

December 18, 2023

The Board of Garfield County Commissioners met in regular session on Monday December 18, 2023, at 9:00 a.m. in the Commissioners' Chambers at the Garfield County Courthouse.

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

The Board started the meeting with the Pledge of Allegiance.

The Board reviewed and approved the minutes from the previous meeting.

Chairman Dixon called for public comment. There was none.

Chairman Dixon stated that Commissioner Nelson and Commissioner Ledgerwood would be remote today.

Road Supervisor, Steve Gormsen, gave the road report. The graders ran on the following roads: East Lynn, Washboard, Peola, Lower New York, and Chard Road. The crew was able to finish the power move on Pataha Creek, as well as running power at the landfill to the new building. The crew also hauled rock to Hutchins, Rickman, and Hagen. There were also several loads of rock loaded for customers who purchased it. There was lots of vegetation work throughout the County which included burning piles from culvert installation on Lynn Gulch, Washboard Road, and Pataha Creek, and trimmed trees on Patha Creek. In the shop, the fuel pump went out on pickup E411, there was a code on loader E108 which was fixed, pickup E247 and grader E128 both had service performed, and troubleshooting on the mower was performed. This week, the crew is trying to fix muddy spots that are thawing out. Next week will be a short week with a short crew due to the holiday, but Steve informed the Board that he has some crew members on call in case they need to plow. Chairman Dixon stated that Peola, near the county line could use some more delineators. Steve stated that he would send a crew member to check out the area and place some delineators. They are also in the process of ordering more. Steve also stated that he received a call regarding the lack of fog lines on Gould City due to this year's overlays. He stated that he didn't want to paint because they have to chipseal next year and thought it would be a waste of money to repaint lines two years in a row, however they will go up and paint lines on the overlays so they are visible. Steve also stated that he received a call that Lewis Road was tore up, so he's going to send some of the crew out there to get it fixed.

Engineer James Wege and Stan Warren joined the Board. Engineer Wege stated that he took the draft of the Ag Exemption for Building Permits policy to Prosecutor Newberg, and they discussed it. Mr. Newberg is reviewing the policy. Stan stated that he felt like he needed to stay up to date on the discussion as it's coming up on 6 weeks of deliberation regarding this situation. Chairman Dixon stated that unfortunately time is going to be the biggest crutch in this situation, but he does feel that it's on the right path. Chairman Dixon stated that he would reach out to Prosecutor Newberg to see how the review of the policy draft is going.

Engineer Wege joined the Board to give them his weekly update. He conducted engineer consultant interviews last week and stated that Mark Storey, Whitman County Engineer, and County Auditor, McKenzie Lueck, joined him on the interview panel. He informed the Board that the winner of the request for qualifications is selected based on the best qualifications and then the price starts being negotiated after the winner is selected. His recommendation to the Board is that he reaches out to Keller and Associates, as they are his choice after conducting interviews and he feels they are the best fit for the job. He stated that they interviewed four firms and if negotiations don't go well, or there are terms that cannot be agreed upon then at that point he can move on to the second choice. Jack Peasley, the newly elected City Mayor for 2024, joined the Board and stated that Keller and Associates have been working with the city on some projects and have been excellent to work with.

Engineer Wege explained an agreement that was presented to the Board; First Amendment to Staffing and Cost Reimbursement Agreement. This agreement is between Pac Soleil, LLC, and Garfield County regarding the Appaloosa Solar Project. Engineer Wege stated that Pac Soleil transferred their interest in the project to Hanwa Q Cells USA Corp. Engineer Wege continued that within the agreement it also updates some language and costs associated with the project. Engineer Wege stated that the County's legal counsel has reviewed the agreement and signed off on it. Commissioner Ledgerwood stated that he was in favor of signing the agreement, especially if the language and members involved were outdated. Commissioner Ledgerwood made a motion to have the chairman sign the agreement and Commissioner Nelson seconded the motion. The motion passed and Chairman Dixon signed the agreement.

