



BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of April 29 – May 3, 2024

16
MAY 07 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, April 29, 2024. Present were Commissioners French, Ozias and Johnson, and Administrator Mielke.

Items of discussion per the agenda published April 25 were:

- Calendar/Correspondence
- Resolution appointing Kelly Newhouse to the Behavioral Health Advisory Board
- Resolution appointing Jane Childers to the Lake Sutherland Steering Committee
- Letter of support for Port of Port Angeles 2024 Port Infrastructure Development Program application
- Letter of support for RCO Projects 24-1691 and 24-1694 to acquire properties Heifer Farm and Cameron Farm Estates
- Agreement with Pacific Office Equipment for furniture for Health and Human Services
- Agreement appendix A with Washington State University Extension for approved 2024 budget
- Purchase order with Carousel Industries for phone system maintenance and support
- Agreement with Washington Military Department and U.S. Department of Homeland Security for Operation Stonegarden Program
- Request to call for proposals to be received no later than Tuesday, June 4, 2024 at 9:30 a.m. regarding Wildfire Protection Planning
- Pre-application questionnaire with US Department of Justice for National Criminal History Improvement Program to obtain Live Scan fingerprint machines
- Pre-application questionnaire and letter of support with Washington State Administrative Office of the Courts for Veterans Court Grant
- Update on the EV Charging Station Project
- Agreement with Department of Agriculture for Dog Barn and Agility Arena upgrades
- Land purchase agreement with Clifford and Judy Hewitt for Bear Creek Road
- Land purchase agreement with Joel and Shauna Wilhelm for Bear Creek Road
- Notice to call for bids to be received no later than Tuesday, May 28, 2024 at 10 a.m. for the 2024 Hot Mix Asphalt Requirements
- Pre-application questionnaire with US Department of Transportation for county wide road safety
- Request to approve a new Regional Trails and Active Transportation Coordinator position
- Resolution to authorize expenditures from the Conservation Futures Fund for approved 2024 applications
- Letters to Jamestown S'Klallam Tribe and Floodplains by Design regarding the Dungeness Levee Setback Project
- Discussion and next steps regarding a response to the Department of Natural Resources for City of Port Angeles Trust Land Transfer application
- Review the "How Did We Do" reports comparing each month's actual performance

Meeting concluded at 12:06 p.m. and continued to an executive session at 3 p.m.

EXECUTIVE SESSION

The Board convened in open session at 3 p.m. to discuss litigation. Present were Commissioners Ozias, French and Johnson, Administrator Mielke, Prosecuting Attorney Office Boughton, Finance Department Lane and Turner, and Health and Human Services Oppelt.

ACTION TAKEN: CRJm to recess to executive session for 30 minutes, CMOs, mc

The Board recessed into executive session at 3:01 p.m.

The Board convened in open session at 3:30 p.m.

ACTION TAKEN: CMOM to approve entering into the Johnson and Johnson opioid settlement agreement as presented and authorize the Chair, Administrator, or other appropriate county official to sign and complete authorization, CMFs, mc

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair French called the meeting to order at 10 a.m., Tuesday, April 30, 2024. Also present were Commissioners Ozias and Johnson and Administrator Mielke.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CRJm to adopt the agenda as presented, CMOs, mc

PUBLIC COMMENT

- John Worthington, Sequim, commented on 1f and 2a
- Jeff Tozer, Sequim, commented on 1f
- Ed Bowen, Clallam Bay, commented on 4a and 4b
- Derrick Eberle, Sequim, commented on 1f

CONSENT AGENDA

- 1a Approval of vouchers for the week of April 22
- 1b Approval of payroll for the period ending April 15
- 1c Approval of minutes for the week of April 22
- 1d Resolution declaring intent to renew the Lake Sutherland Management District 2 pursuant to chapter 36.31 RCW and a notice of hearing to be held Tuesday, June 4, 2024 at 10:30 a.m.
- 1f Letters to Jamestown S’Klallam Tribe and Floodplains by Design regarding the Dungeness Levee Setback Project

ACTION TAKEN: CRJm to adopt the consent agenda as modified to discuss 1e outside of the consent agenda and approve the updated letter for 1f, CMOs, mc

- 1e Letter of support for RCO Projects 24-1691 and 24-1694 to acquire properties Heifer Farm and Cameron Farm Estates

