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AUG 22 2023

## BOARD of CLALLAM COUNTY COMMISSIONERS

### MINUTES for the week of August 14 – 18, 2023

#### **WORK SESSION – 9 a.m.**

The work session convened at 9 a.m., Monday, August 14, 2023. Present were Commissioners Ozias and Johnson and French, and Administrator Mielke.

Items of discussion per the agenda published August 10 were:

- Calendar/Correspondence
- Agreement with Administrative Office of the Courts for Blake decision
- Agreement with Administrative Office of the Courts for Family and Juvenile Court Improvement Plan
- Pre-application questionnaire with US Forest Service for Secure Rural Schools Title II Funds
- Briefing and call for hearing to be held on Tuesday, September 5, 2023 at 10:30 a.m. regarding an Ordinance repealing Clallam County Code Chapter 3.35 Voters' Pamphlet
- Briefing and call for hearing to be held on Tuesday, September 5, 2023 at 10:30 a.m. regarding an Ordinance amending Clallam County Code Chapter 5.05 Sales and Use Tax for Chemical Dependency and Mental Health Treatment
- Briefing and call for hearing to be held on Tuesday, September 5, 2023 at 10:30 a.m. regarding an Ordinance amending Clallam County Code Chapter 5.40 Opportunity Fund Program
- Agreement with LexisNexis for Desk Officer Reporting System
- Agreement amendment 1 with Olympic Peninsula Humane Society for animal sheltering services
- Agreement amendment 5 with Norpoint Protective Services for Courthouse Security Services
- Agreement with Department of Ecology for Solid Waste - Moderate risk waste activity
- Agreement with Department of Ecology for Solid Waste – Enforcement activities
- Agreement amendment 13 with Department of Health for on-site implementation, shellfish, immunizations, prevention overdose, Group A water systems, OSS and WIC programs
- Requests for proposals to be received no later than Monday, October 3, 2023 at 3 p.m. regarding Behavioral Health Proposal 2024
- Resolution authorizing action on Current Use Assessment CUA applications pursuant to Clallam County Code Chapter 27.08, Open Space
- Agreement with North Olympic Land Trust for Frederick Johns and Helle Andersen - No Goat Farm Conservation Futures Program Project
- Briefing and request to move forward with approval of an Ordinance amending Clallam County Code Chapter 33.57 Signs
- Agreement and applicant resolution authorization for North Olympic Lead Entity for Salmon
- Discussion on proposed budget revisions to be considered on August 29 (6b)\*
- Discussion of proposed supplemental appropriations to be considered on August 29 (6c)\*
- Discussion of proposed budget emergencies to be considered on August (6d)\*
- Overview of the American Rescue Plan Act projects and expenditure report for second quarter of 2023
- Agreement with Department of Ecology for Solid Waste Management
- Dungeness Off-Channel Reservoir Project update – 11:30 a.m.

Meeting concluded at 1:23 p.m.

#### **EXECUTIVE SESSION – August 15, 2023**

Pursuant to RCW 42.30.110, an executive session will be held at 8:30 a.m., Tuesday, August 15, 2023 in the Commissioners Board Room, 223 East 4<sup>th</sup> Street, Port Angeles, Room 160. No Zoom option will be available.

This executive session is being called to discuss developing issues, and Clallam County involvement, in potential litigation with Washington State Association of Counties WSAC and other counties as co-plaintiff in injunctive relief against the Department of Social and Health Services DSHS.

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Per RCW 42.30.110(i), the Board may recess into executive session "to discuss with legal counsel representing the agency litigation . . . to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency."

