March 18, 2024

The Board of Garfield County Commissioners met in regular session on Monday March 18th, 2024, at 9:00 a.m. in the Commissioners’ Chambers at the Garfield County Courthouse.

Present were Chairman Justin Dixon, Member Jim Nelson, Member Larry Ledgerwood, 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 for the previous meeting.

Chairman Dixon called for public comment. There was none.

Road Supervisor Steve Gormsen gave the Board the weekly maintenance report. Last week, the crew broomed the following roads: Falling Springs, Vannatton, Marengo, Tatman, Linville, Dutch Flat, Bell Plain, and Gould City. He stated that they are waiting to broom the roads in the higher country as they might get some more snow. The crew also patched potholes and is continuing to this week. The following roads were graded: Falling Springs, Wiemer Hill, Valentine, Malone, Olson, Niebel Grade, Dutch Flat, and Skyhawk. They got the spray truck ready last week, so Thomas is out putting residual down today. Steve informed the Board that the bleachers at the fairgrounds were hauled off. He stated that the whole process only took about 5 hours thanks to the Ag Museum and all the work they did disassembling them. The crew fixed the shoulder on Kirby Mayview and hauled rock to Dutch Flat, Bell Plain, and Kirby Mayview. Steve also informed the Board that the crew did first aid training last week. In the shop, they worked on pickups E221, E204, E207, E218, and truck E260. Steve stated that he has been talking to Brendan, Shop Mechanic, and they would like to adjust their budget by removing the purchase of a new one ton and exchanging it for a ¾ ton. This is due to the usefulness of the ¾ ton compared to the 1 ton. They would surplus two pickups from the fleet (both with over 200,000 miles on them). Chairman Dixon stated that the idea sounds good and that he would like to discuss it further before the decision is made. Steve stated that he would bring Brendan up to discuss this further, but they’d like to get the process moving forward soon. Chairman Dixon stated that he wanted to remind Steve to keep good spray records and to inform the Board immediately if there are any claims or concerns regarding spraying since the season was upon them. Steve agreed and stated that Thomas kept great records last year. He stated that this week the crew is going to try to get the ditches cleaned up on Gould City and the ad should come out in the paper this week for oil, rock, and hot mix bids.

The Board received one bid for the advertised parking lot resurfacing project at fairgrounds for the Eastern Washington Agriculture Museum (EWAM). EWAM members Jim McKeirnan, James Wege (President), and Steve Herres joined the Board. The advertised project was to resurface a parking area of 10,500 sq. ft. The only bid presented was from 2 Cannon River Construction $137,287.00 including tax. Mr. Wege stated that the grant to fund this project was $95,000. Mr. Wege stated that the EWAM board discussed this last night at their meeting and had two options they’d like to bring forward; the first option was for the county to pay the additional amount above and beyond what the grant was for, or the second option would be that they could reduce the area that is resurfaced. There was discussion on how they could reduce the area and different drawings were brought forth. Chairman Dixon asked if the grant application include the size or not, and Mr. Wege stated that it was not included in the grant application. The other thing Chairman Dixon stated is that Mr. Wege should talk to the Prosecutor because if they are changing the scope of the project, such as the size, then they might have to go back out to bid. Mr. Wege stated that there was another vendor that was potentially interested in bidding but they don’t do prep work and were unable to find a subcontractor to complete the prep work, so they didn’t bid on the project. There was discussion regarding what the cost would be if the county did the prep work, but Mr. Wege also included that there were some reservations from the County Road crew because this wasn’t in their wheelhouse. There was further discussion about revising the ad and going back out to bid. There was discussion regarding potential additional funding that may be available through Mary Dye. Mr. Wege stated that the existing grant must be spent by June 30th because it’s capital appropriation and that’s the end of the fiscal year for the granting agency. Chairman Dixon advised that they reject the bid as it came in more than $40,000 over what was anticipated. The bid was rejected. Mr. Wege stated that he would be able to get another ad in the paper this week, and he will reach out to the contractor that submitted the bid and see what the sq ft needs to be to fall within the funding range of the grant. Chairman Dixon stated that the first conversation should be with Prosecutor Newberg regarding the changing of the size of the project.