ACTION TAKEN: CMFm to approve the letter of support with the edit of making clear that conservation easements are being acquired, CMOs, mc

REPORTS AND PRESENTATIONS

- CRJ commented on Sarge’s Veteran Support gala and carbon and forestry
- CMO commented on Department of Natural Resource Services Systems work group meeting
- CMF commented on Governor’s work group on Safe Supply, North Olympic Library System ribbon cutting

CONTRACTS AND AGREEMENTS

- 2a Agreement with Jefferson County for Recompete

ACTION TAKEN: CRJm to approve, CMOs, mc

- 2b Agreement with Natural Systems Design, Inc. for Channel Migration Zone

ACTION TAKEN: CRJm to approve, CMOs, mc

- 2c Agreement with Pacific Office Equipment for furniture for Health and Human Services

ACTION TAKEN: CRJm to approve, CMOs, mc

ADMINISTRATION

- 3a Resolution authorizing expenditure from the Hotel/Motel Tax Fund for approved 2024 Lodging Tax Funding Applications

ACTION TAKEN: CRJm to adopt, CMOs, mc

HEARING(S) – Beginning at 10:30 a.m.

H1 Consideration of resolution adopting the following Debatable Emergencies:

Hearing Examiner – Additional funding needed to cover the 2023 Hearing Examiner services invoiced in 2024/\$24,750

NonDept – Affordable Housing Sales Tax - Reallocation of budgeted funds for a new Peninsula Behavioral Health affordable housing project: \$1,250,000 of 1406 and 1590 funding to assist with the development of a 36-unit Multi-family Permanent Supported Housing facility strategically situated on 2nd & Oak Street in Port Angeles. This Budget Revision provides \$1,040,000 towards this project. This Debatable Emergency provides \$210,000 toward the project. A Budget Revision is in the process to provide the additional \$1,040,000 needed to complete the funding (2 of 2)/\$210,000

Sheriff – Jail –

- OAC was contracted to create a conceptual design of how the jail could expand within the footprint of the current Sheriff's Office administration, patrol, and evidence rooms of the courthouse. This design was completed last year but was not invoiced until now/\$25,000
- Contracted costs for Norpoint Services to provide courthouse security from January 1 through June 30, 2024 have been expended from a Court Security Grant. It is not anticipated at this time the jail staff will be able to cover the security detail until the Norpoint contract expires/\$71,300
- Mark Lane, Chief Financial Officer, briefed the Board

ACTION TAKEN: CMOM to open the public hearing, CRJs, mc

- No one provided testimony

ACTION TAKEN: CRJm to close the public hearing and adopt, CMOs, mc

ADMINISTRATION - continued

3b Request to call for proposals to be received no later than Tuesday, June 4, 2024 at 9:30 a.m. regarding Wildfire Protection Planning

ACTION TAKEN: CRJm to issue notice, CMOs, mc

BUDGET

4a Resolution for consideration to adopt the following Budget Revisions:

Juvenile Services – Reallocation of budgeted Washington State Patrol National Criminal History Improvement Program (WSP-NCHIP) grant funds for purchase of two new Live Scan devices to capture fingerprints on youths booked into detention facility or otherwise ordered to be fingerprinted/\$16,340

NonDept – Affordable Housing Sales Tax –

- Reallocation of budgeted funds for a new Peninsula Behavioral Health affordable housing project: 1406 funding to assist with the rehabilitation of a 5-bedroom Permanent Supported Housing Group located at 5th & Fir Street in Sequim/\$250,000
- Reallocation of budgeted funds for a new Peninsula Behavioral Health affordable housing project: \$1,250,000 of 1406 and 1590 funding to assist with the development of a 36-unit Multi-family Permanent Supported Housing facility strategically situated on 2nd & Oak Street in Port Angeles. This Budget Revision provides \$1,040,000 towards this project. A Debatable Emergency is in process to provide the additional \$210,000 needed to complete the funding (1 of 2)/\$1,040,000

