  
6 sewer service and water service is readily available.

7 Objective number 9, protection of agricultural lands  
8 which are designated for long-term productive agricultural and  
9 resource use by a comp plan adopted by the county legislative  
10 authority. Response, this area is not designated by Cowlitz  
11 County for agriculture or rural uses. Within the consistency  
12 of the Growth Management Act, which is RCW 36.70A, Cowlitz  
13 County and the cities within are not required to fully plan  
14 under the Washington State Growth Management Act. Accordingly,  
15 there has been no county-wide planning policies or associated  
16 growth management required urban growth areas developed under  
17 the Act. Therefore, this requirement is not applicable.

18 BOARD CHAIR HOLTER: Thank you, Matt.

19 MR. CAMERON: Chair, because we're on the record, I  
20 think you need to point out a factual error in the staff  
21 report.

22 BOARD CHAIR HOLTER: Okay.

23 MR. CAMERON: And that is that the proposed  
24 annexation areas are not within the Cowlitz 2 Fire District  
25 boundaries. They do not receive any tax revenue and they are

1 not obligated to respond. They obtain revenue solely by  
2 contract and respond solely by contract. They're outside of  
3 the district boundaries.

4 BOARD CHAIR HOLTER: All right. Thank you. All  
5 right. Would the representative of the City of Longview have  
6 any rebuttal from that information presented?

7 MR. JURMU: I would just -- I'm Phil Jurmu. I'm the  
8 Longview fire chief. And I will affirm what Mr. Cameron said  
9 is that we provide services to those -- all of these discussed  
10 properties tonight through emergency services contracts.  
11 Mutually as signed, a three-party agreement between the fire  
12 district, the City of Longview and the property owners. And we  
13 do that as a 50-50 split for revenues. And it's a mutually --  
14 we respond to that as a 50-50 response. So it's --

15 MR. HERMEN: Thanks.

16 MR. JURMU: And it would be the same as if these were  
17 in the City of Longview through a mutual aid agreement that  
18 Cowlitz 2 is automatically dispatched to these locations as  
19 well. So our partnership is pretty strong and we respond  
20 together on all of our multi-unit responses.

21 BOARD CHAIR HOLTER: Is this going to create any  
22 shifting of service equipment or men or anything like that?

23 MR. JURMU: No. There's no transfer of equipment.

24 BOARD CHAIR HOLTER: Thank you. All right. Well,  
25 that concludes our public hearing portion of the meeting.

1 BOARD MEMBER JOHNSON: I had one additional question  
2 for Kapstone. If I was to walk out in that peninsula, how  
3 would I distinguish Kapstone's property from -- who -- from  
4 Pacific Fibre?

5 MR. ORTIZ: By the fence.

6 BOARD MEMBER JOHNSON: There's fence?

7 MR. ORTIZ: M-hm.

8 BOARD CHAIR HOLTER: There's a distinct border then?

9 MR. ORTIZ: M-hm.

10 BOARD CHAIR HOLTER: Any other questions? Well, that  
11 would just conclude the public hearing portion of this on the  
12 matter of Boundary Review Board number 202 for the City of  
13 Longview Pacific Fibre annexation. The Board will now  
14 deliberate and make an oral discussion. During the hearing the  
15 Board received testimony from representatives of Cowlitz 2 Fire  
16 and Rescue.

17 MR. HERMEN: Sorry. You have to have a motion to  
18 clear -- close the public hearing.

19 BOARD CHAIR HOLTER: Sorry about that. I'm new at  
20 this. All right. I'd like to entertain a motion to close this  
21 hearing.

22 BOARD MEMBER JOHNSON: I have one additional. Might  
23 be for staff. But what are our -- what are the three things  
24 that we're going to choose to do tonight?

25 MR. HERMEN: You're -- the RCW lists the -- has the

1 following opportunities for the Boundary Review Board: Approve  
2 the annexation as is, deny the annexation or modify the  
3 annexation up to 100 percent of the area.

