

June 26, 2023

The Board of Garfield County Commissioners met in regular session on Monday June 26, 2023, at 9:00 a.m. in the Commissioners' Chambers at the Garfield County Courthouse.

Present were: Chairman Justin Dixon (virtually), Member Larry Ledgerwood, Member Jim Nelson, Clerk of the Board McKenzie Lueck and the public.

The Board started the meeting with the Pledge of Allegiance.

The Board opened the meeting for public comments. There were no public comments.

A motion was made to approve the minutes from the previous meeting as presented to the Board. The motion was seconded and passed unanimously.

Due to Commissioner Dixon being remote, Commissioner Ledgerwood chaired the meeting.

Road Supervisor Steve Gormsen gave the road report. The crew chip sealed 3.25 miles on the Mountain Road last week. Steve stated it takes the whole crew when chip sealing with the exception of one grader operator. One grader was able to operate on Ball Grade, Upper Hutchins, and Owens Road last week. The shop mechanic helped with chip sealing and worked on multiple pieces of equipment in the shop. There was discussion regarding a complaint of chemical drifting into a farmer's field and killed a portion of their crop next to a portion of road that was sprayed and whether the county is liable for this, as the county did spray weeds on the side of the road in this area as well. There will be continued discussion regarding this. Steve did take photos and measurements of the area in question.

Vice-Chair Ledgerwood stated that each Board member had reviewed a revised Commercial Lease Agreement between Garfield County and Richardson Family Farm, LLC, for property that houses a communication tower. The revised lease is consistent with the previous lease, other than the parties involved changed with the formation of the family LLC. Commissioner Nelson made a motion to sign the agreement, and Commissioner Dixon seconded it. The motion passed and the commercial lease was signed. Commissioner Dixon asked if the site had been sprayed for weeds and Steve stated that it had been.

Vice-Chair Ledgerwood stated that the Board had received two interlocal agreements last week; one between Garfield County and the Palouse Conservation District and one between Garfield County and the Pomeroy Conservation District. Commissioner Dixon stated that each agreement is done to coincide with the biennium budget. Commissioner Nelson made a motion to approve the agreements and sign them and Commissioner Dixon seconded. The motion passed and the agreements were signed.

The Board reviewed the PEBB Employer Group Interlocal Agreement with Washington State Health Care Authority that was previously discussed on 6/12/23. Commissioner Nelson moved to approve the contract and sign the document via DocuSign. Commissioner Dixon seconded the motion. The motion passed and the document was signed.

Vice-Chair Ledgerwood stated the Board received a request from Doris Todd to set off fireworks at the Garfield County Fairgrounds on the 5th of July. Commissioner Nelson stated he had no issues with it as long as the hay was removed prior to it. Commissioner Dixon agreed with Commissioner Nelson's statement. The Board approved fireworks for the 4th and 5th of July at the Garfield County Fairgrounds. Vice-Chair Ledgerwood stated he would be in contact with Sara Riley, the Fair Board President, to get this information back to Doris Todd.

The Board recessed for 10 minutes from 9:20 a.m. to 9:30 a.m.

Nick Waldher joined the Board at 9:30 a.m. to discuss a road vacation. Nick provided the Board with a letter petitioning a vacation of a parcel of land formerly part of Dutch Flat Road. Nick stated that he started this process a year ago and spoke with Commissioner Dixon, but has since ran into road blocks. He stated that it was indicated to him to request a vacation and work with the County Engineer, but at the time Garfield County did not have an engineer. He was then sent to Ron Weeks, the previous Garfield County Assistant Engineer. Ron gave Nick the paperwork for the normal vacation for property. Nick stated that he started working through it but ran into stumbling blocks. He received the old Right-of-Way Deed from Ron from 1967 when the county purchased this land from Nick's distant relatives. Nick and Ron were able to put together a drawing of the portion of land that Nick is hoping to get vacated and deeded to him. The legal description of this property continues to be an issue. Nick spoke with Prosecuting Attorney, Matt Newberg, regarding this property and Mr. Newberg stated that there might be different options for Nick acquiring the property by the County surplus it rather than vacating it, but stated that he probably needed to have an attorney put it together. Nick then spoke with Attorney Kim Boggs to begin the process and she wasn't sure that there was an easy way to go about it. Commissioner Dixon stated that he spoke with Mr. Newberg regarding this situation. Commissioner Dixon stated that the County could create a long-term lease with Nick on this property, but then if there were improves made to the property Nick would have to get approval from the Board prior to doing the improvements. Commissioner Dixon then spoke about a vacation process, stating that there are laws that state the land has to go back to the original owners. The piece of property in questioned belonged to the opposite side of the road. Commissioner Dixon said that Nick needs to hire a survey company to get a description of that land and then work with the county engineer, continuing that it's the responsibility of the petitioner to get the legal description. Nick stated that there is a piece that has a good legal description but there is another portion that does not have a good legal description. There was discussion regarding the surplus of land. Engineer Wege stated that he is going to speak with Mr. Newberg as well as Kim Boggs regarding this situation. There was discussion of similar situations in the County. Engineer Wege stated that he has discussed a similar situation in Columbia County with Kim Boggs. Commissioner Dixon stated that when he and James get back they will get this on top of their priority list since Nick has been waiting for a year. Additionally, Nick stated that there is an old school district that owns a small portion of land right there as well. It is outside of the vacation, but it is an adjacent land owner. Mr. Newberg previously told Nick that this could be cleaned up at the same time as the vacation. Engineer Wege told Nick not to do any more research for now and that some of it does fall back on the County and that he and Justin will do some research and get back to him.

The following vouchers/warrants/electronic payments were approved for payment:

Claims Clearing Fund

Numbers: 69142 Through: 69179 Totaling: \$20,642.75
Numbers: 69180 Through: 69197 Totaling: \$88,599.88

Payroll Clearing Fund

Numbers: 22611 Through: 22611 Totaling: \$1,500.00

Electronic Payments

Dated: 6/23/22 Number of Payments: 22 Totaling: \$24,943.92

The Commissioners regular meeting adjourned at 9:57 a.m. with the next regular meeting set for Monday, July 10th, 2023, at 9:00 a.m. in the Commissioner's Chambers at the Garfield County Courthouse.

/s/ McKenzie Lueck
Attest: Clerk of the Board

/s/ Larry Ledgerwood, Vice Chair
Chairman, Board of Garfield County Commissioners

Adopted