Health & Human Services – Foundational Public Health Services –

- Reallocation of funding to be used in partnership with the County's Emergency Operations Center to purchase equipment that can be used for events of public health emergency responses for climate change related events such as wildfires or other environmental changes that are occurring where physically getting to a location is not possible. Two drones will be purchased with the funding and operations will be performed by skilled individuals within the Sheriff's Department (2 of 2)/\$77,000
- Reallocation of funding to be used for baseline power and communications service preparations that can be used in partnership with the County's Emergency Operations Center and Parks, Facilities and Maintenance departments in the event of a public health emergency. Items to be purchased include individual office use solar generators, a large hybrid mobile generator that can be moved to offsite locations, Star Link for west end communication ability, Verizon wi-fi

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hotspots, and a mobile generator with lighting capability for a staging area at the county fairgrounds (2 of 2)/\$195,000

- Reallocation of funding to be used to enhance public health emergency communication capabilities through the county's amateur radio programs in partnership with Emergency Operations Center. Additional Health and Human Services departmental purchases will be for satellite telephones and satellite wi-fi modems (2 of 2)/\$115,000

ACTION TAKEN: CRJm to adopt, CMOs, mc

4b Resolution for consideration to adopt the following Supplemental Appropriations:

Board Of County Commissioners – Recompete Grant – New Recompete Securing Federal Funding

Initiative grant will be used to support the economic research, grant writing, and capacity expansion for underserved areas to participate in application/\$500,000

Health & Human Services Operations –

- Department of Health Consolidated Contract #17 is adding new revenue for post Covid-19 workforce development and improvements and will be used to purchase office furniture, carpet replacement, painting, restocking of personal protective equipment (PPE), and HEPA filtration machines for clinic rooms, health department employee offices, and for loan availability to nursing homes during patient Covid-19 outbreaks/\$200,000
- Department of Health Consolidated Contract #17 is adding new revenue for the Women, Infants & Children (WIC) program to purchase child safety furniture for use in clinic and waiting rooms, personal protective equipment (PPE), office and clinic supplies, printer toners, advertising, subcontracted nutritional services, and ending fund balance for previously budgeted salaries and benefits/\$116,051
- Additional funding to be used for improvements at the Forks Health Department. The estimated costs of improvements include a heat pump, windows, crawl space repairs, and pest control/\$26,000
- Additional funding to be used in partnership with the County's Emergency Operations Center to purchase equipment that can be used for events of public health emergency responses for climate change related events such as wildfires or other environmental changes that are occurring where physically getting to a location is not possible. Two drones will be purchased with the funding and operations will be performed by skilled individuals within the Sheriff's Department (1 of 2)/\$77,000
- Additional funding to be used for baseline power and communications service preparations that can be used in partnership with the County's Emergency Operations Center and Parks, Facilities and Maintenance departments in the event of a public health emergency. Items to be purchased include individual office use solar generators, a large hybrid mobile generator that can be moved to offsite locations, Star Link for west end communication ability, Verizon wi-fi hotspots, and a mobile generator with lighting capability for a staging area at the county fairgrounds (1 of 2)/\$195,000
- Additional funding to be used to enhance public health emergency communication capabilities through the county's amateur radio programs in partnership with Emergency Operations Center. Additional Health and Human Services departmental purchases will be for satellite telephones and satellite wi-fi modems (1 of 2)/\$115,000

Health & Human Services – Environmental Health – Additional funding to be used for purchase of a desk, file cabinets, and bookshelves/\$4,900

Sheriff – Operations – Annual award from Washington State Department of Commerce for programs supporting STOP (Services, Training, Officers, and Prosecutors) Violence Against Women to be used to purchase a specialized camera the detectives unit can use on County cases or by law enforcement partners/\$12,000

ACTION TAKEN: CRJm to adopt, CMOs, mc

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PUBLIC COMMENT

- Kenneth Reandeau, Port Angeles commented on item 4 from April 29, 2024 work session, electric vehicle charging stations
- Jim Stoffer, Sequim, thanked local tribes and Board of Commissioners
- Dave Kelm, Sequim, commented on Towne Road and weekly meeting framework (see attached)
- Cindy Kelm, Sequim, finished comment for Dave Kelm regarding weekly meeting framework (see attached)
- John Worthington, Sequim, commented on 1f
- Ed Bowen, Clallam Bay, commented on anniversary of Operation Eagle Claw, item 2b, and April 29, 2024 work session
- Derrick Eberle, Sequim, commented on Towne Road
- Charles Main, Sequim, commented on Towne Road
- Karin Cummins, Sequim, commented on Towne Road
- Eric Fehrmann, Sequim, commented on Towne Road
- Bri Eberle, Sequim, commented on public comment time limit, Towne Road
- Denise Lapio, Sequim, commented on public comment time limit, COVID, Trader Joe's and roundabouts
- Karen Hubert, Sequim, commented on public comment, Towne Road
- Jamie Porter, Sequim, commented on public comment time limit, Washington State Sunshine Act, December 26, 2023 Board of County Commissioner meeting, Towne Road
- Pepai Whipple, Sequim, commented on Towne Road

