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MAR 07 2023

BOARD of CLALLAM COUNTY COMMISSIONERS MINUTES for the week of February 27 – March 3, 2023

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, February 27, 2023. Present were Commissioners Ozias, Johnson, and French and Administrator Sill.

Items of discussion per the agenda published February 23 were:

- Calendar/Correspondence
- Notice of call for bids to be received no later than 10 a.m. Tuesday, April 18, 2023 for EV Charging Stations
- Agreement amendment 2 with Department of Social and Health Services for developmental disabilities services
- Agreement with Washington State Military Department for emergency management
- Discussion regarding hiring incentives for Deputy Prosecuting Attorneys
- Discussion on Dungeness Floodplain Restoration and Levee Setback Project
- Discussion regarding Housing Solutions Committee 2023 Affordable and Supportive Housing Request for Proposal – Funds 1406 and 1590
- Resolutions appointing Robert "Bob" W. Pensworth to the Crescent Community Advisory Council
- Agreement with Olympic Peninsula Visitor Bureau for Hotel/Motel Tax Funding/\$120,000
- Agreement with Olympic Peninsula Visitor Bureau for Hotel/Motel Tax Funding/\$750,000
- Review the "How Did We Do" reports comparing each month's actual performance

Meeting concluded at 11:58 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Ozias called the meeting to order at 10 a.m., Tuesday, February 28, 2023. Also present were Commissioner Johnson and Administrator Sill. Commissioner French was excused.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CRJm to adopt the agenda as presented, CMOs, mc

PUBLIC COMMENT

- xx

CONSENT AGENDA

- 1a Approval of vouchers for the week of February 20
- 1b Approval of payroll for the period ending February 15
- 1c Approval of minutes for the week of February 20
- 1d Proclamation recognizing March as Developmental Disability Awareness Month

ACTION TAKEN: CRJm to adopt the consent agenda, CMOs, mc

REPORTS AND PRESENTATIONS

- CRJ read the Proclamation recognizing March as Developmental Disability Awareness Month
 - Kelley Lawrence, Health and Human Service Department, thanked the Commissioners
- CMO Recognized David Bibler for 39 years of service to Clallam County
 - Joe Donisi, Road/Public Works Department recognized David Bibler for his service to Clallam County
 - David Bibler, commented on the Fire Department, his service to Clallam County
- CRJ commented on Port Angeles Chamber of Commerce, Department staff meetings
- CMO commented on technology upgrade, Sequim Sunshine Festival, Sequim Dungeness Chamber of Commerce Citizen of the Year Ceremony, City of Port Angeles concerns with the Elwha Watershed Lake Aldwell Logging

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CONTRACTS AND AGREEMENTS

2a Agreement with Sebris Busto James for legal counsel and representation

ACTION TAKEN: CRJm to approve, CMOs, mc

2b Agreement with Olympic Consortium for workforce development

ACTION TAKEN: CRJm to approve, CMOs, mc

2c Agreement with Clallam Conservation District for resource conservation planning and implementation

ACTION TAKEN: CRJm to approve, CMOs, mc

ADMINISTRATION

3a Resolution appointing Rachel Anderson to the Housing Solutions Committee

ACTION TAKEN: CRJm to adopt, CMOs, mc

3b Resolution appointing Vicki Lowe to the Homeless Task Force

ACTION TAKEN: CRJm to adopt, CMOs, mc

3c Call for hearing to be held Tuesday, March 14, 2023 at 10:30 a.m. regarding sale of surplus property

ACTION TAKEN: CRJm to adopt, CMOs, mc

HEARING(S)

H1 Consideration of resolution adopting the following Debatable Emergencies:

NonDepartmental – Conservation Futures – Unused 2022 funds to be used toward purchase of conservation easements/\$400,000

BOCC Operations – Funds to be used for costs associated with the Washington Association of County Commissioners and Council Clerks Annual Conference/\$6,000

