

April 8, 2024

The Board of Garfield County Commissioners met in regular session on Monday April 8, 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 (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 for the previous meeting.

Chairman Dixon called for public comment. There was none.

The Board opened bids for a paving project for the Ag Museum. There was one bid presented and it was from 2 Cannon River Construction. Chairman Dixon stated that there was previously a bid opening for this project, but it came in significantly higher than the grant funding for the project, so the specifications were refigured, and they went out to bid again. The bid came in for \$96,641.40. Commissioner Ledgerwood asked if the bid was less than the grant and Chairman Dixon stated that the bid was about \$1,000 higher than the grant. Chairman Dixon recommended that the Board take the bid and have a conversation with EWAM board this week and make sure the quote encompasses all requirements by WSDOT and as long as everything is correct, the Board can approve it next week.

Road Supervisor Steve Gormsen gave the Board the weekly maintenance report. This report was for 3/25 through 4/4 as Steve was out last week. The crew broomed the following roads: Blatchly Grade, Peola Road, Mountain Road, Kirby Mayview, and Valentine Road. They are continuing to dip ditches on Gould City. Steve stated that the crew is planning on having this completed this week. The graders ran on the following roads: Willow Gulch, Ping, Bratcher, Washboard, Gimlin, Smith Gulch, McKee, Eureka, Legge, Tramway, Bounds, Connell Hill, Khul Ridge, Upper New York, and Hagen. They sprayed weeds on Kirby Mayview, Gould City, Linville, Vannaton, Maringo, Bratcher, and Washboard. In the shop, they worked on loader E108, they are rebuilding trailer E159, and they finished putting the motor in pickup E218 which is now running. Steve informed the Board that there was some snow on Friday, so there were a few trucks that ran on Friday, and one on Saturday. He also informed the Board that the road closed signs have been flipped and the roads are open.

Ashlyn Deatherage, Public Works Business Manager, joined the Board. She presented them with two requests for LATCF. The first of the requests was a bill from the Port of Garfield in the amount of \$1,613.39 which was a result of damage done to the fiber line with Public Works's switch failed. Ashlyn explained that this was an unforeseen, unbudgeted expense. The second request was for a server software license upgrade. She stated that this has not been upgraded since 2012, and the IT Coordinator stated that this should be upgraded every five years. She continued that this would benefit Wincams billing systems. She continued that the Sheriff's office recently upgraded their software license, and it was around \$775.00. She expects it to cost a similar amount. Commissioner Ledgerwood stated that this cost should be built into the ERR

computer cost allocation plan if it needs upgraded every 5 years. Ashlyn agreed stating that she was going to add this. Commissioner Ledgerwood stated that he thought funding this with LATCF was a good solution. Commissioner Nelson made a motion to approve both requests for LATC funding and Commissioner Ledgerwood seconded the motion. The motion passed unanimously. Ashlyn stated that she became aware that a transfer between County Road and ERR was missed during the end of year adjustments for 2023. She reached out to the State Auditor's Office for a recommendation on how to handle the error. They advised her to make the transfer now and postdate it to the end of 2023. She presented the Board with the request, and they approved the request to transfer funds from County Road to ERR. She gave the Board an update on the Appaloosa project, stating that they are currently in a 14-day waiting/public commenting period for the determination of nonsignificance. This period ends on April 10th. Ashlyn informed the Board that so far, they have only received one comment and it was from WSDOT.

The Board reviewed a data sharing agreement between the State Auditor's Office and Garfield County. McKenzie explained that this is an agreement that is in place with a lot of state entities that the county shares data with, and this agreement is in place because of the documents transmitted between the county and the state for auditing purposes. Commissioner Nelson made a motion to have the Chairman sign the agreement and Commissioner Ledgerwood seconded it pending the Prosecutor's approval.

The Board reviewed a quote from Ednetics. McKenzie explained that this was for cybersecurity software that was previously discussed by the Board, Shanda Wolf, and Greg Sharp and the Board approved Greg to move forward with requesting a quote and for Shanda to apply for an election security grant to pay for the software. The election security grant funding for Ednetics was approved and the Board reviewed the contract, and the Chairman signed it.

The Board reviewed a credit card request for the Sheriff's office for a new deputy and signed it.

