



MAR 19 2024

BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of March 11 – 15, 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, March 11, 2024. Present were Commissioners Ozias and French, and Administrator Mielke. Commissioner Johnson was excused.

Items of discussion per the agenda published March 7 were:

- Calendar/Correspondence
- Olympic National Forest update
- Resolution appointing members to the Revenue Advisory Committee
- Call for bids to be received no later than Tuesday, April 9, 2024 at 10 a.m. regarding the Lake Pleasant Piling Replacement Project
- Resolution modifying and closing revolving, petty cash, and change funds for the Health and Human Services Department
- Agreement with Department of Natural Resources for 2022 Community Wildfire Defense Grant
- Purchase order with Titan Armor Solutions for purchase of rifle-rated ballistic armor
- Purchase order with ESRI Inc, for government enterprise agreement annual subscription
- Land purchase agreement with Peeshbad LLC for fish passage barrier on the Hoko-Ozette Road
- Agreement amendment 1 with County Road Administration Board CRAB for the Carlsborg Repaving Project
- Discussion on proposed budget reduction to be considered on March 26
- Discussion on proposed budget revisions to be considered on March 26
- Discussion of proposed supplemental appropriations to be considered on March 26
- Discussion of proposed debatable emergencies to be considered on March 26
- Agreement with Department of Commerce for the Secure Federal Funding Initiative Recompete
- Agreement with North Olympic Development Council for Strategy Development Grant Recompete
- Agreement with Washington State University for Strategy Development Grant Recompete
- Presentation on Climate Change and Implication of Forest Management Streamflow – Oliver Grah
- Legislative session update

Meeting concluded at 11:52 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair French called the meeting to order at 10 a.m., Tuesday, March 12, 2024. Also present were Commissioner Ozias and Administrator Mielke. Commissioner Johnson was excused.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

Remove: 1c Resolution appointing Janice Wilson to the Planning Commission

ACTION TAKEN: CMOM to adopt the agenda as modified, CMFs, mc

PUBLIC COMMENT

- John Worthington, Sequim, commented on item 1e and 2d

CONSENT AGENDA

- 1a Approval of vouchers for the week of March 4
- 1b Approval of minutes for the week of March 4
- ~~1c Resolution appointing Janice Wilson to the Planning Commission~~
- 1d Resolution appointing/reappointing Kathleen Sirguy, Teresa Beckstrom, Melanie Greer, LaDona Wilson, and Carol Johnson to the Fair Advisory Board
- 1e Dungeness River Management Team representative appointments

- 1f Call for hearing to be held on Tuesday, March 26, 2024 at 10:30 a.m. regarding proposed comprehensive plan map and zoning map amendments Yakovich REZ2023-00001 and REZ2023-00002
ACTION TAKEN: CMOM to adopt the consent agenda as modified, CMFs, mc

REPORTS AND PRESENTATIONS

- CMO commented on Clallam and Jefferson County Marine Resources joint meeting, Peninsula Housing Authority, Washington State Bar Association changes.
- CMF commented on Recompete, Friends of Forks Animals, Law Library, department staff meetings, electric car chargers, Sarge's support letter, Trails Advisory Committee.

CONTRACTS AND AGREEMENTS

- 2a Lease Agreement with Nancy J. German for warehouse space for storage of evidence collection
ACTION TAKEN: CMOM to approve, CMFs, mc

- 2b Agreement with Department of Commerce for Growth Management Services
ACTION TAKEN: CMOM to approve, CMFs, mc

- 2c Agreement with Department of Commerce for the Secure Federal Funding Initiative Recompete
ACTION TAKEN: CMOM to approve, CMFs, mc

- 2d Agreement with North Olympic Development Council for Strategy Development Grant Recompete
ACTION TAKEN: CMOM to approve, CMFs, mc

- 2e Agreement with Washington State University for Strategy Development Grant Recompete
ACTION TAKEN: CMOM to approve, CMFs, mc

BIDS AND AWARDS

- 3a Bid award – Bruch & Bruch Construction Inc. – Crushing Contract
ACTION TAKEN: CMOM to approve the bid award for Bruch and Bruch Construction Inc. and authorize the Chair to sign the contract once available, CMFs, mc

BUDGET

- 4a Notice that the following budget reductions will be adopted by Resolution on March 26:
PW – RID #149 Osborn Road – The Road Improvement District #149 Osborn Road project was completed in 2023. This fund will no longer be used as it is now inactive, and will be closed/\$836

ACTION TAKEN: CMOM to issue notice, CMFs, mc

- 4b Notice that the following budget revisions will be adopted by Resolution on March 26:
NonDept – American Rescue Plan Act – Reallocation of ARPA funding for the Board room technology project; additional 2023 invoice not received until 2024/\$49,072
District Court I – To fund the unbudgeted promotion of a Clerk I employee to a Court Clerk II position beginning March 2024. This revision is needed to shift funding from Extra Help to Salaries and Benefits/\$2,000
WSU Extension – Reallocation of funding to cover 2023 expenditures paid in 2024, and reallocating budget for actual expenses/\$99,101