Engineer Wege brought up a discussion regarding the Clean Building Act. He gave a brief overview of the law and informed everyone of the previously discussed amendments to the law. He stated that possible buildings within the County that might be affected are the schools, the Flower Mill, the port building, and the hospital. He continued that Commerce would notify building owners by 2025 and that compliance and reporting will be due by 2027. There are requirements that have to be met through compliance or exemptions or there will be a penalty. There is an early adopter program, which provides some funding to work towards meeting these requirements, however the final rules will not be published until the end of the year. He let the Board know that he is keeping track of the law and the rules. Engineer Wege also informed the Board that he met with the Department of Ecology and Garfield County received the 2023-2025 Shoreline Planning Competitive (SPC) Grant. This grant was awarded for the SMP User Guide and Tracking, Monitoring and Adaptive Management Framework Project. The state provides funding for local governments to keep the Shoreline Master Programs up to date. Engineer Wege stated that they will hire a consultant to come up with some online tools for shoreline management. Engineer Wege is developing an ad for a Request for Proposals (RFP's) and hopes to get it in this week's paper so the RFP's will close by January 11th. The grant is for \$165,000 and, he stated that Garfield County would keep \$15,000 for administering grant.

Rachel Anderson, Civil Service Examiner, joined the Board to inform the Board that June Davis-Dumbeck will turn in her resignation letter in January. Rachel continued that she has been on the Civil Service Board for 30 years. Commissioner Ledgerwood asked Rachel knows of anyone that has expressed interest in filling that position and she stated no, but Pat McGreevy stated that he might know of someone. Chairman Dixon stated that they appreciate the years of service Juyn

has put in for Garfield County. There was discussion regarding advertisement for this opening. This position is appointed by the Board of County Commissioners. Chairman Dixon asked Rachel to get an advertisement ready for the opening.

The Board reviewed a request to transfer the expense for an air compressor that was purchased for the County Road shop from the ERR (501 fund) to Current Expense (001 fund) due to it being approved to be paid with LATCF and being incorrectly coded when it was first purchased.

Sheriff Hyer and Prosecutor Newberg joined the Board to discuss the jail. Chairman Dixon stated that last week Sheriff Hyer gave the Board the jail's budget and Chairman Dixon stated that the Board has put together some numbers on what it would cost to outsource jail services. Prosecutor Newberg stated that Walla Walla County has a functioning jail system and is trying to be more up to date with onsite medical, as well as mental health resources onsite. He continued that these are important, and Garfield County has a very limited facility that is aging. Prosecutor Newberg has reviewed Columbia County's contract with Walla Walla County and stated that it is fairly straightforward. He stated that it appears that Columbia is being charged the DOC rate. The contract isn't exclusive so Garfield County can house inmates anywhere, including our own facility. Prosecutor Newberg stated that a potential issue is bedspace, so if Walla Walla is full or does not want that individual, they can reject housing them. He stated that another potential issue is Garfield County would be responsible for transportation, so this would take time and resources. Chairman Dixon stated that Walla Walla County wants Garfield County to fund a full-time jailer position which would cost approximately \$90,000 and while doing that they would provide transportation to the county line. Prosecutor Newberg is in favor of signing a contract and stated that we can sign a contract but not have to act on it. He pointed out that one of the savings the County may see is onsite medical. He stated that we currently use the local hospital but have to use the emergency room which charges emergency room rates. Sheriff Hyer stated that Walla Walla has the facility to separate people if they need to. He continued that Walla Walla County would like to build a regional jail by the airport and the state already has a 5-year plan which will require big and small jails adapt to the jail rules. Sheriff Hyer said that he is not sure that he agrees with Garfield County paying \$90,000 to pay a transfer officer when on average, using historical data over the last few years, Garfield County would only transport 77 bookings a year. Prosecutor Newberg stated that the trend over the last few years is way lower than normal right now due to various reasons and he recommended that the county looks at more long-term historical data. Chairman Dixon asked how many of those bookings were short term stays (a couple days) verse long term stays. Chairman Dixon asked if the Sheriff or Prosecutor recommended that Garfield County keep any inmates for short-term stays. There was discussion but no definitive answer. Chairman Dixon asked if the county would take a deputy off of the Sheriff's budget to help pay for the fulltime position for Walla Walla County? Sheriff Hyer said no. Chairman Dixon stated that he had a problem with that because the county is taking job duties away from our deputies and giving a new opportunity in Walla Walla but having to fund both. Prosecutor Newberg asked if Sheriff Hyer has any potential candidates for a part-time position for a transfer officer and Sheriff Hyer said no. Sheriff Hyer stated that he looked into keeping transportation inhouse, it would take about 3 hours round trip, and would cost around \$11,000. Prosecutor Newberg asked how the county does that with the existing manpower, and Sheriff Hyer stated that they would just make it happen. Commissioner Ledgerwood asked if Asotin County is an option to outsource. Sheriff Hyer wasn't sure but didn't think they were an