General Funds Reserves

- Funds need to cover increased overtime costs due to changes in the Washington State Labor & Industries minimum salary requirements/\$15,000 (1 of 2)
- Funds need to cover increased overtime costs due to changes in the Washington State Labor & Industries minimum salary requirements/\$5,000 (1 of 2)

Prosecuting Attorney – Local Crime Victim Compensation - Funds need to cover increased costs due to changes in the Washington State Labor & Industries minimum salary requirements/\$15,000 (2 of 2)

NonDepartmental – Veterans Relief - Funds need to cover increased overtime costs due to changes in the Washington State Labor & Industries minimum salary requirements/\$5,000 (2 of 2)

NonDepartmental Indigent Defense

- Funding needed for the 2023 Clallam Public Defender contract/\$45,354
- Conflict attorney contracts moved from Superior Court to NonDepartmental Indigent Defense fund/\$200,200
- Conflict attorney contracts moved from District Court I to NonDepartmental Indigent Defense/\$24,000

Informational Technology – Capital Projects – Rollover of unused 2022 allocated funds to process payment of remaining 2022 invoices due to supply chain issues/\$23,500

Parks and Facilities – REET

- Variable Air Volume System Project and Park Trail Project invoices/\$505,000
- Courthouse access control system project/\$185,067

Department of Community Development – Administration - Code Enforcement budget from the Sheriff's Department to the Department of Community Development/\$311,989

Department of Community Development – Permit Center – Tyler Technologies Planning Permit System/\$15,166

Sheriff – Jail Medical – Inmate Health Care – Correctional Healthcare Companies to provide emergency nursing staff until regular positions could be filled/\$83,050

- ARS read the agenda item summary into the record

ACTION TAKEN: CRJm to open the public hearing, CMOs, mc

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- The following sent in written comments: Ed Bowen (see attached)
- The following provided testimony:
 - Ed Telenick, Sequim
 - Ed Bowen, Clallam Bay

ACTION TAKEN: CRJm to close the public hearing and adopt, CMOs, mc

BUDGET

4a Resolution adopting the following Budget Revisions:

NonDepartmental – American Rescue Plan Act

- Reallocation of American Rescue Plan Act ARPA Funding based on project status/\$1,055,383
- Reallocation of American Rescue Plan Act ARP Funding for Black Diamond Water District/\$49,388

NonDepartmental – Affordable Housing Sales Tax – Reallocation of funds to cover car allowance benefit for the Housing / Grant Resources Director/\$4,080

Sheriff – Jail – Contracted costs for Norpoint Services to provide Courthouse security/\$16,335

ACTION TAKEN: CRJm to adopt, CMOs, mc

4b Resolution adopting the following Budget Reductions:

Sheriff – Operation – Code Enforcement Budget moving from Sheriff’s Department to the Department of Community Development/\$311,989

Superior Court – Conflict attorney contracts are required to move from Superior Court to NonDepartmental Indigent Defense Fund/\$200,200

District Court I – Conflict attorney contracts from District Court I to NonDepartmental Indigent Defense fund/\$24,000

ACTION TAKEN: CRJm to adopt, CMOs, mc

4c Resolution adopting the following Supplemental Appropriations:

HHS – Operations – Funding received for Prescription Drug Overdose Prevention Grant for providing harm reduction services/\$129,489

Department of Community Development – Environmental Quality – Marine Resources Committee will enhance substrate for recruitment of the Olympia oyster populations in Sequim Bay/\$94,600

Sheriff – Emergency Services – reimburse expenditures for consultant to design and implement training exercise/\$3,334

Sheriff – Operations – reimburse expenditures for training costs for patrol deputies, management and administration costs/\$16,417

Parks & Facilities – Fair – New sponsorship program for Fair Rodeo & Logging Show/\$70,000

Superior Court

- Salish Behavioral Associated Health Organization for Criminal Justice Treatment Account/\$21,718
- Funding support for the Parents for Parents Program/\$15,000
- Reimbursement funds for court interpreter and language services/\$6,008

ACTION TAKEN: CRJm to approve, CMOs, mc

PUBLIC COMMENT

- Susan Blake, Port Angeles, commented on public health, law enforcement
- Ed Bowen, Clallam Bay, commented on Black Diamond Water, Olympic National Forest, Washington State Department of Transportation Hwy 101 update,

Meeting concluded at 11:06 a.m. and continued to 9 a.m., Monday, March 6, 2023.