ACTION TAKEN: CMOM to issue notice, CMFs, mc

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- 4c Notice that the following supplemental appropriations will be adopted by Resolution on March 26:
HHS Operations –

- The Washington State Department of Health Consolidated Contract is adding additional WIC funding. This funding will be used to support the budgeted costs of the WIC program/\$34,113
- Additional funding is received from FPHS Communications to be used for the installation of a new electronic sign at the 3rd Street building location/\$50,000

HHS – Developmental Disabilities – The DSHS Developmental Disabilities state contract is adding additional revenue for administration. This funding will be used for supplies and furnishings. Purchases will include replacing and older desk that is being shared by two individuals to be better able to accommodate two employees, bookshelves, additional secure locking file storage, and replenish program supplies/\$25,152

Sheriff – Operations – WASPC has awarded the Sheriff's Office with \$44,865 to pay for the initial contract payment of our Axon Body Worn Camera implementation. This will reimburse the first year of contract coverage providing equipment, digital storage, licenses, and maintenance. County Risk covered this cost, so this reimbursement will allow the Sheriff's Office to repay Risk's investment in this program/\$44,865

ACTION TAKEN: CMOM to issue notice, CMFs, mc

- 4d Resolution calling for a hearing to be held March 26 at 10:30 a.m. for the following debatable emergencies:

NonDept – Indigent Defense – Additional funding is needed to cover two conflict attorney contracts. One for District Court, the other for Juvenile Offender. These new contracts were not yet in progress when the 2024 Budget was adopted/\$29,723

ACTION TAKEN: CMOM to issue notice, CMFs, mc

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on Forest Service, Transportation Budget in District III
- Kenneth Reandeau, Port Angeles, commented on Highway 112 improvements
- John Worthington, Sequim, Dungeness River Off-Channel Reservoir, North Olympic Development Council
- McKenna Eggers, Seattle, commented on Towne Road
- Denise Lapio, Sequim, commented on environment, issues staying local, Towne Road
- Annie Armstrong, Sequim, commented on Towne Road
- Karin Cummins, Sequim, commented on property taxes, recommended following a website, County leadership, road bids, stickers on computers (see attached)
- Cindy Kelm, Sequim, commented on Towne Road
- Ethel Zwanziger, Sequim, commented on Towne Road
- Dave Kelm, Sequim, commented on Towne Road, Highway 112
- Jamie porter, Sequim, commented on Towne Road
- Josie Gonser, Sequim, commented on Towne Road
- Karen Hubert, Sequim, commented on Towne Road
- Pepai Whipple, Sequim, commented on Towne Road
- Chuck Main, Sequim, commented on Towne Road
- Ron Richards, Port Angeles, commented on Towne Road, Climate Change presentation – Oliver Grah, Salt Creek Campground hand dryers upgrade
- Jeff Tozzer, Sequim, commented on Towne Road (see attached)
- Bri Eberle, Sequim, commented on Towne Road
- Thomas Ash, Sequim, commented on Towne Road
- Margaret Walthall, Sequim, commented on Towne Road

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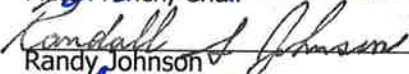
Meeting concluded at 11:41 a.m. and continued to 9 a.m., Monday, March 18, 2024.

The Board of Commissioners attended WSAC Virtual Update, Coffee with Colleen, KONP Radio Show and EDC Gala during the week of March 11.

PASSED AND ADOPTED this 19th day of March 2024.

BOARD OF CLALLAM COUNTY COMMISSIONERS


Mike French, Chair


Randy Johnson


Mark Ozias

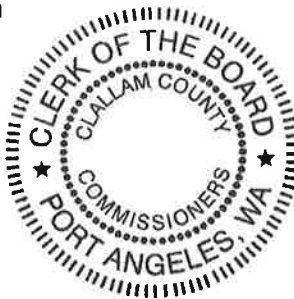
ATTEST:


Loni Gores, MMC, Clerk of the Board

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

RECEIVED
CLALLAM CO. COMMISSIONERS

FEB 29 2024

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

February 26th, 2024

CLALLAM COUNTY or Current Resident
223 E 4TH ST
PORT ANGELES, WA 98362

RE: 8th Street Paving Project

Dear Property or Business Owner,

The City of Port Angeles is currently developing improvements for the 8th Street corridor from Lincoln Street to "A" Street. This corridor is one of the City's most active arterials and supports all modes of transportation including vehicles, transit, pedestrians, bicyclists, and freight. It is a key transportation route for the City and improvements are necessary for all modes of transportation.

The scope of this project is to replace aging asphalt, implement multi-modal improvements within the existing right-of-way, while maintaining access for vehicles, pedestrians, and bicyclists. The City secured \$1,464,265 in grant funding to design and construct the proposed improvements.