Meeting concluded at 11:33 a.m. and continued to 9 a.m., Monday, May 6, 2024

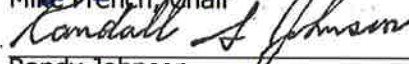
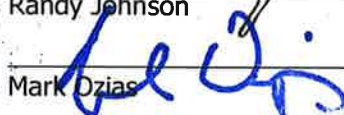
The Board of Commissioners attended WSAC Virtual Update, Coffee with Colleen, Veterans Stand Down, Peninsula Behavioral Health Gala and Housing Solutions Committee Meetings during the week of April 29.

PASSED AND ADOPTED this 7th day of May 2024.

ATTEST:


Loni Gores, MMC, Clerk of the Board

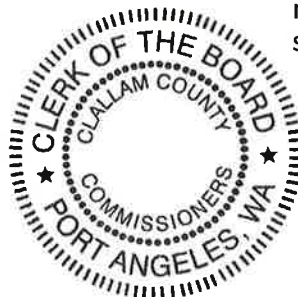
BOARD OF CLALLAM COUNTY COMMISSIONERS


Mike French, Chair

Randy Johnson

Mark Ozias

KEY TO ABBREVIATIONS:

ATM Administrator Todd Mielke
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CMF Commissioner Mike French

m moved
mc motion carried
s seconded



BOCC Mail Correspondences Received from other Jurisdictions

CLALLAM PUBLIC DEFENDER
516 EAST FRONT STREET
PORT ANGELES, WA 98362
(360) 452-3307
FAX (360) 452-3329

HARRY D. GASNICK
Director

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CLALLAM CO. COMMISSIONERS

APR 22 2024

1...2...3...A...

JOHN F. HAYDEN
SUZANNE M. B. HAYDEN
ALEX R. STALKER
DOUGLAS J. KRESL
CHARLIE COMMERE
SETH B. DOHERTY
TOBIN M. STANDLEY
Staff Attorneys

04/19/24

Commissioner Mark Ozias
Commissioner Randy Johnson
Commissioner Mike French
Clallam County
223 East 4th Street
Port Angeles, WA 98362

RE: Proposed Clallam County Veterans Court

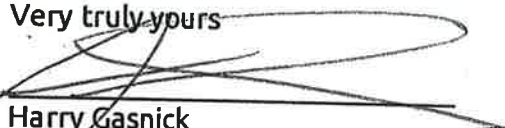
Dear Commissioners:

Many of the persons our organization serves are military veterans who now reside in Clallam County. The behaviors of many of our veterans who are accused of committing a criminal offense can be attributed in part to a service or combat related injury, mental health problem, or substance abuse. Over half of our veterans involved with the criminal justice system have substance abuse problems. Sadly, in many cases, veterans are not properly identified, and they become lost in the criminal justice system without the necessary help, medical treatment, and therapy to which they are entitled and deserve. This encourages a cycle of recidivism, hopelessness, non-recovery, and sometimes, serious injury or death, including by suicide.

In response, over 400 Veteran Courts have emerged throughout our country as a vital tool to break this cycle. Veteran participants are significantly less likely to experience a new incarceration and are more likely to be in their own housing and receiving necessary VA benefits and services due to the Veteran Court support. It is through the accountability, support, camaraderie, and the familiarity of veteran support partners in the Veteran court system that veteran participants in such courts meet with success.

Clallam Public Defender (CPD) urges you all to support the proposed Clallam County Veterans Court. Over 11% of our Clallam County population comprised of veterans who volunteered to serve their country and we owe it to those veterans who have difficulty transitioning to non-military life to do all we can to facilitate that transition. Hopefully, we all recognize the importance of veteran related services within the Olympic Peninsula. CPD appreciates your support of a Clallam County Veterans Court in aiding our local veterans.