The group discussed the EWAM sidewalk project. Mr. Wege stated that the sidewalk project came under budget by $4,000-$5,000. He continued that there has been discussion about taking out the grass between the two buildings and potentially adding another sidewalk that would connect the two side doors of both buildings. They would then take the grass out between those buildings and put rock down and that would provide another area for a display piece. There was discussion regarding two other possibilities for spending the additional funds; one of the step off areas by the covered bleachers poses a risk, as well as another area by the bleachers where it is hard to get a wheelchair by.

Mr. Wege stated that Dave Waldron, EWAM member, spoke to an agronomist about the shavings and he wants to pile them against the north side of the farm field against the tree line due to the hazard they pose to the barely crop. Chairman Dixon stated that he has reservations about piling them due to heat. He continued that he has also reached out to agronomists and foresters regarding this and depending on the amounts and how they are distributed there isn’t a big concern about it affecting future crops. The shavings were donated by a lumber company last year. Commissioner Ledgerwood stated that there were previous complaints about the fumes while cleaning the livestock barns when straw was used, but since the switch to the chips there haven’t been those complaints. Chairman Dixon stated that he doesn’t think there will be a negative impact on the barely harvest. He continued that if there is an issue then they can haul them to the county pit and spread them out there in the future. The agronomist Chairman Dixon spoke with talked about the toxicity and acidity levels in the chips, but Chairman Dixon stated that if you go out to the fairgrounds right now, you’ll see that there’s green growing out of the pile. He stated that if you spread them out thin enough there won’t be an issue. Chairman Dixon also offered to bring a tractor out to help spread the chips. Mr. Wege asked Commissioner Ledgerwood to reach out to Dave Waldron and discuss this with him.

Jim McKeirnan, EWAM member, brought up discussion regarding EWAM building a new building. He stated that they formed a committee about a year ago to focus on this project. They have been accumulating money and are discussing applying for a grant to help fund the project. There was discussion regarding where the building would be and how it would be situated. Chairman Dixon commented that by building it North and South you could make it as wide as possible stop when you run out of money, but you’d always be able to come back and add on to it if there was additional funding. Jim McKeirnan asked that if the Board hears about any grants to let EWAM know. Commissioner Ledgerwood stated that there’s a capital improvement grant available every two years and it will be up again in a year and a half. Prosecutor Newberg stated that previously there was discussion regarding an indoor arena, so he cautioned that the Board doesn’t ruin the footprint for that by building this building if they still wish to move forward with that plan in the future.

Prosecutor Newberg and Sheriff Hyer joined the Board to discuss the jail. Prosecutor Newberg stated that his idea for this meeting was to come up with potential logistical concerns and ideas on how to solve those. He continued, stating that he emailed an updated contract between Garfield County and Walla Walla County for jail services for the Board to review. He stated that one of the things he emailed the Sheriff about was concern in the contract that Walla Walla drafted which stated that they would accept the prisoners they wanted and turn away the ones they didn’t. He stated that because of this, Garfield County needs to come up with another option. The other items that need to be addressed are booking and transporting local turn ins and releases. He stated that these aren’t so much a contract issue but more of a logistical issue that require internal processes and procedures such as a short-term booking policy. Commissioner Nelson stated that if a state trooper or WDFW makes an arrest in Garfield County then they come to Garfield County to drop off the arrested individual. Sheriff Hyer questioned why these agencies couldn’t be instructed to transport these individuals to Whitman or Walla Walla and Prosecutor Newberg stated per Washington’s Attorney General, the state requires the county be responsible for transporting. Commissioner Nelson stated their only concern is the liability issue with the jail. Sheriff Hyer asked about the booking procedure stating that he doesn’t want to book them in Garfield County just to transport them and have them rebooked. There was discussion regarding the holding of inmates; Sheriff Hyer stated that they could handcuff them to the chair and call a deputy to transport them to Whitman County. Chairman Dixon stated that it takes a deputy away from patrolling Garfield County and that was a concern to him. There was discussion regarding bringing another deputy in while one is out transporting. Prosecutor Newberg stated that these are all things Garfield County will work out in the future. Commissioner Nelson asked what the protocol would be if an inmate was rejected by Walla Walla. Sheriff Hyer stated that he told his deputies to take everyone to Whitman County and that he’s been in communication with their jail commander and their sheriff, and they’ve been very open with allowing us to use their facilities to house our inmates. Prosecutor Newberg stated that right now with the County’s public defender being out of Waitsburg and the inmates being housed in Whitman County that could pose an increase if she must travel there. He continued that this was not a deal breaker, just something that would need to be thought of. Prosecutor Newberg stated that the County has one public defender but multiple conflict counsel in various areas. Commissioner Nelson stated that at this point if the Board likes the draft he sent, then they can send it to Walla Walla for their review. Chairman Dixon asked Prosecutor Newberg if there was a timeline on this and Prosecutor Newberg said no. Commissioner Nelson stated that they will send it to Walla Walla and see if they sign it and if so, the County will have two options. Commissioner Nelson continued that there aren’t a lot of arrests by other agencies, but it will happen at some point, so we need internal policies in place.