The 8th Street Paving Project proposed improvements include the removal and replacement of existing asphalt along 8th Street between Lincoln and "A" Streets as well as resurfacing of the 8th Street bridges to extend the service life of both. This work includes reconfiguration of driving lanes to include new bike lanes in both the East and West directions to connect to the bike lanes installed as part of the Lincoln Street Safety project and the existing bike lanes along the 8th Street bridges. Pedestrian routes will be upgraded with the replacement of existing sidewalk curb ramps to meet current Americans with Disability Act (ADA) standards. New Accessible Pedestrian Signal buttons will be installed at the intersections of Cherry and Pine Streets in addition to the relocation of existing push buttons.

Phone: 360-417-4800 / **Fax:** 360-417-4542**Website:** www.cityofpa.us / **Email:** publicworks@cityofpa.us

321 East Fifth Street / Port Angeles, WA 98362-3206

As a property or business owner along 8th Street, we are seeking your thoughts on the proposed improvements as two options are being considered. **Option A** shows the proposed configuration to provide a bike lane along both sides of 8th Street with an addition of a center turn lane. This option eliminates on-street parking between Laurel Street and Cherry Street. **Option B** provides a bike lane along both sides of 8th Street with on-street parking on only one side of the street between Laurel Street and Cherry Street and no center turn lane.

These exhibits are available on the City's website:

<https://cityofpa.us/1327/8th-Street-Paving-Project>

(Cityofpa.us > Government > Projects > 8th Street Paving Project)

OR Scan the QR code below:



In evaluating these options, the City desires your input on how access, parking, and deliveries to your property would be affected. A quick online survey/questionnaire is available to provide specific comments and suggestions. **Please return your comments by March 15, 2024.**

Your feedback is important to help us determine the best alternative for the community.

Construction is anticipated to begin on the 8th Street Paving Project in the Summer of 2024. The City will strive to minimize disruption to the traffic flow and pedestrian access within the project area. In the event that access to your property must be disrupted the Contractor will notify you in person 24 hours before any work begins.

Please contact me with any questions or concerns at City Hall by e-mail at:
jpozerni@cityofpa.us

Sincerely,

Jeremy Pozernick



SEQUIM PRAIRIE GRANGE #1108

290 Macleay Rd, Sequim WA 98382 * P.O BOX 201, Sequim WA 98382

(360) 683-5622

RECEIVED
CLALLAM CO. COMMISSIONERS

February 23, 2024

MAR 04 2024

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

Intersection at Cays Rd, Old Olympic HWY and Macleay Rd.

Honorable Board of Clallam County Commissioners.

We, the members of the Sequim Prairie Grange #1108 and citizens of Clallam County have signed the enclosed petition in an effort to bring your attention to a serious matter needing addressed.

The intersection at Cays Rd, Old Olympic HWY and Macleay Rd has been the site of 18 vehicle accidents resulting in serious injuries, property damage and one fatality within the past 7 years.

We propose a 4-way stop or lowering the speed limit east bound Old Olympic HWY by another 5 mph just before Carlsborg Road and creating rumble strips on all approaches to the dangerous intersection.

Our goal with this petition is to save lives!

President Dorenda Becker Sequim Prairie Grange #1108

Secretary Sherrie Cerutti Sequim Prairie Grange #1108

*Signed petitions enclosed.

BOCC Public Comment

March 12, 2024

Public comment

Nathan Cummins

RCW 9A.48.090 Malicious mischief in the third degree. (1) A person is guilty of malicious mischief in the third degree if he or she: 3/12/24

(a) Knowingly and maliciously causes physical damage to the property of another, under circumstances not amounting to malicious mischief in the first or second degree; or

(b) Writes, paints, or draws any inscription, figure, or mark of any type on any public or private building or other structure or any real or personal property owned by any other person unless the person has obtained the express permission of the owner or operator of the property, under circumstances not amounting to malicious mischief in the first or second degree.

(2) Malicious mischief in the third degree is a gross misdemeanor. [2009 c 431 § 6; 2003 c 53 § 71; 1996 c 35 § 1; 1975 1st ex.s. c 260 § 9A.48.090.]

Applicability—2009 c 431: See note following RCW 4.24.230.

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Property crime database, liability: RCW 4.24.340.



COUNTYWIDE

Clallam County: Left behind



JEFF TOZZER

What happened over the last thirteen years to cause Clallam County's pronounced economic underperformance? Once on par with Washington State, Clallam County, at one time, outperformed the United States and neighboring Jefferson County. However, since 2011, Clallam County has done nothing but tread water while the metrics of other counties, the state, and the nation have steadily grown.

