

January 8, 2024

The Board of Garfield County Commissioners met in regular session on Monday, January 8, 2024, at 9:00 a.m. in the Commissioners' Chambers at the Garfield County Courthouse.

Present were Chairman Justin Dixon, 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 reviewed and approved the minutes from both previous meetings.

Chairman Dixon called for public comment. There was none.

Road Supervisor, Steve Gormsen, gave the road report. The crew worked on guardrail inspections and the graders ran on Lynn Gulch and Tramway Road. In the shop they worked on grader E127, traverse E222, and pickup E206. They also loaded a roller that was surplusd approximately six months ago. Steve informed the Board that all five snow trucks went out today to make sure all slick spots were taken care of, and to make sure all trucks were running good before the bad weather. One of the graders was moved out to Mark Ledgerwood's to prepare for the wind and snow that is in the forecast.

Chairman Dixon addressed Mayor Peasley to see if there was anything that needed addressed with the City of Pomeroy. Mayor Peasley and Councilman Hirsch joined the meeting to observe and did not have any discussion items to bring forward.

Engineer Wege joined the Board to give them his weekly update. He presented them with an updated Survey Monument Preservation Policy. He stated that the County Road Administration Board (CRAB) requested modifications to the current policy to include procedures. He explained that the changes primarily have to do with training and contracting requirements, specifically if we hire a subcontractor, then that subcontractor must notify the county if any monuments will be disturbed during their work. Engineer Wege stated that CRAB gave him Cowlitz County's policy for reference because they had a great example and he used that to modify the current policy. Commissioner Nelson made a motion to approve Resolution 2024-02 regarding A Policy Regarding Survey Monument Preservation and Commissioner Ledgerwood seconded the motion. The motion passed unanimously, and the resolution was signed.

Chairman Dixon stated that the personnel policy was emailed out to department heads last week and he requested that all department heads review it and bring forward any comments, concerns, or questions to the Board, Prosecutor Newberg, or Clerk of the Board McKenzie Lueck. The Board would like to move forward with getting the personnel policy adopted this year.

Engineer Wege stated that he had a few changes to his requests for LATCF. He continued that he had a meet and greet with Washington Department of Fish and Wildlife (WDFW) employee, Tom Schirm, who over sees the Hydraulic Permits (HPA) program locally. He stated that if the county must work with any water issues, we will work with Tom to resolve any of those issues.

Chairman Dixon and Commissioner Nelson both commented on how great Tom is to work with. Engineer Wege stated that there was an incident in the city, and the sheriff contacted him for his expertise. He continued, stating that a landowner was looking to repair or replace a personal bridge. There are a couple of houses located across the creek and this bridge is the official and legal access across the creek to access this property. Engineer Wege was asked to get involved to see what the situation was and how it should proceed forward. He stated that regardless of the work the individual was doing, even if he was just replacing the top of the bridge, he would need a permit to do it. He did state that the landowner was trying to take all the appropriate steps and had contacted WDFW.