The Board reviewed a letter from the risk pool regarding a claim for water damage at the Mental Health Building. The letter informed the Board that the claim was being closed due to the repairs being paid by the county without submitting to the risk pool.

Commissioner Ledgerwood met with Shaniece and 2 Cannon River Construction at the fairgrounds to look at different ADA compliant options near the covered grandstand area. Commissioner Ledgerwood stated that the new bleachers will fit differently in this area causing there to be concern regarding the ADA compliance in front of the bleachers. The contractor suggested adding additional sidewalk in front of the poles to accommodate ADA requirements. Commissioner Ledgerwood stated that the new grandstands were going to be shorter than the previous grandstands so there was discussion about pouring concrete next to the grandstands so there was another ADA compliant sitting area or an area to have picnic tables under cover. The quote for this project was \$11,962.62. Commissioner Ledgerwood stated that it is in the county's best interest to make sure the area is compliant with ADA requirements. There was discussion regarding rain drainage from the grandstand cover and how that affects washout where the concrete ends causing a hazard and how to address that in the future. Chairman Dixon stated that this could be a good project for the Paths and Trails funding.

Katie Magill, District Court Administrator, joined the Board to give an update on the jury system funding. She stated that she reached out to the Sheriff, Judge, and Prosecutor regarding the use of DUI funds. She stated that the Sheriff and Judge agreed to Katie's proposal of using DUI funds for the jury system purchase and annual maintenance. She continued that the Prosecutor didn't have any issues with the initial costs but did have reservations about using the DUI funds for annual costs. He informed Katie that he would feel more comfortable splitting costs between the DUI fund and the Court Improvement fund. Katie suggested potentially pulling funds from LATCF to help cover the initial cost. Katie stated that she would come next week with another update.

At 9:30 a.m. the Board opened bids for oil, rock, and hot mix. The first bid opening was for the aggregate bid. Chairman Dixon stated that the Board only received one submission for this bid, and it was from Atlas Sand and Rock, Inc. The bid was for 1200 tons of ½" oil rock chips at \$19.40 per ton for a total of \$23,280 including tax. The next bid to be opened was for oil. There was only one submission for this bid, and it was from Ergon Asphalt and Emulsions for 165 tons of CRS-2P for a total of 125,396.70 including tax. The last bid to be opened was for hot mix. There were two bids submitted for this, the first was from Poe Asphalt Paving, Inc. for 200 tons of commercial hot mix asphalt at \$77.00 per ton for \$16,324.00 which included a 6% sales tax rate. The second bid to be opened for hot mix was from Herco, Inc. dba Herco Asphalt & Paving. Their bid was for 200 tons of commercial hot mix asphalt at a unit price of \$84.74 for a total of \$16,748.00 including tax. There was discussion regarding sales tax and Chairman Dixon stated that at this time the apparent low bid for hot mix was Poe Asphalt Paving, Inc. Chairman Dixon requested Public Works to do some research regarding sales tax and reach out to the bidders.

Rachel Herres, Civil Service Examiner, joined the Board to inform them that another Civil Service Commissioner resigned. She stated that they are running an ad for two weeks for the vacant position. Commissioner Nelson asked if there had been any interest in the position yet and Rachel stated that there had not been any interest yet. Rachel also informed the Board that all sheriff's deputy positions were filled, but there were still two full time dispatch positions vacant, as well as two or three part time dispatch positions vacant. She informed them that they did just interview an individual for a full-time dispatch position.

The Board reviewed a participant form for a new opioid settlement with Johnson & Johnson. Commissioner Nelson stated that it appears this settlement would provide funding of around \$1,400 per year to the county. Commissioner Nelson stated he forwarded the participant form to Mr. Newberg for review. Commissioner Nelson made a motion to have the Chairman sign the settlement document pending the Prosecutor's review and Commissioner Ledgerwood seconded the motion. The motion passed unanimously.

The Board recessed from 9:40 a.m. until 9:50 a.m.

Chairman Dixon stated that the Board would go into executive session at 9:50 a.m. with Prosecutor Newberg to discuss two items: contract negotiation and potential litigation. Chairman Dixon stated that they would be out of executive session by 10:20 a.m. Executive session ended at 10:15 a.m.