Put simply, Gross Domestic Product (GDP) is what a jurisdiction (like Clallam County) produces over an amount of time. GDP is a commonly used marker of economic health: it tracks the economy's change in size, measures an area's economic prosperity, and it can provide insight into factors that are either growing the economy, or holding it back. When viewing GDP growth on a global scale, the United States and China are at the top – these two countries are making products that consumers want. Argentina, Libya, and Syria are examples of countries with declining GDP. In terms of stagnant GDP growth, Ukraine is a good example.

The chart below generated hundreds of comments when Clallam County resident Steve Pelayo posted it to "[The Real Port Angeles](#)" Facebook page.

Real Gross Domestic Product Indices (2001=100): 2001-2021

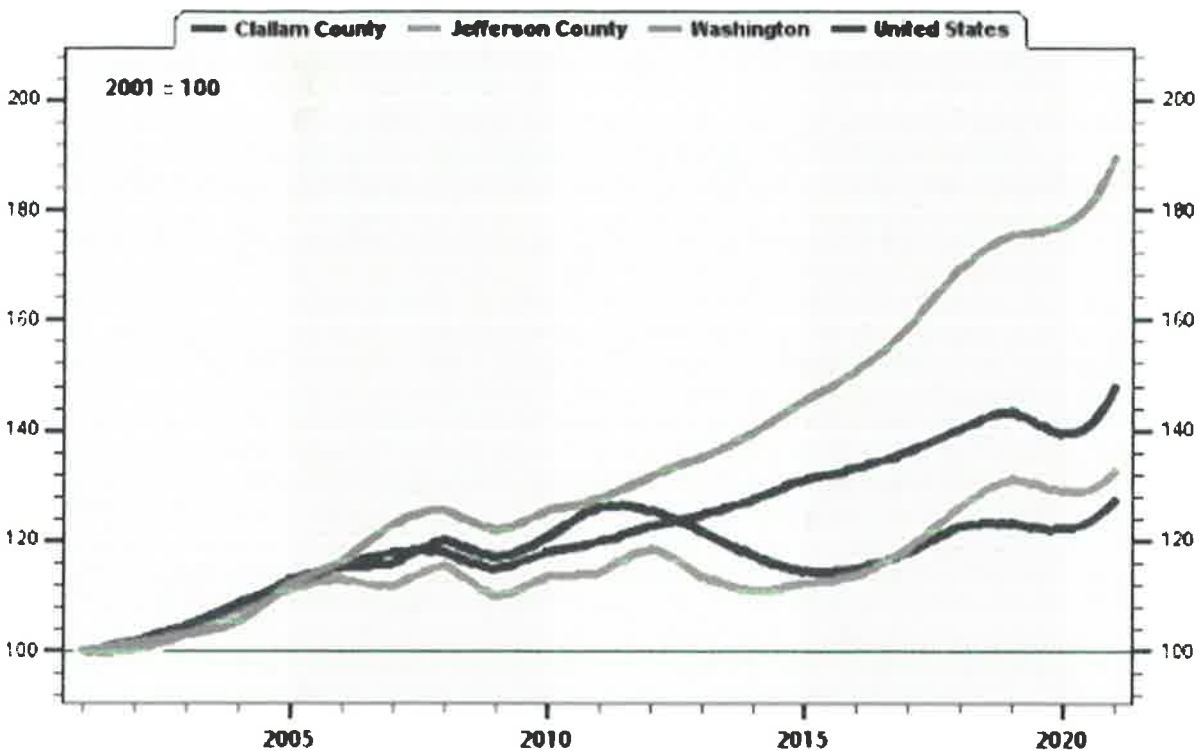


Figure 3.

Source: Washington REAPProject.org
Data: Regional Product Division, BEA (11-16-2022)

Figure 3 shows Clallam County's real gross domestic product growth in a broader context by offering direct comparisons across time with Jefferson County, Washington and the nation at large. The growth indices shown here express each region's real gross domestic product in 2001 as a base figure of 100, and the real gross domestic products in later years as a percentage of the 2001 base figure. This method allows for more direct comparison of differences in real gross domestic product growth between regions that may differ vastly in size.

Clallam County's overall real GDP growth was 27.39% over 2001-2021 trailed Jefferson County's increase of 32.55%, and fell below the state increase of 89.39%. Over the 21 year period 2001-2021, real gross domestic product nationwide increased by 47.85%.



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Watchdog**

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×

to see the United States' GDP
Washington State (orange) has
' (green) lagged behind
good. Clallam County (blue)
better than the national
2011, a decade of undulations
in County is in the same
our nation, state, and even
ty has done nothing but

y in the United States to have
– every other county
ince of the County

Commissioners. In the early 2000s, some in Clallam County were dissatisfied with the appointed director of the DCD but insiders couldn't figure out how to get rid of him. Thus, it was decided to change the job to an elected position.

A possible telling indicator of the GDP decline, Sheila Rourk Miller, the third elected DCD director of the county, assumed office in 2011. As a code enforcement officer, she had spent two decades working her way up through the department. Challenges abounded during her four-year tenure.