The Board may recess into executive session to consider employment or dismissal of personnel, to review the performance of a public employee, to consult with legal counsel, to consider the position to be taken in collective bargaining, to consider acquisition or sale of real estate, or other matters per RCW 42.30.110

The Board convened in open session at 8:35 a.m. to discuss developing issues, and Clallam County involvement, in potential litigation with Washington State Association of Counties WSAC and other counties as co-plaintiff in injunctive relief against the Department of Social and Health Services DSHS. Present were Commissioners Ozias and French, Deputy Human Resources/Administrator/Risk Reyes, Administrator Mielke, Prosecuting Attorney Nichols and Chief Civil Deputy Prosecuting Attorney Boughton. Commissioner Johnson was excused.

**ACTION TAKEN: CMFm to recess to executive session for 20 minutes, CMOs, mc**

The board recessed into executive session at 8:38 a.m.

The board convened in open session at 8:58 a.m.

**ACTION TAKEN: CMFm to approve authorize the Prosecuting Attorneys Office to contact Washington State Association of Counties to take steps to join as co-plaintiffs in the DSHS action, CMOs, mc**

Meeting concluded at 9:00 a.m.

**REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS**

Chair Ozias called the meeting to order at 10 a.m., Tuesday, August 15, 2023. Also present were Commissioners Johnson and French and Administrator Mielke.

**REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA**

3a Bid opening – Lower Dungeness River Levee Slope Repair Project  
Bid opening will be extended to August 22, 2023 at 10 a.m.

**ACTION TAKEN: CRJm to adopt the agenda as modified, CMFs, mc**

**PUBLIC COMMENT**

- Ed Bowen, Clallam Bay, commented on item 6b
- Kenneth Reandeau, Port Angeles, commented on items 6c and 6d

**CONSENT AGENDA**

1a Approval of vouchers for the week of August 7

1b Approval of minutes for the week of August 7

**ACTION TAKEN: CRJm to adopt the consent agenda as presented, CMFs, mc**

**REPORTS AND PRESENTATIONS**

- CMF commented on Developmental Disability Advisory Committee, Ruckelshaus Center, Recompete Task Force, west end meetings
- CRJ commented on Port Angeles Chamber of Commerce, Hurricane Ridge winter access, department staff meetings
- CMO commented on Clallam County Fair, Marine Discovery Project

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**CONTRACTS AND AGREEMENTS**

2a Agreement with Department of Social and Health Services for adult developmental disability services  
**ACTION TAKEN: CRJm to approve, CMFs, mc**

2b Agreement with Department of Ecology for Dungeness Floodplains Restoration Project  
**ACTION TAKEN: CRJm to approve, CMFs, mc**

2c Agreement Contract with Health Care Authority for Community Prevention and Wellness Initiative to prevent and reduce the misuse and abuse of alcohol, tobacco, and drugs  
**ACTION TAKEN: CRJm to approve, CMFs, mc**

**BIDS AND AWARDS**

3a Bid opening – Lower Dungeness River Levee Slope Repair Project  
**ACTION TAKEN: CRJm to extend the bid opening to August 22, 2023 at 10 a.m., CMFs, mc**

3b Bid opening - Downtown Sekiu Sewer main Replacement

<b><u>CONTRACTOR</u></b>	<b><u>AMOUNT</u></b>
Rognlin's, Inc.	\$3,039,661.33
Interwest Construction Inc.	\$2,047,525.18
Bruch and Bruch Construction, Inc.	\$1,508,991.73

**ACTION TAKEN: CRJm to forward the bids to the Public Works Department for review and recommendation to the Board of Commissioners, CMFs, mc**

**ADMINISTRATION**

4a Notice of call for bids to be received no later than 10 a.m. Tuesday, September 12, 2023 for the Clallam County – VAV Upgrade Project  
**ACTION TAKEN: CRJm to issue notice, CMFs, mc**

**COMMUNITY DEVELOPMENT**

5a Call for hearing to be held Tuesday, August 29, 2023 at 10:30 a.m. regarding Ordinance Title 33, Zoning, Chapter 33.53, Landscape and Lighting Requirements, of the Clallam County Code, to repeal all sections of Chapter 33.53, Landscape Requirements and replace with new Chapter  
**ACTION TAKEN: CRJm to issue notice, CMFs, mc**