Engineer Wege continued with his weekly update, stating that he also met with Kelsey Stanton with Department of Natural Resources (DNR) who does surface mining for DNR. She met him and Steve at the Meyer pit. This is a pit that the county has held a permit on for quite some time. Engineer Wege stated that the pit was previously used as a stock holding site. Kelsey came out to inspect the pit and help the county close out the permit. There was discussion on the location of the pit and it was determined that this pit was located below Ben Day and right about Kisners' on the right. Chairman Dixon asked if the county had crushed rock out of the pit and Engineer Wege stated that he isn't sure if we did or not but did know that it was used for stock piling when there was a large construction project out there. Engineer Wege continued that there wasn't any concern with closing out the pit and the landowner signed off on taking it back as is. Engineer Wege stated that he went out to learn the process of closing out pits. He also had some virtual meetings with ecology regarding the Shoreline grant. He stated that an issue came up from Dena Martin, Columbia County Planning Manager. She didn't know that Engineer Wege was applying for the grant for the Southeast Washington Coalition not just Garfield County. She said normally the coalition would agree ahead of time to put in for the grant, which didn't happen. Typically, there is a need for an interlocal agreement before proceeding with this kind of project. She wants to investigate it further. Engineer Wege stated that he now must reach out to Asotin County since the coalition includes them. He stated that there were two dates in the advertisement for the Request for Proposals for a consultant for the Shoreline grant: one date for submitting the proposal in person (the 18th) and one date for submitting via mail (the 14th). Engineer Wege stated that the deadline should be the 18th regardless of the means they submit by. He also gave the Board an update on the construction project that he recently interviewed engineering consultants for. He has been in contact with Keller and Associates. They were visiting the site of the project last week to figure out their scope of work. They haven't submitted a proposal with a price yet but, he expects that to be coming soon. He continued with his weekly update, stating that all the annual submission stuff for CRAB is in and they emailed confirming that. There was discussion about RAPP funding, and Chairman Dixon brought up discussion regarding Bell Plain Road and a section of it that needs lifted. Chairman Dixon stated that this project could be moved up on the priority list and it might work for the RAPP funding. Engineer Wege stated that once something is on the 6 Year Plan then the project can't be changed. He continued that the Appaloosa Solar Project newspaper ad was placed, the mailings went out, and a sign was installed. The crew couldn't place the large sign because they called for a locate but the locate crew didn't get back to them, so they put up a small sign. The crew will place the large sign once the locate is done on the fiber. He informed the Board that Washington Department of Transportation has a county collision form that requires completion by the County. He stated that there were three outstanding reports in September and now there's thirty outstanding. He reached

out to WASHDOT for guidance on how to complete the reports but is getting very little information back. These are accident reports, with a road and milepost, and he must add additional information. He stated that the previous Assistant Engineer, Ron Weeks, used to complete these. He completed his weekly update stating that he followed up with Adam Hodges regarding the insurance facility review.

Adam Hodges (County Risk Pool Manager), Mark Sherwood (Clear Risk Solutions), and Wes Craig (Clear Risk Solutions) joined the Board to discuss the recent increase in the county's liability insurance. Wes stated that they wanted to personally apologize for the unprecedented increase in the risk pool premiums. He continued that three things happened that made the increase what it was; the market (insurance rates globally increased in all areas including home owner, municipal, etc.), three major claims on the risk pool that all occurred during the same time period which took a major toll on the risk pool, and the third is the state of Washington (the legislature has made it so that anyone can sue anyone for very high amounts which affects our insurance). Wes continued that there are things they are working on to rectify the situation. He stated that within the market the risk pool has a high degree of influence which will, in time, be used to stabilize the rates out. The risk pool is also looking at risk mitigation to help manage claims. Mark stated that one of the things the risk pool is working on is getting properties evaluated appropriately because in the event of a claim, if a building is valued at "x" but comes out as being valued at "y" then it costs the insurance company a lot more. The risk pool is working with two companies to make sure buildings are evaluated appropriately. Mark stated that he relies heavily on the sheriffs and police chiefs within the pool to help identify people and companies that they can bring in to help identify risks and mitigate them for the sheriffs and police chiefs. Another tool the risk pool is using to help mitigate risk is partnering with an HR company to provide training to risk pool members. Mark and Wes are putting together a coalition with two county associations to submit a bill to the legislature next year to help curb the environment in Washington State that makes it so challenging for insurance companies to do business. Wes elaborated that currently, if a county is found to be 1% liable then they must pick up 100% of the blame over what the first guilty party pays out. This makes insurance companies do not want to do business in Washington State. There was discussion regarding self-insurance and how that might be an option for the County to lower their premium. Commissioner Nelson asked if there are lobbyists working for the risk pool as they move forward with a proposed bill to the legislature, and how realistic it was for the bill to be successful. Wes stated that they are taking the year to plan and will propose it next year because they did not think it would be very successful this year. He continued that county commissioners have more say with legislators as their fellow elected officials, and their support is important. The risk pool plans to propose partnerships with Washington State Association of Counties and Washington State Association of County Officials as they move forward with this bill. Commissioner Nelson stated that something he would like to see is the premiums being reduced if the county successfully completes trainings and documents them to help mitigate risk. Adam stated that something the Board might consider is pushing department heads a little harder on doing the trainings that the risk pool sponsors. Commissioner Ledgerwood updated Adam, Wes, and Mark that the County's Maintenance Person, Shaniece Korrell, is working through the facility review and implementing the suggested improvements. Adam stated that Engineer Wege is working through the facility review updates as well. Chairman Dixon brought up discussion regarding the risk pool's recommendation of shutting down the jail, but upon investigating that option, if the county