Washington State legalized marijuana production and growers were eager to build greenhouses in Sequim's sunny "banana belt." A litany of meetings with the Board of Commissioners, to navigate the Conditional Use Permit (CUP) process, consumed much of her department's energy. Residents, unhappy at the prospect of living next to, or even in the same county as a marijuana farm, leaned on the commissioners to deny the CUPs. The commissioners, who set the salary of the DCD director, influenced and pressured the DCD to reject permits. Small business owners faced a nightmare: grow operations that had been initially approved and had invested heavily in infrastructure saw their ventures unexpectedly rejected when Roark Miller scrambled to please the commissioners. Sensing that the DCD director was now beholden to voters, picketers crowded the sidewalks in front of the courthouse. Bickering began in earnest between the commissioners and the DCD, emotions overruled guidelines, and decisions were delayed in all areas of county government.

Clallam County's GDP peaked in 2011 but when Rourk Miller became entangled in dealings with the marijuana industry, it took a nosedive. The gridlock had begun.

The Department of Ecology's Dungeness Water Rule went into effect in 2013 causing uncertainty for people who wanted to build and drill wells in eastern Clallam County. The Water Rule also established senior water rights for existing wells – the DCD became inundated with a rush of applications for well drilling permits that had

to be processed before January 2, 2013. Understanding that applicants had followed due process, and that her department had delayed approving the permits, Rourk Miller interpreted a Washington Code that allowed her to backdate permits to reflect that they had been approved when they were submitted weeks before. A whistle-blower within the county reported Miller for altering and destroying documents as well as falsifying records.

An investigation ensued and a report was completed. In what may have been the greatest contribution to the collapse of the county's GDP, the Clallam County Commissioners refused to even read the report. This began a new standard among Clallam County's elected officials who would not even engage in discussion of each other's actions regardless of the repercussions to county government's credibility. This culture persists today, and without any internal check or balance of this behavior, the power of Clallam County's elected officials can be elevated for personal benefit with immunity.

Rourk Miller spent the end of her term embroiled in a legal fight. While the *national* GDP strengthened for four straight quarters in 2013, the overseers of Clallam County's economic engine were focused on internal strife. The embattled Rourk Miller fought legal attacks and the county's GDP continued to decline.

Mary Ellen Winborn defeated Roark Miller and assumed the DCD director role in 2015 – note the uptick of the blue line as Clallam County's GDP began to grow again. Winborn, an architect, brought more diversified qualifications to the job. The GDP of Clallam County grew during Winborn's first term, and she won her second term, in 2018, by a landslide.

* Then the pandemic hit. Winborn wanted to work remotely, but the DCD shared a floor with the Road Department who wanted to continue working in the courthouse. The Commissioners wanted to keep the courthouse doors open to the public, Winborn did not. Tensions rose. Local government was understandably strained, and personality conflicts strained operations further. There was a disagreement about masking protocol, and who had privileged keycard access through a side door. Unnecessary obstacles abounded and, once again, county leaders lost focus

on making economic gains for their constituents.

During this internal struggle, county leadership began to implode. The \$20 million Dungeness Floodplain Restoration Project began in an environment of unknown, everchanging directives that continue to plague the project today. The destruction of an existing dike, before the new levee's completion, was the result of abysmal communication between the Jamestown S'Klallam Tribe (who breached the original dike), Clallam County project leadership, and the Army Corps of Engineers.

* This initial chaos occurred under the supervision of Director Winborn. The void of leadership fostered a culture where the elected officials of Clallam County prioritized personal battles and agendas over the needs of taxpayers and county business. What is now called the "Towne Road Levee Setback Project" became a field day for private and personal interests, including the top donors to our elected officials' campaigns.

Winborn's critics finally caught her on a technicality when, in May of 2022, she moved to Mississippi. The agreement was that she work remotely and visit Clallam County once a month, but Clallam County sued their DCD director and imposed an injunction that prohibited Winborn from serving in her role (while still paying her full annual salary of \$101,000).

Currently, the DCD is led by Bruce Emery who took elected office at the beginning of 2023. Rather than relying on the policies and guidelines that would guide someone in an appointed position, he has the unenviable task of filtering his decisions through the lens of what the electorate wants. One clear example is the continued debacle that is the Towne Road Levee Setback Project.

After millions of dollars, decades of planning, and multiagency involvement, Director Emery entered his new job with the end of this massive infrastructure project in sight. However, despite the project being designed and funded to completion, a distraction surfaced: 98 residents, who had grown used to Towne Road being a low-traffic cul-de-sac during the road's temporary closure, wanted to keep the traffic away from their neighborhood (even though the project plan had specifically stated that Towne Road wouldn't be closed for even one day). Additionally, a donor who

would fund over half of one commissioner's upcoming campaign, also wanted the road to remain closed. These powerful influences began to pressure Commissioner Mark Ozias who halted the project.