Commissioner Ledgerwood asked if the deputy positions were filled, and Sheriff Hyer said they are at full staff. Prosecutor Newberg said the last thing that needs done is the Sheriff needs to come up with a protocol and internal policy about how to handle inmates. Sheriff Hyer asked when the Board was going to formally close the jail and Chairman Dixon stated that until the Sheriff has a policy in place of what will happen with inmates, they can’t do anything. Once the Board sees those policies then they will pass a resolution to close the jail. Chairman Dixon continued that the jail is the responsibility of the Sheriff and Sheriff Hyer stated that the jail was the Board’s responsibility. Chairman Dixon stated that there is a lack of communication from the Sheriff which is causing frustration. He continued that the BOCC can’t decide to close the jail without a protocol that tells the state what the county is doing to take care of inmates. Commissioner Nelson stated that he would like the Sheriff to provide a formalized proposal requesting to close the jail and bring it to the Board. He continued that that would give the Board the opportunity to review the plan, and if it makes sense then they can pass a resolution to close the jail. He included that it needs to address the local issues we are dealing with, including the things that were discussed earlier. Commissioner Ledgerwood stated that it should address every possible issue and include the nuts and bolts of how it’s going to work- it can’t just be that they are going to close the jail. He added that the community deserves to know how it’s going to work when the County closes the jail. Sheriff Hyer stated that he would have to do it because he's down a Jail Commander now. Chairman Dixon stated that this was the first time the Board has heard he was down a Jail Commander. Chairman Dixon continued that the lack of communication is a result of a respect issue. He stated that other department heads come to the Board to discuss updates and concerns. Chairman Dixon stated that his struggles with the sheriff’s office are communication and lack of protocol, and it was a direct reflection of the lack of protocol being followed that got the county into this position to begin with. Commissioner Ledgerwood stated that in the last two or three months, he has gotten the monthly activity report for the Sheriff’s Office from the City Council meetings and then a week or 10 days later the Board receives them. Commissioner Ledgerwood stated that it would be nice to see that come to the Board first, so they know what’s going on. The Board recessed from 10:04 a.m. and 10:10 a.m.

The Board met with the Public Health District from 10:10 a.m. until 10:41 a.m.

The Board met with the County Transportation Authority from 11:00 a.m. until 11:11 a.m.

The Board went back into regular session at 11:16 a.m.

Commissioner Ledgerwood stated that Mayor Peasley emailed him regarding the City filing a lien against a property behind the Methodist Church. The City stated that they would need to get a Memorandum of Understanding, but he wasn’t sure if it needed to be with the county or specifically the Treasurer’s office before they’re able to put a lien on the property. The lien is going to be around $3,000 for the city’s efforts to clean up the property. The Board discussed the need for a Memorandum of Understanding and Commissioner Ledgerwood stated that he would discuss this with Prosecutor Newberg.

Commissioner Nelson stated that he has a meeting on Thursday for Camp Wooten and asked if the Board thought of anything that they’d like him to share to let him know.

Chairman Dixon stated that the county received opioid settlement funds last week. There was a question upon receiving the funds due to the amount being more than expected, but after reaching out to the Attorney General’s office it was confirmed that these were all opioid funds. There was discussion about another settlement with Johnson and Johnson and discussion on what to do with those funds, as currently the county appropriates all funds to the Pomeroy Partners Coalition for prevention. Once the Board receives further information about the new settlement, they will decide how the funds need to be used.