4 BOARD MEMBER JOHNSON: Okay. Thank you. I make a  
5 motion we close the public hearing.

6 BOARD MEMBER GOULET: I second.

7 BOARD CHAIR HOLTER: All those in favor?

8 BOARD MEMBERS: Aye.

9 BOARD CHAIR HOLTER: This meeting is closed, this  
10 part of the public portion. All right. During the hearing the  
11 Board received testimony from representatives of Cowlitz 2 Fire  
12 and Rescue, City of Longview and members of the public. The  
13 Board considered all written material and other evidence  
14 including, but not limited to the notice of intent and  
15 attachments, the documents submitted by opponents as well as  
16 supplemental documentations submitted by Cowlitz 2 Fire and  
17 Rescue, City of Longview and documents from the public.

18 MR. HERMEN: Cowlitz County, not Cowlitz 2.

19 BOARD CHAIR HOLTER: Now the deliberation of  
20 annexation number 202. Board members, you've already viewed  
21 the written information that's provided in conjunction with the  
22 annexation. Can you all confirm that you've done that?

23 BOARD MEMBER DAVISON: Yes.

24 BOARD MEMBER GOULET: Yes.

25 BOARD MEMBER JOHNSON: Yes.

1 BOARD CHAIR HOLTER: Having now dispensed with the  
2 prerequisites, the Board will now consider if the annexation  
3 proposal meets or satisfies the requirements outlined in RCW  
4 36.93.180, objectives, and RCW 36.93.170, factors.

5 RCW 36.93.180, objectives. There are nine  
6 objectives, specific objectives we must review in order to  
7 determine whether these objectives have been met. I've been  
8 asked by my fellow members to have an opportunity to share  
9 their general observations and comments for the purpose of  
10 framing these objectives in an orderly content for our  
11 deliberation process. The floor is now open to the Board.  
12 Thank you, Board. Do you want to go ahead? Anybody have any  
13 input they want to add?

14 BOARD MEMBER JOHNSON: Well, this is a hard one,  
15 because of what we've discussed much already tonight. And  
16 that's the irregular boundaries that the proposed annexation  
17 area by the City of Longview has. Those irregular boundaries  
18 causes me some issues. And it includes Northwest Hardwoods and  
19 all along ER 432 or SR 432, down to what I can see us stopping  
20 at the landfill. I have, as I probably have indicated, some  
21 problems with excluding Kapstone's peninsula. So basically  
22 that's where I'm at on this, on the proposal. I see that we --  
23 in my mind, the dilemma we have is that we have a proposal that  
24 has significant issues and we either have to modify the area or  
25 we -- and that's up for discussion. That would be modified.

1 Or we would have to deny the annexation. That's an ironic  
2 thing about this is that this annexation would have gone  
3 through unchallenged or we wouldn't have had our -- we would  
4 have not been invoked had we not been asked to add one  
5 significant piece of land, which probably belongs, but this  
6 annexation would have in my mind sailed through had it not been  
7 for -- because we wouldn't have even had our injunction or we  
8 wouldn't have even had jurisdiction invoked had it not been for  
9 that.

10 BOARD MEMBER DAVISON: It seems like we do have the  
11 option, though, because the services are -- looks like they're  
12 going to be maintained at the same level that they have been  
13 maintained or have been provided, even if we do allow the  
14 peninsula to remain in there. And it is at least to my way of  
15 thinking a little different than if it were in a residential  
16 area where the people living in the peninsula would not know  
17 which direction to turn for services. Here the land is  
18 basically unused. And those parts that are being used are  
19 either supplied by or covered within the interlocal agreement  
20 or Cowlitz Fire and Longview Fire's agreement on responding,  
21 and that's been allocated.

22 BOARD MEMBER JOHNSON: So you would be able to  
23 overlook the factor?

24 BOARD MEMBER DAVISON: Because of its location and  
25 not being in a residential area, that I guess that would be my

1 thought.

2 BOARD CHAIR HOLTER: I, too, am conflicted, because I  
3 think, we try to bite off too big a chunk, I think we're going  
4 to end up where we -- what happened before. We're going to end  
5 up in court and nothing's going to get resolved in this forum.  
6 So I do think that we should probably, considering all the  
7 factors and objectives, look at what we have in front of us and  
8 stick with the plan we've got at this point.