Despite the results of a 2015 public survey, where 83% favored that the road remain open, and despite 140 signatures submitted to the county supporting an open Towne Road, the goals set forth at the beginning of the project were scrapped and Director Emery was persuaded by the Board of Commissioners to stop the project's completion.

With the project interrupted, Director Emery set forth to sample public opinion for a third time. What should have been conducted as an unbiased collection of data had all the hallmarks of a campaign with a preordained outcome. The DCD mailed notices to only a fragment of the community that was affected by the road's closure and signage was limited to the levee where walkers, not road users, were most likely to see and learn of the possible change. Still, it was the "informational meeting" held at Carrie Blake Park in the fall of 2023 that was most unsettling.

The meeting, which drew hundreds of inquisitive residents, was billed as an opportunity to "solicit discussion" about Towne Road's fate, but oral comment was not allowed. While the DCD and Commissioner Ozias promoted recreational benefits, the county didn't share that the road's closure could cause home insurance rates to more than double in Dungeness, or that emergency response times could increase by three to seven minutes. The DCD outwardly messaged that tsunami route designation was being sought, but they hadn't even taken the first steps. Despite Washington Emergency Management Division's Tsunami Program Coordinator writing, "There are no formal requirements for what constitutes an evacuation route," and that, "ANY road or route that gets you to safety is an option," the county continues to waffle on the road's possible evacuation route designation.

When results from the 2023 public survey was processed, data clearly showed 55% of those favored an open road and 45% favored a closed road. Curiously, at the recent Port Angeles Business Association meeting, Emery discussed the survey results by saying "it was evenly split." He also remarked that, "there was some

misinformation floating out there that the board was thinking about only doing the trail and it's like, no, no, it's always been this option." Emery's own department proposed "option 4" which would have converted the public road into a private driveway, closing it to through traffic forever.

* The mismanagement of Towne Road can be traced back to Winborn's tenure of overseeing the project while she worked remotely from Mississippi. In her absence, Cathy Lear, who still works in the DCD, oversaw management of the project. Lear, the county's habitat biologist, was in charge of managing an infrastructure project and the funds associated with it. Lear's priorities refocused on flood restoration instead of infrastructure, and funds were reallocated from surfacing a road to removing reed canary grass.

* To this day, a comprehensive budget of the \$20 million Towne Road Levee project remains difficult to obtain and is unavailable from county records. The budget has been requested of four county leaders, across three departments, and the only indication of its existence has been a response from Director Emery, "I am working on a response to your request." In the aftermath of a grossly mismanaged project, and amid efforts to promote accountability and transparency, the spreadsheet that shows "money in, money out" seems elusive or may not exist at all.

What does Towne Road have to do with the county's GDP? Not only does keeping roads open support commerce by transporting goods and services, but maintaining rural routes promotes economic growth. In 2015, the owner of the Dungeness Valley Creamery conveyed their fears to the county if the road were to close. "There is less cost associated [with] delivery and distribution where we have the factor of wear and tear on vehicles, insurance, wages, fuel, and other miscellaneous expenses," he said. "This leads to higher margins for these particular sales, which we rely on for our operations and success of our business."

Another example of GDP being directly affected by the whims of the DCD director is the Happy Valley gravel pit. At first, when a landowner proposed reopening a dormant, family-owned gravel pit in 2023, a "Determination of Non-Significance" was issued under the State Environmental Policy Act – no adverse impacts were

foreseen if the 4.74-acre gravel pit were to reopen, and the project was greenlit. Neighbors of the gravel pit, including Commissioner Ozias, pressured the DCD's hearing examiner to reject the permit but she didn't get the chance – the family received threats to their home and business and the application was withdrawn. With that, four full-time, family wage jobs disappeared from Clallam County, as did the gravel pit that would have supplied Clallam County directly.

The DCD's message seems to support a stagnant GDP: we want gravel, we just don't want the gravel pits or jobs that come with it. This philosophy is evident in the cancellation of the Power Plant timber sale, and the proposed land swap that would see tax dollars flow to Clallam County from the harvest of timber land in Wahkiakum County. Again, our county leaders have voiced: "We want the lumber and the money, we just don't want the loggers, foresters, truckers and surveyors who, by default, are renters, homeowners, and shoppers in Clallam County."

A year into his tenure, we can begin to gauge how Bruce Emery will be leading the office of the only elected DCD director in the nation. One of the cornerstones of Emery's campaign was code enforcement. The county adopted a memorandum in April 2023 that required the DCD to provide quarterly code enforcement updates and reporting – but the first report came nine months later in January of 2024. "My bad," Emery offered as an explanation to the report's six-month delay. 2023 started with 344 total open code enforcement cases and ended the year with 345. Cases are open, on average, 460 days. In other words, if a neighbor is blaring loud music or has a faulty septic system, and if the county were notified of that violation today, that complaint, on average, would be resolved by May of 2025. Emery's department is currently awaiting payment of \$250,000 in delinquent fines from two specific cases.