Prosecutor Newberg joined the Board. Commissioner Ledgerwood brought up discussion with Prosecutor Newberg regarding the lien the City wants to impose on the property behind the Methodist Church. Prosecutor Newberg stated that the MOU is specific to the Treasurer. After that is in place there’s a process to record it and then it will levy it against the taxes. He added that this makes the lien above everything besides taxes on the property. Prosecutor Newberg stated that he has discussed this with the Treasurer. He added that he kicked it back to the mayor to see if other cities have processes in place, as the Treasurer has not been able to find other counties who have had to handle this process yet.

The Board recessed from 11:25 a.m. until 1:30 p.m.

The Board met with Forest Supervisor Eric Watrud, Tara Mackleit (Fire Management Officer), and Kathryn Desvignes Holder (Public Affairs Officer). Eric stated that the main reason they were meeting with the Board was to be good neighbors and to share information. He stated that Susan Piper, Pomeroy Ranger, is the local point of contact but she was unable to attend today’s meeting due to being ill. Tara is sitting in for her. Eric stated that they are working on the Forest Plan Revision and wanted to inform the Board of the public meetings coming up regarding the plan. He continued that the Forest Plan Revision is the broad overarching document that guides the management of the Umatilla National Forest. There is a total of about 5 million acres in the plan, but each forest will have its own plan and each forest supervisor will have the final say of that plan. Previously, there was a plan that Washington DC made them revise, but now there’s a lot more local input and control. He stated that because of the BIC (Blues Intergovernmental Council), which is made of the 14 counties that are at the foot of the blues, government, and tribes, this has helped a lot when working through the controversial issues that lead to the withdrawal of the 2019 Forest Revision Plan. He stated that there will be a meeting in Dayton on April 4th to share the draft assessment. He stated that this is step two of ten. He pointed out the big-ticket items that have changed since the last plan; there are species that have become endangered and active management of the landscape. They are hoping for public input at the upcoming meetings to hear how the proposal will affect the local communities. This helps shape the draft moving forward. The GIS mapping database that is used to help classify the wilderness sections is not all encompassing of management activities that might have been there in the past, so it’s vital to get the publics input on things that the forest service might not be aware of: past timber sales, old roads, etc. These are all items that declassify an area from being able to be marked as wilderness. That is one of the things the forest service is going to ask from the public at these meetings is to help finish these maps because the GIS maps might not reflect historic activities. Eric informed the Board that the recommendation from BIC is for the forest not to seek to add more wilderness acres.

Tara stated that the Crooked Creek bridge was installed last year, but it’s not completed yet. They are planning to complete it this summer. Panjab Trail bridge is put in for contracting right now. They are trying to increase footing to allow for more flow. Eric stated that the recent fires have impacted the access to the forest because both bridges were impacted by fires. Eric stated that the Crooked Creek bridge was burnt up in 2015 and they’re trying to get back into operating status. This bridge is a major access point to wilderness. Tara also informed the Board that the forest service received money to replace the windows, roof, and siding of the Clearwater ‘Big House’. They’re in the middle of coming to an agreement with ‘restore core’. Chairman Dixon asked if there was funding available to do water upgrades to the Clearwater Cabins, as he remembers it being discussed a few years ago. Tara said that it is still being worked on, but it takes a different approach due to the different requirements needed to add amenities instead of just replacing existing amenities. Tara also stated that the Wenatchee Guard Station was updated with new doors, shutters, and the deck was repaired. The Godman tower has also gone into contracting for repairs. Eric said they are really leaning into providing access to the forest and maintaining the heritage sites. They are still moving forward with salvation after the Lick Creek Fire, but they are also continuing to keep the roads open.

Eric continued that with the theme of access, the Board has repeatedly made the point about the highway vehicles being allowed on the mountain roads, but off-road vehicles not being permitted to use the roads. The forest service is having their engineers review the possibility of mixed use of the roads to see what they can do about potentially opening some roads to off road vehicles. Commissioner Nelson stated that it is the biggest concern of the locals. Chairman Dixon stated that it’s interesting to him when you look at Idaho and it’s the same forest with the same emblem and they allow off road vehicles on the roads, but you ride them here. Eric said that this is probably not going to be a ‘wholesale’ thing, but based upon the engineers’ say they will try to open some roads. There was discussion regarding the safety of the trails and how the opening of the roads to off road vehicle travel could increase safety by diverting some traffic from the trails. Chairman Dixon asked if there was any maintenance money to address trail maintenance. Eric stated there was a limited amount but said that if there are any specific areas that need addressed, to let the district know so they can try to address them. Commissioner Ledgerwood brought forward concerns of a large hole on the trail caused by a tree uprooting located by Big Hill.