Very truly yours


Harry Gasnick
Director, Clallam Public Defender



PROTECTED
WANDERING JOY CAMPGROUND
APR 28 2024
4-5:30 PM

FOREST CONSERVATION *Spring Celebration*

Come celebrate a beloved older forest, recently protected by a collaborative local effort. All are welcome to enjoy and learn about this conservation victory for the North Olympic peninsula community.

Saturday, May 11th, 2024
1 - 4 pm

FAMILY
FRIENDLY
& DOGS
WELCOME

View The Protected Forest
From A Short Hike (0.8mi).

Music From *Whump* Acoustic Duo

Art Table and Rock Painting

Free Drinks & Food

Where: Wandering Joy Campground (Private)
233035, US-101, Port Angeles
(North of 101, Next to Lake Sutherland)

Learn More At ElwhaLegacyForests.org

Sponsored by



Legacy Forest Defense Coalition



Wandering Joy
Campground



Legacy Forest Defense Coalition

Celebrate our recently protected forest!

What, How & Why

The former 'Shore Thing' Timber sale ✧✧

The former 'Shore Thing' Timber sale was scheduled for industrial logging in 2028 by the Department of Natural Resources (DNR). It is located next to Lake Sutherland and contains large Douglas firs and cedar trees over one hundred years old.

The WA Climate Commitment Act ✧✧

The 2023 WA Climate Commitment Act created an account called Natural Climate Solutions or NCS, allowing for the protection of older, carbon dense, structurally complex forests on state land. It is the first conservation program of its kind, offering communities replacement land for future timber harvest. Thanks to support from the community and local government, the DNR selected the Shore Thing Timber sale for the program. On March 5th 2024 Clallam County agreed to move forward with having 111 acres around lake Sutherland permanently protected!

Worth More Standing ✧✧

Our mature forests are among the best in the world at storing and sequestering carbon. By leaving the last remaining older forests standing we not only mitigate climate change but protect habitat for endangered species, and protect our water resources for generations to come.

Learn More At ElwhaLegacyForests.org



Washington State Pollution Liability Insurance Agency



Notice of Financial Assurance Program Information Sessions

The Washington State Legislature directed the Washington State Pollution Liability Insurance Agency (PLIA) to transition its Underground Storage Tank (UST) Reinsurance Program to a state-led Financial Assurance Program. Once this state-led Financial Assurance Program begins, PLIA will offer eligible UST owners and operators the ability to show financial responsibility through state-funded assurance.

PLIA will host multiple virtual information sessions to share our progress in building this new program. If you would like to learn more about this developing program, please attend any of the sessions listed below by Zoom:

- Wednesday, April 24, 2024, from 1:00-2:00pm (Zoom Link: <https://bit.ly/3IX9E2g>)
- Thursday, April 25, 2024, from 5:00-6:00pm (Zoom link: <https://bit.ly/3xeP8b3>)
- Saturday, April 27, 2024, from 11:00am-12:00pm (Zoom link: <https://bit.ly/3xpnUy8>)



UST Project Site (Source: PLIA)

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APR 23 2024

For more information on PLIA's developing Financial Assurance Program,
please visit our website at:

<https://plia.wa.gov/financial-assurance-program/>



Washington State
Pollution Liability Insurance Agency
Phone: (800) 822-3905
Email: pliamail@plia.wa.gov
Website: www.plia.wa.gov Twitter: @PLIAWA