follows through there is no reduction in the premium. Wes stated that the risk pool is looking at next year for the reduction in rate for closing the jail because they have already purchased the insurance for this year. He continued, stating that a few years ago insurance companies just looked at worker hours, they didn't look at who's doing what. Then two years ago law enforcement started getting separated out and maybe two years from now they might separate corrections out. Right now, that's not being done so it's hard to see what that impact would be. Mark stated that his phone and email are always available if the county has any questions. Mark stated that if there were any training courses the county would like to see, then let him know and he would investigate how to provide those through the risk pool. Commissioner Ledgerwood asked if there was a snowplow simulator and Mark stated that the risk pool does have one. Sheriff Hyer requested longer training in the shooter simulator. The Board thanked Wes, Mark, and Adam for joining them.

Prosecutor Newberg joined the Board to discuss the draft jail agreement with Walla Walla County. He stated that the terms need updated regarding dollars per day. Prosecutor Newberg stated that the contract doesn't bind the county into anything, it just gives them an option. He pointed out, that as far as additional costs go, medical could potentially be an issue. Walla Walla County does provide medical in-house but if an inmate needs to go off-site then there will be additional costs. Sheriff Hyer asked about the starting date of the agreement and Prosecutor Newberg suggested that the Board update the terms of payment in the agreement and send a proposal to Walla Walla. Chairman Dixon stated that he thinks there needs to be some communication with Walla Walla County on price before sending them a contract due to the proposal from Walla Walla of Garfield County providing payment for a deputy. Prosecutor Newberg clarified that that is the second portion of this process and that this contract states that Walla Walla County is willing to house inmates for Garfield County. There was discussion regarding Nez Perce County and if they are another option for housing inmates. Prosecutor Newberg stated that he has reviewed the statutes, and he doesn't think that we can house adult offenders across state lines. Chairman Dixon stated that Nez Perce County is a lot closer and a lot cheaper. Sheriff Hyer stated that Nez Perce County is only willing to house one or two inmates not five or six. Sheriff Hyer stated that he got in contact with Nez Perce County, and they are currently holding four for Asotin. Prosecutor Newberg stated that the loophole in being able to house inmates across stateliness is because Asotin County touches Nez Perce County so it's contiguous. Sheriff Hyer informed the Board that he has also spoken with Whitman County, and they would charge us what they are charging DOC. Prosecutor Newberg concluded by stating nothing in today's agreement prevents the county from talking to any other facility.

Sheriff Hyer requested the Board to increase the amount for the sign on bonuses for his department. Chairman Dixon stated that the Board approved the County's budget less than two weeks prior. Sheriff Hyer stated that he would like to add dispatch to the sign on bonus as well. Chairman Dixon stated that the Board would take it under consideration and requested Sheriff Hyer come forward with his request in writing with numbers. Chairman Dixon stated that the Board doesn't do this for any other departments. Sheriff Hyer stated that no other departments are having the issues that the sheriff's office is having. Chairman Dixon disagreed, stating that Public Works used to get 15-20 applicants for their openings and now they struggle to have any with the right qualifications. The Board asked for an update on the Sheriff's open positions. There are two positions open for deputies. One conditional offer was made, and if all goes well

that individual will start on the 22nd. After the deputies' positions are filled, the Sheriff's office will start working filling dispatch vacancies. City Counselman John Hirsch asked how many vacancies they had for dispatch. Sheriff Hyer stated that they are down two full-time positions and down two-part time positions.

Sheriff Hyer stated that Columbia County has requested to purchase any old patrol cars, but additionally requested that they come fully outfitted. Sheriff Hyer stated that he does have a vehicle to surplus. Chairman Dixon stated that he doesn't have any issues with that but requested that Sheriff Hyer review the procurement policy and let the Board sign off before moving forward with the sell.