Mike Kuttel Jr, WDFW Eastern Regional Director, joined the board virtually. Mr. Kuttel stated that he has been in this position for 10 months and has been with the Department of Fish and Wildlife for 8 years. Prior to that he helped with two statewide policy positions and worked with ecology and conservation districts. He stated that the purpose of meeting with the Board today was because he was seeking feedback on local issues and wanted to foster a collaborative relationship. Commissioner Nelson stated that he was with WDFW for 24 years and one of the big issues locally is the significant decline in the Blue Mountain elk herd. Commissioner Nelson stated that a point of frustration is the department's own recommendations and studies that the commission continues to go against. Commissioner Nelson stated that he would like to see improvement in that area. He added that Steve was always good to work with in the past. Commissioner Nelson continued, stating, "Predators are a big problem in our area; the wolf population continues to grow, and the producers are concerned with that. The cat population is going unchecked as well." Chairman Dixon asked what the process was for collaring wolves? He added that the elected officials in southeast Washington have data share agreements with WDFW, but the communication is getting lost. He wants to push to improve communication between WDFW and local government to keep everyone aware of what's going on and that's his biggest frustration. There was discussion about the data share agreements. Chairman Dixon stated that the data is not available in a timely manner; they shouldn't be notifying producers a day later when there's wolf activity in the area. Chairman Dixon also stated that there are a lot of noncollared animals. He would like to see more wolves collared so they can do better tracking. Commissioner Ledgerwood agreed with Commissioner Nelson and Chairman Dixon, stating that he has family with cattle, and they are always bending his ear about the predator issue.

Mr. Kuttel stated that WDFW has a public comment period open right now regarding moving the wolf population from 'endangered' to 'sensitive' in the state of Washington. This comment period will close in May. The commission will decide how to move forward after the public comment period closes. Commissioner Nelson stated that he has the same frustration as Chairman Dixon regarding the limited number of wolves that are collared. He understands that it's a manpower and funding issue but stated that it should be a priority. Mr. Kuttel stated that he's been working with the Asotin County Sheriff and the Asotin County Commissioners on an MOU to reduce wolf/livestock interactions. He invited the Board to participate in this MOU, stating that he's also going to reach out to Columbia and Walla Walla County. This MOU allows for an observer on wolf/livestock incidents. Chairman Dixon stated that he spoke with Jeff Wade this morning and they plan to sit down with the Sheriff's Office to discuss what the process will be for wolf incidents. Chairman Dixon asked for Mr. Kuttel to email the MOU to the Board. Commissioner Nelson stated that both Chairman Dixon and he have offered to go out on wolf incidents. Commissioner Nelson has had a lot of training when he was an officer for WDFW and has skinned out 100's of animals to determine cause of death. Commissioner Nelson stated that there should be a backup person to the designated conflict investigator if the designee is not available. Mr. Kuttel thanked the Board for their feedback.

Mr. Kuttel brought up a discussion regarding WDFW land and land acquisitions. He asked the Board for their feedback on this topic. Chairman Dixon stated that he is very opposed to WDFW acquiring land in Garfield County as it takes away grazing, and active management of the land. Commissioner Ledgerwood stated that he has received lot feedback on how terrible WDFW is

about managing their land and being decent neighbors. Commissioner Nelson stated that he's not opposed to public lands and is in fact a proponent of them but has the same issues as the other two board members. He stated that during his time with WDFW he came across lots of WDFW land acquisitions that added to the acres that were already underfunded and undermanaged. Mr. Kuttel stated that he understands where the Board is coming from, and land management is important to him as well and they will work to improve that. Mr. Kuttel stated that he would follow up with the MOU email. The Board thanked him for his time.

The following voucher payments were approved for payment:

Claims Clearing Fund

Numbers: 71610	Through: 71665	Totaling: <u>\$83,342.75</u>
Numbers: 71666	Through: 71702	Totaling: <u>\$56140.96</u>
Numbers: 71703	Through: 71704	Totaling: <u>\$343.00</u>
Numbers: 71705	Through: 71738	Totaling: <u>\$6,635.70</u>

The Commissioners regular meeting adjourned at 10:47 a.m. with the next regular meeting set for Monday, April 15th, 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