**BUDGET**

6a Notice the Preliminary 2024 Clallam County Budget will be available September 5, 2023  
**ACTION TAKEN: CRJm to issue notice, CMFs, mc**

6b Notice that the following budget revisions will be adopted by Resolution on August 29:  
DCD - Lower Dungeness Floodplain – Funding for monitoring devices for the Dungeness Levee which will be used to monitor water quality, fish movement, water flow, and depth/\$50,000  
HHS – Foundational Public Health Services – The Foundational Public Health Services budget is being revised to increase the grant funding returned line. This revision reallocates the balances remaining in those lines that were not fully expended into the grant funding returned line in preparation to submit the refund request/\$243,969

**ACTION TAKEN: CRJm to issue notice, CMFs, mc**

6c Notice that the following supplemental appropriations will be adopted by Resolution on August 29:  
Public Works – Equipment Rental and Revolving – Expenditures for capital machinery purchase were included in the budget, however, the revenue was not/\$924,380  
HHS – Environmental Health – Washington State Department of Health Consolidated Contract is adding funding to the shellfish and onsite septic system programs to perform testing and monitoring related services/\$38,333

**ACTION TAKEN: CRJm to issue notice, CMFs, mc**

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6d Resolution calling for a hearing to be held August 29 at 10:30 a.m. for the following debatable emergencies:

BOCC Operations – With the reorganization of the Board of County Commissioner and Finance Department offices, additional furnishings are needed to accommodate the newly hired County Administrator/\$4,500

Treasurer – Land Assessment – Department of Natural Resources Fire Patrol billed late 2022 and paid in 2023, and increases for the Department of Natural Resources Fire Patrol, City of Port Angeles Stormwater, and irrigation assessments for county owned parcels/\$2,000

Public Works – Roads – Expenditures for capital machinery purchases that were approved during the budget process were not included in the final budget/\$662,670

Public Works – Equipment Rental and Revolving – The 2023 Equipment Rental and Revolving did not reflect the carryover impact of a budgetary increase made in 2022 to fund higher fuel costs, which have continued to increase more than anticipated in 2023/\$288,364

District Court I

- Grant revenue received in 2022 no longer being spent and will be sent back to Administrative Office of the Courts fund source/\$71,501
- Administrative Office of the Courts grant revenue that supports the Mental Health Court was included in the budget, but the expenses were not/\$21,405

**ACTION TAKEN: CRJm to adopt, CMFs, mc**

**PUBLIC COMMENT**


- Ed Telenick, Sequim, commented on budget items, vehicles
- Ed Bowen, Clallam Bay, commented on budget items, Commission Conservation Meetings, Health and Human Services, Department of Community Development, Voters guide, Department of Natural Resources Ode to Joyce timber sale
- Kenneth Reandeau, Port Angeles, commented on sign ordinance, Climate Change, electric devices




The meeting concluded at 11:08 a.m. and continued to 9 a.m., Monday, August 21, 2023.

There are no Zoom chat logs for the week of August 14.

The Board of Commissioners attended WSAC Virtual Update, Board of Health Meeting, Coffee with Colleen, Clallam Transit Meeting and the Clallam County Fair during the week of August 14.

PASSED AND ADOPTED this 22nd day of August 2023.

ATTEST:   
Loni Gores, MMC, Clerk of the Board

 BOARD OF CLALLAM COUNTY COMMISSIONERS  
Mark Ozias  
  
Randy Johnson  
  
Mike French

**KEY TO ABBREVIATIONS:**

- |     |                            |    |                |
|-----|----------------------------|----|----------------|
| ARS | Administrator Rich Sill    | m  | moved          |
| CMO | Commissioner Mark Ozias    | mc | motion carried |
| CRJ | Commissioner Randy Johnson | s  | seconded       |
| CMF | Commissioner Mike French   |    |                |