Public comment
4-30-24
Dave Kelm
Cindy Kelm

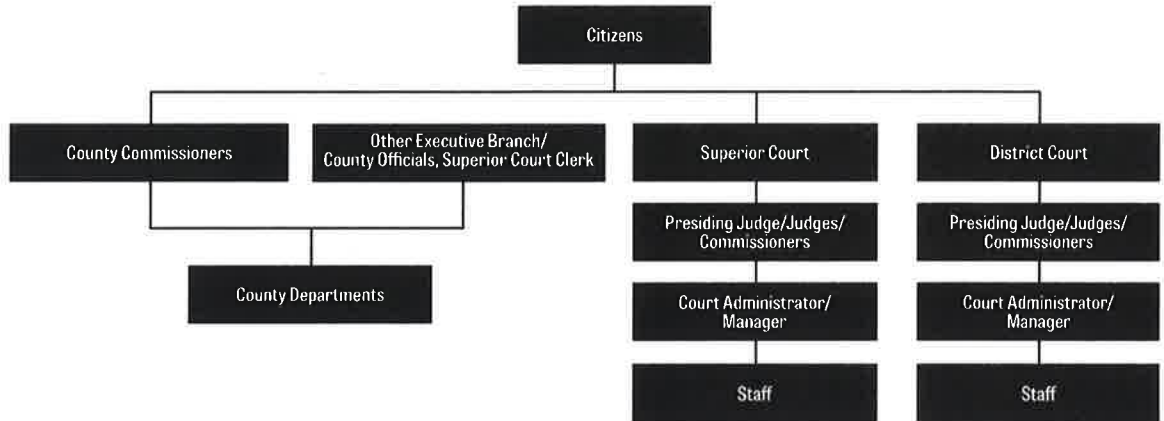
Clallam County Commissioners Observational Framework

Spring 2024

Types of Local Government

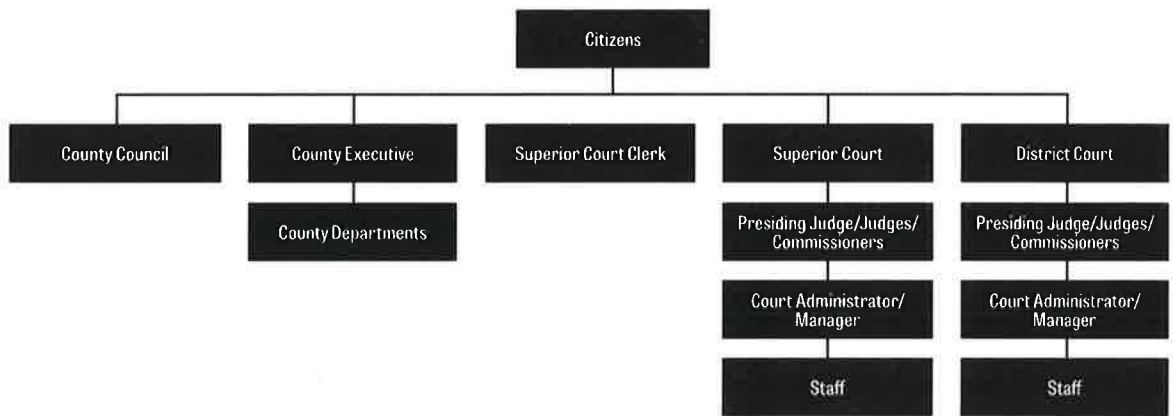
REGULAR COUNTY | County Commissioner Form of Government

Most counties in Washington derive their governmental structure from the State Constitution. Counties, through a vote of the people, may choose to modify their county governmental structure through the charter process. County Commissioners exercise executive, legislative, and some quasi-judicial powers.



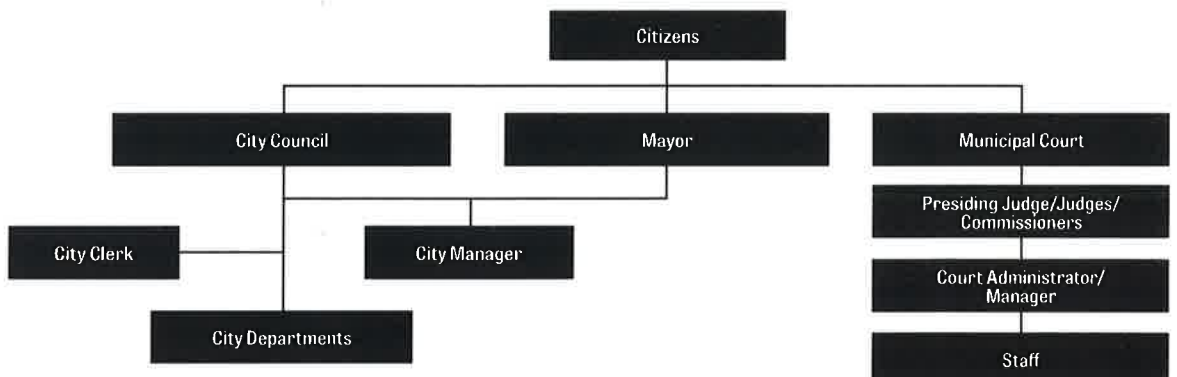
CHARTER COUNTY | County Executive Form of Government

Charter Counties in Washington: Clallam, Clark, King, Pierce, San Juan, Snohomish, and Whatcom. The Superior Court Clerk may be elected or appointed. The clerk is part of the executive branch, except in King County.