There are no Zoom chat logs for the week of February 27.

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The Board of Commissioners attended WSAC Virtual update, William Shore Memorial Pool District Meeting, Coffee with Colleen, Forks Chamber of Commerce, Housing Solutions Committee Meeting, and North Olympic Healthcare Network Ribbon Cutting Ceremony during the week of February 6.

PASSED AND ADOPTED this 7th day of March, 2023.



BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias

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Randy Johnson

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Mike French

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ATTEST:

[Handwritten signature of Loni Gores]

Loni Gores, MMC, Clerk of the Board

KEY TO ABBREVIATIONS:

ARS Administrator Rich Sill
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CMF Commissioner Mike French

m moved
mc motion carried
s seconded

Gores, Loni

From: Ed Bowen <rockypt@olympen.com>
Sent: Tuesday, February 14, 2023 11:29 AM
To: Lane, Mark
Cc: Johnson, Randy; Ozias, Mark; French, Mike; Sill, Rich; Gores, Loni
Subject: RE: Washington State L&I Related Debatable Emergencies Follow up to Public Comment

For the purpose of my inquiring comment at today's BOCC meeting, very well explained...especially starting with the sentence and remaining portion I think many folks might better understand this: Thanks

. Under rules applicable to the County with 51 or more employees, employees must make at least 2 times the State's minimum hourly wage in order to be eligible to be treated as a salaried employee who are not eligible to be paid overtime.

Thanks

I'll still need to look further in to the levels/amounts listed today for the upcoming hearing. I do think the public should know this information (what you have explained) so if I get the chance to make further public comment at the upcoming BOCC meetings I'll try to submit this email information so that it becomes a part of the meeting minutes for others to review.

Ed Bowen

From: Lane, Mark [mailto:mark.lane@clallamcountywa.gov]
Sent: Tuesday, February 14, 2023 10:38 AM
To: Ed Bowen
Cc: Johnson, Randy; Ozias, Mark; French, Mike; Sill, Rich; Gores, Loni
Subject: Washington State L&I Related Debatable Emergencies Follow up to Public Comment

Hi Ed,

In reference to your question regarding Item 5d of today's BOCC agenda and the items relating to Washington State L&I, attached is a [link](#) to the Washington State L&I article governing the issue that is resulting in our needing to execute debatable emergencies within the Veteran's Relief fund and the Prosecuting Attorney Local Crime Victim Comp Fund. The press release goes into further detail in outlining the L&I rules regarding classification of salaried, overtime exempt employees and hourly employees eligible for overtime. Under rules applicable to the County with 51 or more employees, employees must make at least 2 times the State's minimum hourly wage in order to be eligible to be treated as a salaried employee who are not eligible to be paid overtime.

Upon evaluation of our all of our employees, the County identified a handful of impacted employees in the Veterans Relief fund and PA Local Crime Victim Comp fund who were previously classified as salaried, overtime exempt employees, but because these employees' compensation level no longer met the 2 times minimum hourly wage requirement under the new L&I requirements to remain salaried overtime exempt, the County had to reclassify these handful of impacted employees to hourly employees at the current equivalent hourly rate their current compensation is equal to. As certain of these employees are required to work more than 40 hours per week from time to time due to the

demands of their position, it was determined that a debatable emergency budgeting for overtime pay for these employees was needed as no overtime was budgeted for in these departments.

I hope this answers your question as to why these debatable emergencies were needed for these two funds.

Best,

****PLEASE NOTE—my work email has recently changed to mark.lane@clallamcountywa.gov . Please update my contact card at your earliest convenience****

Mark Lane

Chief Financial Officer

Clallam County

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