During the director's January 22nd presentation to the commissioners and the public, Emery supported the success of his code enforcement team by saying, "we had seven cases go to the hearing examiner." After a search of public records showed zero cases had been brought before the hearing examiner last year, Emery clarified by saying, "Although seven cases had been *scheduled* for review before the Hearing Examiner, upon further review, *no* cases were actually heard by the Hearing

Examiner."

* Can Clallam County, by being the only county in the nation to elect its DCD director, be credited with taking a bold step that 3,243 other U.S. counties have not? Doesn't having an elected DCD director allow "the people" to have a say in the direction that their county is heading? Are there any negative consequences? There are, and concerns were brought before the Charter Review Commission in 2002 when the notion of making the DCD director an elected position was being proposed. "I can't imagine a situation where the Director, who should be balancing all sides on an issue, could be a partisan elected official and not carry that bias into the hearing process," wrote Frank Figg of Sequim.

Another concerned citizen wrote, "Changing this position to a partisan, elected position is, in my opinion, a big mistake. At first glance, it sounds good. I'm certain voters at the polls will think the same thing. But consider what you get once it's done. No longer will there be any requirement on qualifications. Elected partisan officials are not required to demonstrate any level of competence in a given field. The subordinate relationship between the director and the Board will also disappear. This means the position will no longer serve the same function as the elected Director will be free to pursue their own agenda, and yet only the Board will retain authority to adopt changes to ordinances."

The individual who made the above comments in 2002 was Bruce Emery, the current elected leader of the DCD.

With the absence of a county-level board of ethics, or any ethical oversight that other municipalities have, there is no incentive for county leaders to conduct themselves in a transparent, honest, and accountable manner. It's not illegal for the DCD to propagandize information, parting out selected data to the public while withholding crucial knowledge. It's not illegal for a sitting county commissioner to use his elected office to halt a gravel pit next to his house and crush the dreams of a business owner who had visions of employing four people. These actions aren't illegal, but they are unethical, and they are symptoms of a culture that is permeating Clallam County leadership.

Clallam County leaders know our economy is ailing. Commissioner French's pet project, the "Recompete Pilot Program", targets the hardest hit, most economically distressed counties with federal grant dollars meant to connect working-age people with jobs. Instead of fostering job growth and promoting small business right here at home, Clallam County intends to infuse the sluggish job market with qualified workers that, once trained, may find it easier to gain employment outside the county.

The symptoms of a stagnant GDP are reflected in shrinking enrollment numbers in school districts county wide. A family's prosperity is uncertain when one's livelihood depends on the desires of special interests and the personal priorities of county officials who use the elected power of their position to promote their personal agendas to the detriment of all other Clallam County Taxpayers. The business landscape of Clallam County is not for the faint of heart: an approved permit could be rejected, a business waiting to reopen could be indefinitely shuttered by petitions, a sitting commissioner may use his influence to close a business, critics of county government could be subject to criminal investigation and, a public road allowing commerce to reach a business could be closed and turned into a walking trail.

Civic engagement is to be welcomed and admired when bringing neighborhood concerns to county leaders, but Clallam County has developed a habit of inconsistently factoring public opinion when ruling on issues that have been clearly defined by proven guidelines. It's enough to scare off all but the bravest entrepreneurs thinking about starting a venture in Clallam County's not-so-free market.

The likes of gravel pit operators and loggers drive the economy. By outsourcing these jobs to other counties, Clallam County has less workers. That means fewer paychecks are being issued here — less fishing gear is being bought at Forks Outfitters, fewer families are shopping for school clothes at Swain's, and Over the Fence has less foot traffic passing by its doors. When there is a reduction of money moving through the local economy, GDP loses its drive, and the economy begins to flounder.

Clallam County, via the ballot box, has decided what direction it will be heading – we want the products, we just don't want to make them. The bad news is we aren't China, the good news is we aren't Libya, but we are performing about as well as Ukraine.



TOWNE ROAD

Do "project partners" share common goal?



JEFF TOZZER

Many have wondered why the Dungeness Floodplain Restoration's project partner, Jamestown S'Klallam Tribe (JST), is opposed to reopening Towne Road. A newly discovered document suggests that the Tribe considered closing this vital link between communities since at least 2013. It begs the question, are project partners Clallam County and JST working toward the same goal?

As recently as January, JST submitted a letter to the commissioners asking that the completion of Towne Road be paused until traffic and pedestrian data can be collected. Before that, in October of last year, JST requested that the county delay the opening of Towne Road by at least three years so the roadbed could serve as an "outdoor classroom." Earlier in 2023, JST's Habitat Program Manager suggested that a "popular movement" be started to convert the road into a park -- two days later, flyers were circulated suggesting that the roadbed was a trail, and a county employee warned the DCD and Commissioner Ozias that the flyers were misleading. However, the act that closed Towne Road (a road that was never to be closed for even one day), occurred in the spring of 2022 when JST breached the old dike ahead of schedule before project partner, Clallam County, had constructed the new levee -- Towne Road was closed because without the dike, it was at risk of flooding.