option at this time. Prosecutor Newberg said that the safer option is to wait until Asotin County has their new facility up and running. Chairman Dixon asked if Nez Perce County was an option. Sheriff Hyer stated that he wasn't sure if the county could use Nez Perce County due to extraditing across state lines. Prosecutor Newberg stated that if the inmate is still in our custody there might not be an issue with transporting them to Nez Perce County, but he would look into it. Prosecutor Newberg stated that he was worried that Asotin and Nez Perce would turn Garfield County away for lower-level holds, so he is in favor of signing the contract with Walla Walla. He also stated that the county needs to look at jail alternatives such as house arrest. Prosecutor Newberg asked what the county would do with the local individuals that turn themselves in on Friday night and have to stay the week? He stated that they shouldn't have to turn themselves into Walla Walla County, as some of them might not have means of transportation. He continued that he wants to make it optional for those individuals that might be working close to Walla Walla, and if it's convenient they can turn themselves in there. Mr. Newberg stated that he thinks if it's our obligation to hold people, then it's our obligation to transport them. Commissioner Ledgerwood stated that he has serious concerns with both options. He stated that if we only have one person on call and they are transporting that's a concern. Sheriff Hyer stated that that wouldn't happen. Commissioner Ledgerwood said he was also concerned about the \$90,000 price tag plus additional holding fees. Prosecutor Newberg and Chairman Dixon want some sort of holding facility. Prosecutor Newberg stated that Cheney has a small jail for overnight holds, but Spokane holds anything else long term. He stated that they might be a resource to look at to see how it works for them. Sheriff Hyer stated that holding people here without correction officers is a big liability to Garfield County. He stated that he is going to send the board an email from the state regarding jail regulations which are going to come within the next five years. Prosecutor Newberg stated the primary issue is figuring out transportation. There was discussion regarding the qualifications of a transportation person, and Sheriff Hyer stated that they would have to be a corrections officer. Sheriff Hyer continued that the corrections academy is a year out. Commissioner Ledgerwood stated that he would like Prosecutor Newberg to move forward with drafting a contract with Walla Walla County. He continued that if there is justification for the \$90,000 full-time position later the Board can revisit it. Chairman Dixon requested Sheriff Hyer call Nez Perce County and see if they are an option to outsource jail services to. Commissioner Nelson agreed with Prosecutor Newberg about using the initial contract with Walla Walla County as a trial run and then later looking at Asotin County as an option. Commissioner Nelson stated that he also agrees with Sheriff Hyer regarding the responsibility of the jail being one of the biggest concerns due to liability. Commissioner Nelson stated that he wants to move forward with Walla Walla County on a one-year trial basis. There was discussion regarding Asotin County as an option in the future. Prosecutor Newberg thinks having a designated transport should be a goal. Prosecutor Newberg will draft something and get it to the Board.

Cyndi Holbert, E911 Coordinator, joined the Board to inform them that she didn't receive any sealed bids for the radio project except from Valence. There was discussion regarding sealed bids and the requirements when receiving a sealed bid. Chairman Dixon requested the Cyndi speak with Prosecutor Newberg and make sure the process was done correctly before moving forward.