9 BOARD MEMBER JOHNSON: And vote according to whether  
10 we believe that it fits the Growth Management Act or the RCWs  
11 that we have in front of us?

12 BOARD CHAIR HOLTER: You realize there's a lot of  
13 irregular boundaries here. But I think we've got a lot more  
14 information from some of the other participants. I think this  
15 would be a hard one to get past. So we either have to deny it  
16 or approve it as is. That's my statement.

17 BOARD MEMBER GOULET: I'm, again, as Chuck had  
18 pointed out, Mr. Davison, that certainly we don't have any  
19 residential impact. I do see and I do like the fact that  
20 annexation of Three Rivers Regional Waste Water Treatment Plant  
21 will actually have a positive impact in terms of water bills  
22 and so on. The county doesn't seem to be too upset about loss  
23 of revenue. I can't see a whole lot that's going to be  
24 changing, as has been testified. The quality of the service  
25 and the availability of service to that area. I'm not sure

1 what the peninsula value or having it or not having it included  
2 has to Kapstone, to be honest with you. Again, since there is  
3 no residential impact, that there is very little to be gained  
4 one way or the other, I'm inclined to go with the Board in  
5 terms of how we'd like to deal with that situation. Again, I'd  
6 like to have a little bit more information. But for the most  
7 part, I'd be inclined to go in a direction of approval.

8 BOARD CHAIR HOLTER: I should probably run through  
9 the objectives then?

10 MR. HERMEN: Yeah.

11 BOARD CHAIR HOLTER: There's nine objectives for the  
12 Boundary Review Board. The nine objectives of the Boundary  
13 Review Board are preservation of natural neighborhoods and  
14 communities, which as Mr. Weber pointed out, I guess you could  
15 qualify this as a community. I don't see where it's applicable  
16 too much in the fact that it's for residential purposes. But  
17 for neighborhood communities of businesses and things like  
18 that, I can see a big problem. Anybody want to comment on  
19 that?

20 Okay. Number 2. The use of physical boundaries  
21 including but not limited to the bodies of water, highways and  
22 land contours. I believe that one's applicable. Creation of  
23 preservation of local service areas.

24 BOARD MEMBER JOHNSON: Are we going to comment on  
25 these?

1 BOARD CHAIR HOLTER: Sure. You bet.

2 BOARD MEMBER JOHNSON: I have a significant issue  
3 with that one. I think I have enough difficulty with that one  
4 that I would either have to modify or I would have to deny.  
5 And when I say "modify", I guess I would throw a couple of  
6 straw horses out here. And I recognize I'm only one vote here.  
7 I would have to throw out that we could look at other  
8 modifications to it. I see where we could include Kapstone and  
9 exclude -- I could see the boundary being around Northwest  
10 Hardwoods down, pretty much the proposed annexation, filling in  
11 the peninsula.

12 BOARD MEMBER DAVISON: The upper area above the --

13 BOARD MEMBER JOHNSON: No. The peninsula being the  
14 light area, the Kapstone area that we spent a lot of time  
15 talking, from Fibre Way up to --

16 MR. HERMEN: North of Fibre Way?

17 BOARD MEMBER JOHNSON: North of Fibre Way. Yeah.  
18 And to the point about annexation, I don't -- I don't see  
19 annexation as people giving up their land. I see annexation as  
20 being just a change of jurisdiction. In this case, the  
21 jurisdiction that has been proposed for the good of the  
22 community, I would say. And that I think it's a worthy  
23 annexation, but I have some significant issues with the  
24 irregular boundaries, lack of real definition to boundaries and  
25 some of those. We'll get to those. So you guys are free to

1 discuss that with me. And -- because I --

2 BOARD CHAIR HOLTER: Well, Kapstone property. Is  
3 that -- that piece of property that's on the east side of the  
4 road there, at least the north side of the road. If it's not  
5 going to be developed or ever used by Kapstone, you still have  
6 objections to bringing that into the City?