In April 2013, JST commissioned a "Dungeness River Channel Design Project, 60 Percent Design Report" from consultant Cardno ENTRIX, Inc. The report claims that it was developed in conjunction with both the Tribe and Clallam County and its

stated project goals are consistent with restoring the floodplain and increasing salmon populations. One section is labeled "Proposed Alternatives" but more interesting is the section labeled "Selected Alternative":

3.2 Selected Alternative

The 60 percent design was based on the levee setback with gap option. The design plans are included in Appendix C. This design includes the reconnection of 98 acres of floodplain and 1,100 linear feet of side channel habitat. It would include the construction of 15 ELJs and removal of 3,125 linear feet of Towne Road. Additionally, 1,070 linear feet of new high flow return channel will be constructed to prevent fish stranding in the WSDOT wetland and allow flood flows to return to the Dungeness River.

While the new levee will actually be designed by the USACE in the future, a proposed 4,720-foot long levee alignment has been included in the 60 percent design plans that ties into existing high ground near Anderson Road and Schoolhouse Bridge. Some of this land is currently privately owned and acquisition of property would be required in order to construct this levee. Within the WSDOT wetland, the levee alignment has been selected to avoid impacts to the proposed wetland and Meadowbrook Creek. South of the wetland, the levee has been extended on to private property (Forbes parcel) under the assumption that this property will soon be acquired. The levee is tied into existing high ground on the Forbes property before continuing west towards Towne Road where a gap has been left in order to provide high flow return access. The levee cross section was developed via conversations with USACE and provides a 12-foot wide top width with 2.5:1 side slopes. The levee height has been set to contain the 100-year flood event with 2 feet of freeboard. A rock face and toe has been provided in the portion of the levee near the Schoolhouse Bridge in order to prevent scour of the levee toe.

The 2,600 linear feet of the existing USACE levee would be removed upstream of Schoolhouse Bridge. The material would be salvaged and used to construct the new setback levee. Towne Road would be terminated near the north end of the removed levee in order to provide



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ACE levee. Access gates would tionally, a gravel access road order to allow continued access to Project. Finally, existing power rovided at the intersection of parking for recreational access.

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**terminated near the north
ce access to the remaining
ps of Engineers] levee.
ew and old levees.
ong the south portion of the
te property that will be cut**

Jeff Tozzer, Jamestown Road, Sequim

Public comment
Jeff Tozzer
3/12/24

In September of 2023, a landowner on Towne Road said this on Nextdoor:

*"A petition with over 300 signatures has been signed by members of the **local** community, you can view it here: <https://chng.it/4Pt5Wk8ZTf>. This was one of the sources the County was referring to when they gave Jeff the numbers he mentioned..."*

That same petition, which the creator claims halted the completion of a \$20 million, decades-long, multiagency infrastructure project, has nearly 800 signatures now, but here is what concerns me: Unlike the 140 signatures that were submitted in support of Towne Road which showed where people live, the new petition being circulated now has no transparency.

Of those 772 petitioners, only 15 reveal where they live. Of those 15, three live in Sequim, one in Port Angeles, and eleven live in Seattle, Bellingham, Oregon, Idaho, and areas beyond. Applying that statistic to the overall petition, 563 people from outside the county are attempting to influence our Clallam County Commissioners.

This petition reads:

*"Do you enjoy walking on the wide part of the new Dungeness River levee **trail** and seeing peaceful views of nature, river and farmland? The wider levee **trail may potentially become a roadway** in the near future (a **new** Towne Road connection), which would alter the character that you currently enjoy on the **trail**. A **road** would also adversely affect wildlife with the constant vehicular traffic, noise, and contaminants found on roadways. To request this segment stay a walking **trail** and not a **road**, please sign this petition."*

Telling people that a trail is going to be converted to a road, and creating a petition and website promoting that narrative, is disingenuous. However, well-meaning people are catching on because the landowners have exhausted the support of our community and are now recruiting allies from outside the county.

The part of the Comprehensive Plan that Commissioner Ozias has recently referenced as reason to delay the completion of Towne Road reads:

*"A non-motorized trail segment is a **possibility** along the Dungeness River if the landowners agree. The Dungeness River Greenway Concept Plan identifies use of the **dike** on the east side of the River."*

The **dike** referenced in the Comprehensive Plan was a non-motorized trail. It was built in 1963 by the Army Corps of Engineers and the Tribe removed it. The uncompleted Towne Road is a **levee**, connecting two non-motorized trails. Current plans provide a non-motorized trail beside the road.

Here is another section from the Comprehensive Plan under "Transportation -- Goals and Policies":

1 (d) Roads and highways -- Preserve existing road and highway system.

Towne Road was promised by the county commissioners to the community. Not completing the connection of a roadway would be a violation of the Clallam County Comprehensive Plan.