Auditor McKenzie Lueck asked the Board for final classification on budget items which included the Sheriff's request of \$10,000 for search and rescue. Commissioner Ledgerwood stated that he spoke with Deputy Taylor, who is the head of search and rescue, and he forwarded the Board an email with more information as to what the Sheriff's office plans to do with these funds. Commissioner Ledgerwood stated that he was in favor of providing \$10,000 for search and rescue and hoped that the Sheriff's office would keep the Board in the loop if they made any big purchases. The Board unanimously agreed. Commissioner Ledgerwood stated that one of the topics at this week's search and rescue meeting was the Snow Drifters requested a radio be carried by whoever is cooking burgers at Mount Misery (through the winter the Snow Drifters cook burgers at Mount Misery every weekend) to help facilitate communication in the event of an emergency on the mountain. Sheriff Hyer was in agreement with providing the Snow Drifters with a radio. Commissioner Ledgerwood stated that there needs to be training provided to the club so the individuals packing the radio know how to use it.

Auditor McKenzie Lueck requested that the Board increase the 2024 budget of the transfer to Solid Waste from Current Expense from \$20,000 to \$30,000 to reflect the previous resolution that passed for the County Road levy shift of \$30,000. The Board unanimously agreed.

The Board continued the budget hearing due to the budget not being ready. It will be continued to the next meeting, which will be held on December 27th.

Engineer Wege joined the Board to continue with his weekly update. He stated that he has had continual meetings regarding the green energy projects, and they are getting close to being able to take action. He also informed the Board that there will be a lot of annual reporting that needs to be completed for year end. He reminded the Board that he will be out of town on Wednesday and Thursday this week.

The Board recessed from 10:12 a.m. until 10:22 a.m.

Mark Heitstuman, WSU Extension Chair, joined the Board to present to them the annual Memorandum of Agreement between Garfield County and WSU Extension. Chairman Dixon stated that this is signed every December. The agreement states that Garfield County will pay WSU Extension \$10,660 for services. This reflects a 4% increase from last year's agreement. Chairman Dixon asked what the status was on hiring a new extension chair. Mark stated that that position is still open and will be filled by WSU Extension. Mark said that Marty Hall, Columbia County Commissioner, will be reaching out to get a meeting scheduled with multiple county commissioners to discuss a plan to move forward. Commissioner Ledgerwood moved to approve the MOA and Commissioner Nelson seconded it. The motion passed unanimously, and Chairman Dixon signed it. Commissioner Ledgerwood asked how Michelle Kelp was settling into the 4H Coordinator position. Mark stated that she was doing well.

The Board reviewed a letter regarding the rate of pay for the Information Specialist to increase the pay from \$58,639.04 to \$73,392.09 effective January 1st. Commissioner Nelson moved to approve the increase and Commissioner Ledgerwood seconded it. The motion passed unanimously. Commissioner Ledgerwood clarified that the increase did reflect a 4% increase

from the previously discussed and approved amount of \$70,569.32. The chairman signed the letter.

Chairman Dixon reminded everyone that the last day to pay vouchers for the 2023 budget year is December 27th and bills need to be turned into the Auditor's office by noon on the 22nd in order to meet the cutoff.

The Board recessed from 10:32 a.m. until 11:00 a.m.

The Board met with the County Transportation Authority at 11:00 a.m. until 12:05 p.m.

The Board resumed their regular session at 12:06 p.m.

Sam Ledgerwood joined the Board to discuss his concern with the Blue Mountain Forest Plan and the grazing specifications within the plan. The forest plan is a concern to him because he stated that during the last meeting, the forest service stated that they were bringing forward new science into their forest plan and his opinion is you begin these projects with the end in mind, meaning that if you go looking for science that proves that grazing is bad, then that's what you're going to find, whereas if you go looking for science that proves that grazing is good, then that's what you're going to find. Chairman Dixon stated that he spoke with Eric, the forest supervisor, and voiced his concern regarding this plan. Sam requested the Board to review the forest plan. He continued that the fire that recently burned through took away timber sales revenue from the county. These implications have a larger impact on a county as small as Garfield County, because the revenue loss has to be picked up somewhere. Chairman Dixon stated that Eric and Susan would be at a Board meeting near the end of January and invited Sam to join the Board during that meeting to discuss these concerns. The Board thanked Sam for his time and bringing forward his concerns.

The Commissioners regular meeting adjourned at 12:15 p.m. with the next regular meeting set for Wednesday, December 27th, 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/ Justin Dixon
Chairman, Board of Garfield County Commissioners