7 MR. ORTIZ: Am I allowed to participate in this part  
8 of the record?

9 MR. HERMENS: Record's closed.

10 BOARD CHAIR HOLTER: But we could ask questions,  
11 though?

12 MR. HERMEN: Not on the record, though.

13 MR. ORTIZ: I'd be happy to answer it. I just want  
14 to make sure.

15 BOARD CHAIR HOLTER: All right. Okay.

16 MR. HERMEN: You can go through these objectives, and  
17 if people don't have comments, they don't have comments. If  
18 they do, they can go on it. It doesn't sound like there was  
19 any response to Lynn's comment, so you can move on to number 3.

20 BOARD CHAIR HOLTER: All right. Number 3. Creation  
21 and preservation of logical service areas. Any comment on  
22 that? It sounds to me like most everything has been ironed out  
23 as far as the service. Interlocal agreement. So I don't have  
24 any comment on that.

25 BOARD MEMBER JOHNSON: Good job there.

1 BOARD CHAIR HOLTER: Number 4, prevention of abnormal  
2 irregular boundaries. I think that's where we get back into  
3 your --

4 BOARD MEMBER DAVISON: The statement.

5 BOARD CHAIR HOLTER: Your statement. All right. Any  
6 comment on that?

7 BOARD MEMBER GOULET: The only part, to be honest  
8 with you, that throws me off a bit is when we look at the map  
9 here to this section, when you cut this through right here, you  
10 cut this little triangular piece.

11 MR. HARBINSON: Would you mind doing that on the big  
12 board?

13 BOARD MEMBER GOULET: Yeah. Sorry. I'm looking at  
14 Kapstone, not up here as well. But I'm looking at this little  
15 section right down here. I recognize that this is a much  
16 larger piece of property. But I'm wondering what the impact is  
17 of not touching that. In terms of trying to set up a regular  
18 boundary and so on, this probably creates even more of an  
19 irregular situation. And I'm wondering again -- obviously this  
20 is not a matter of comment from the public record, but if we  
21 were looking at the component of modifying the boundary,  
22 wouldn't this, including this small piece, constitute a  
23 modification of the boundary? And as it stands right now, the  
24 proposal does not include that; is that correct?

25 BOARD CHAIR HOLTER: Right.

1 MR. HARBINSON: The proposal doesn't include the  
2 water treatment plant.

3 MR. HERMEN: Public testimony is closed, sir.

4 BOARD CHAIR HOLTER: Move on to number 5.

5 BOARD MEMBER JOHNSON: The piece that he's talking  
6 about is this little, this patch. It's Longview -- Pacific  
7 Fibre. Has got the logs in it. It would be part of -- there's  
8 no irregular boundary there.

9 BOARD CHAIR HOLTER: This here?

10 BOARD MEMBER JOHNSON: Yeah. That's this piece right  
11 here. And it's part of the peninsula? It belongs to Longview  
12 Fibre?

13 BOARD CHAIR HOLTER: Kapstone?

14 MR. HERMEN: Kapstone. On the assessor's it's  
15 Longview Fibre.

16 BOARD CHAIR HOLTER: Any other comments?

17 BOARD MEMBER DAVISON: If we do include the waste  
18 treatment plant, that does make another little jog.

19 BOARD CHAIR HOLTER: That's the one I'm speaking of.  
20 Yes. This piece right here.

21 BOARD MEMBER JOHNSON: Actually makes it look worse.

22 BOARD CHAIR HOLTER: Shall we move on then to number  
23 5? Discouragement of multiple incorporations of small cities  
24 and encouragement of incorporations of cities in excess of  
25 10,000 population and heavy populated urban areas. I

1 personally don't think this applies to what we're doing. So  
2 we'll just move on.

3 Number 6, dissolution of inactive special purpose  
4 districts. There again, I don't believe that's applicable at  
5 this point.

6 Number 7, adjustments of impractical boundaries.

7 MR. HERMEN: If you want to say the same thing again,  
8 or are you good?

9 BOARD CHAIR HOLTER: You think you've made your  
10 point?

11 BOARD MEMBER JOHNSON: I'm not going to talk anything  
12 more. Well, that's not --

13 BOARD CHAIR HOLTER: All right. Incorporation of  
14 cities or towns or annexations to cities or towns in  
15 incorporated areas which are urban in character. I don't  
16 believe that's applicable, either, at this point.