CITY GOVERNMENT | Strong Mayor Form of Government, Administrator/Manager*

Cities may opt to contract with the county or another city for court services. Judges may be elected or appointed. Full-time judges are elected. Part-time judges, however nominated, are confirmed by the City Council.



*Administrator/Manager is part of City Council.

Washington State



WASHINGTON
COURTS

You can get more
information at
www.courts.wa.gov

Observational Areas of concern and opportunities for improvement:

1. Weekly meetings are held during the day which discourages attendance due to the responsibilities of life such as employment, childcare, etc.
Results: Poor regular attendance has thus, become an expectation.
2. Weekly work meetings do not have a citizen representative who is allowed to speak contributing to the otherwise, invited bureaucrats who exclusively are offered dialogue opportunities with the commissioners.
3. There are no opportunities for dialogue with the commissioners on record at any public meeting that would benefit citizens in areas of clarification, etc.
4. The time allotted citizen comment is restricted to three minutes each severely limiting their constitutional right to approach and participate in their government.
5. The citizen is not permitted to assist in their presentation with any kind of video/pictures, etc.

6. There are no opportunities for questions and answers between citizens and commissioners (elected officials) during any meetings “on record.”
7. Invited testimony during work meetings are staged so as to have testifiers’ backs to the citizenry and thus, difficult to hear and understand.
8. The speakers over the citizen allotted area are often non functional so as to limit hearing what is discussed.
9. The table setup during workdays offer little opportunity for verbal continuity between citizens and officials. No table top microphones are utilized during work meetings even though they are available.
10. No outburst of agreement such as applause is tolerated.
11. The room is set up in the “command position” similar to a court room contrary to the typical accepted Charter form of county government organizational chart. By doing so, it and many of the above points serve to invert the observational chart placing the citizen at the bottom of the chart rather than the commonly accepted top position. By doing so, it serves to reflect the behavior and choices presented above as “areas of concern.”

These areas of concern are largely absent from other county and city government meetings held in Washington State. Why?

Possible Remedies addressing presented areas of concern:

1. Schedule weekly public meetings during the evening between six and nine as many other jurisdictions have done successfully.
2. During work meetings include in the agenda a public comment/questions and answer per period or in lieu of that, have them be part of any relevant conversation.
3. Include in all public meetings an opportunity for specific question and answer periods. These can be directed in general or commissioner specific.
4. Based upon the number of those who wish to speak using a sign in sheet, adjust allotted time for each accordingly at the start of the agenda line item.
5. Remove the restriction of visual aides in any and all citizen presentations. Their desire and rights in this regard should not be infringed.
6. Rearrange the square table setting to mimic the commissioner throne area, a half circle. If needed, use table microphones. In that configuration all can see one another and hear the proceedings more effectively and respectfully.

7. As we are all adults, applause should be encouraged. It would provide the commissioners an additional barometer as to the will of the people.
8. If challenges exist with the sound system, rearrange for a more effective presentation and make arrangements to improve the system and funds become available. Study the challenges. Learn the expected and anticipated outcome and work toward that end. Elected officials are servants of the people. They should strive to be one with the majority at any given time whether expressed or not. They should not look at these positions as self-serving opportunities. If that is the case, they should work elsewhere.
9. Look to others as learning opportunities regardless of where they are employed. Seldom is anyone the smartest person in the room, other than perhaps in their own minds. The citizenry has a wealth of knowledge and experience and should be looked upon as such with regularity. Listen, dialogue, move forward together. In most cases the decisions are left to the three of you to make as you have been elected with majority perceiving you having a similar mindset as they except when a majority is clearly established. Then, it is expected you side with the

majority in spite of your own wishes or explain your rationale in an understandable and timely dialogue. That is a democratic representative form of democracy. The representation is to benefit the majority of the people and if they want a different mousetrap, it is up to you to provide it.

We await your response and intended actions on these items.