Chairman Dixon stated that the Board received a letter of resignation from June Dumbeck, a Board member of the Civil Service Commission. Commissioner Ledgerwood made a motion to approve the resignation letter and Commissioner Nelson seconded it. The Board unanimously agreed. There are multiple individuals interested in filling this vacancy. There was discussion in regard to reviewing the RCW's on how to appoint someone into the vacancy to make sure everything is done correctly.

Chuck Wittman, a County Commissioner of Asotin County, reached out to Chairman Dixon stating that their county was awarded a 2-year contract for veteran services. The contract Asotin County received includes providing services to Garfield County. Chairman Dixon said he is going to meet with Asotin County to figure out the details on getting Garfield County serviced. City Councilman John Hirsch stated that he's been in contact with Asotin County as well and has offered the use of the City Council Chambers for the meeting spot. Chairman Dixon and City Councilman Hirsch plan to meet with Asotin County this week to start discussing the details.

Chairman Dixon reviewed a contract sent from Public Works to the Board for their approval. Chairman Dixon explained that the contract was between Garfield County and the Department of Enterprise Services (DES) for supplies and materials. Chairman Dixon stated that they went through this contract when the courthouse air conditioning system was installed. Commissioner Nelson made a motion to approve the contract and Commissioner Ledgerwood seconded it. The motion passed unanimously, and the chairman signed the contract.

Commissioner Nelson stated that he received an email from Eric Johnson, Executive Director of Washington State Association of Counties, regarding the National Center for Public Lands invoice reminder. WSAC previously asked each county to pay a one-time, non-mandatory invoice of 1% of their LATC funds. Commissioner Nelson continued that Garfield County is one of ten counties that has not put forward the funds. Commissioner Nelson said that he will entertain paying it but does not think we will see any benefits other than supporting the good of the order. Commissioner Ledgerwood stated that he agreed that he doesn't know that we will see any direct benefits from paying it. Engineer Wege stated that as a department head, spending \$4,875.00 on this invoice is just funding that doesn't get spent within the county. Chairman Dixon stated that both points were valid. He said that if they could put funds in the pot, then that goes a long way with our county partners. There was discussion regarding the funds provided to the school for daycare. There was a brief discussion on the daycare project and how far out it is

from being in operation. There was discussion regarding how the daycare affects a lot of the employees.

Commissioner Nelsons stated that the Legislative Steering Committee (LSC) is trying to get behind some of the green energy taxes. He continued that the bigger issue of green energy is the end of life for the solar or wind farms and how that would have a big impact on the county regarding tax revenue. LSC is moving forward with that.

Chairman Dixon stated that he had a conversation with Engineer Wege and his staff regarding the Appaloosa project. He instructed them that if one of his employees comes across an angry individual to make sure to relay that information to the Board. Chairman Dixon continued that there is some frustration in the community about the project because the proposed build site is 1,700 acres. This will take those acres out of production, potentially with the use of ground sterilant, and potentially cause an eye sore. The whole project incorporates approximately 7,000 acres. He continued that Garfield County is a Right-to-Farm County and that many acres out of production is an issue that doesn't sit well with some people. Engineer Wege stated that the CUP is available in his office. The Board doesn't have it printed, but they can get an electronic copy. There will be public comments taken and there will be a public hearing with a hearing's examiners.

Sheriff Hyer asked when the Board plans to decide on the jail and where they are on negotiations with the deputies. Commissioner Nelson stated they are not involved at all with negotiation and that the lawyers are working on it. Chairman Dixon stated that the Board would go into executive session when they have further information to discuss regarding negotiations. Commissioner Nelson stated that they will work on the term of the contract with Walla Walla regarding the daily rate. The Board isn't in favor of funding a deputy position for Walla Walla County as part of the contract. The Board also would like to talk with Asotin County before their facility is built. Chairman Dixon stated that he would reach out to Walla Walla County Board today and if there's additional questions he will get with Sheriff Hyer and go from there.

The following voucher payments were approved for payment:

Claims Clearing Fund

Numbers: 70797	Through: 70830	Totaling: <u>\$63,349.50</u>
Numbers: 70831	Through: 70845	Totaling: <u>\$25,538.45</u>

The Commissioners regular meeting adjourned at 10:42 a.m. with the next regular meeting set for Tuesday, January 16th, 2024, 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