17 Number 9. Protection of agricultural and rural lands  
18 which are designated for long-term productive agricultural and  
19 resources used by a comprehensive plan adopted by a county  
20 legislative authority. There again, I don't believe that's  
21 applicable, either, to what we're doing.

22 Okay. That covers all the objectives. Move on to  
23 the factors. These are RCW 36.93.170, factors. The Board is  
24 also required to discuss the factors outlined in RCW 36.93.170.  
25 That states, "The Board shall consider the factors affecting

1 such proposal which shall include but not limited to the  
2 following." Number 1, population and territory. Population  
3 density, land area and land uses. Comprehensive plan zoning as  
4 adopted under chapter 36 or 35.63, 35 A.63, or 36.70. RCWs,  
5 comprehensive plans, development regulations adopted under  
6 chapter 36.70A, RCWs, applicable service agreements entered  
7 into under chapter 36.115. Or 32, or excuse me, 39.34. RCW,  
8 applicable local annexation agreements between a county and its  
9 cities, per capita assessed valuation, topography, natural  
10 boundaries and drainage basins, proximity to other populated  
11 areas, the existence and preservation of prime agricultural  
12 soils and productive agricultural uses, the likelihood of  
13 significant growth in these areas and adjacent incorporated and  
14 unincorporated areas within the next ten years, location and  
15 most desirable locations of community facilities. Any comment  
16 on that? Okay.

17 Move on to number 2. Municipal services. Needed  
18 permissible services, affect of ordinances, governmental codes,  
19 regulations and resolution on existing uses. Present cost and  
20 adequacies of governmental services and controls in areas,  
21 prospects of governmental services from other sources, probable  
22 future needs for such services and controls, probable effect of  
23 proposal or alternative on costs and adequacy of services and  
24 controls in areas and adjacent areas. The effect on the  
25 finances, debt structure and contractual obligations and rights

1 of all affected governmental units. And number 3, the effect  
2 of the proposal or alternative on adjacent areas, on mutual  
3 economic and social interests, and in the local governmental  
4 structure of the county. Any comment on those objectives?

5 All right. I'm going to ask the board members if  
6 they're comfortable making a motion for the annexation  
7 proposal. If so, the chair will entertain a motion. Anybody  
8 want to make a motion on this?

9 BOARD MEMBER DAVISON: I move that we adopt the  
10 annexation with the water treatment request included as  
11 originally proposed.

12 MR. HERMEN: So your motion is to modify the  
13 annexation to include the Three Rivers Waste Water Treatment?

14 BOARD MEMBER DAVISON: Yes. Do we need to approve  
15 the original and then have another motion?

16 MR. HERMEN: No. No.

17 BOARD CHAIR HOLTER: Okay. Do we have a second?

18 BOARD MEMBER GOULET: I'll second that.

19 BOARD CHAIR HOLTER: All those in favor?

20 BOARD MEMBER DAVISON: Aye.

21 BOARD MEMBER GOULET: Aye.

22 BOARD CHAIR HOLTER: Aye. One nay?

23 BOARD MEMBER JOHNSON: One nay.

24 BOARD CHAIR HOLTER: Okay. The motion has been made  
25 and seconded to approve the modification of the --

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MR. HERMEN: To modify the annexation proposal.

BOARD CHAIR HOLTER: Is there any discussion?  
Hearing none, all those in favor signify by saying "aye".

BOARD MEMBER DAVISON: Aye.

BOARD MEMBER GOULET: Aye.

BOARD CHAIR HOLTER: Motion passes on aye vote. The  
Boundary Review Board will adopt our written decision by June  
16th, 2014. And on behalf of the Board, we want to extend our  
sincere thanks to the members of the public that participated  
in tonight's hearing. Thank you very much.

(The hearing was concluded at this time, 8:08 p.m.,  
June 9, 2014.)

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CERTIFICATE

As Court Reporter, I hereby certify that the foregoing transcript is true and accurate and contains all the facts, matters and proceedings of the meeting held on June 9, 2014.

*Tami Kern*

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Tami Kern