Eric stated that some of the issues aren’t due to lack of funding, but lack of employees. He elaborated that the timber program just brought in 8 new people and the rest of the departments are in the same boat. Eric addressed the burn scars, stating that the intent is that they are trying to get to those, but with so many new people when they do get to them, it’s going to be a training exercise. Commissioner Nelson brought forward concern regarding the upper Pataha Creek area where the road crosses and it’s gated. He stated that it is a complete mess beyond the gate with wire that either needs pulled out of there or repaired. Tara thought this might be of the Nez Perce Tribe program, but part of the agreement was to pull the old wire. They would check on that and get back to him, but they think this was resolved in the fall and the wire was pulled out of there. Eric stated that partnerships are a huge part of how they get things done and that really translates to fire season, but they can’t get it all done by themselves, which is why working with the county, fire districts, DNR is how things get handled quickly.

Commissioner Nelson asked if anything has changed regarding grazing and Eric stated that the Umatilla Forest doesn’t have any empty grazing lots, and grazing is a super important part of fire prevention. Commissioner Ledgerwood asked about loss of revenue from timber sales due to the forest fires. Eric stated that there was a loss in revenue due to the fires. He continued that the forest district did a lot of active management, and where that took place and the fire burnt through, it looks great in a few years. They gave the Board an update on the salvage sale of the Lick Creek Fire; they are paying a contractor to come in and remove the danger trees, but unfortunately there is no longer value in the salvage area. Commissioner Nelson commented that the joint tour that took place reviewing the burnt area was very educational. Eric stated that active management takes place at all levels and fire is part of the landscape.

Chairman Dixon brought up concerns regarding the overgrown roads and trails in the mountains. There was discussion regarding this, including the lack of funding and the challenge of being understaffed. Eric asked the Board to continue to provide feedback as it helps the forest service better serve the public. He stated that as the assessment phase of the Forest Revision Plan begins, he expects that the Board will start receiving calls about it. Eric welcomed the Board to reach out directly to him or Susan if there are questions, they don’t have answers to. There was discussion regarding wilderness and how the public being engaged will help fill in the gaps of information from GIS. He stressed that the forest service is actively solicitating the public’s feedback. He reminded everyone that there will be a meeting on April 4th at the fairgrounds in Dayton to share the draft assessment and to receive public input. The doors will open at 4:30 p.m. and the meeting starts at 5:00 p.m. They are planning for the meeting to wrap up around 8:00 p.m. There will be 8 meetings total throughout the region of the Umatilla Forest and Dayton will be the closest. Commissioner Ledgerwood stated that more trails are always requested by the public. He added that there are old roads that have been barred off right inside the boundary to ride over to Abels Ridge. Tara informed the Board that some of the roads that had been barred off were due to having NEPA agreements to close those roads for elk after the management activity was over. Eric stated that the loops that Commissioner Ledgerwood mentioned is part of the review for the mixed-use road use studies they are doing. Chairman Dixon stated that he would like to sit in on the mixed-use analysis, stating “you have a road system and there’s no change in use from 427 to the forest boundary and they [off road vehicles] are allowed to drive on the road up higher but not down lower.” Commissioner Ledgerwood added, “What changed, because you used to be able to ride on it and there haven’t been any deaths that happened”. There was continual discussion regarding mixed road use. There was discussion regarding the road to Troy, OR, being closed and that being a staple to the community. Eric stated that those are the types of things they are going to review, and that Susan is going to be talking to the tribes, and talking to the commissioners, as well as other stakeholders to try to come up with a solution. Chairman Dixon stated that he was open to having the conversation anytime. The Board thanked the forest service for joining them.

The Commissioners regular meeting adjourned at 2:13 p.m. with the next regular meeting set for Monday, March 25th, 2024, at 9:00 a.m. in the Commissioner’s Chambers at the Garfield County Courthouse.

 . /s/ McKenzie Lueck .    . /s/ Justin Dixon .

Attest: Clerk of the Board Chairman, Board of Garfield County Commissioners