



Clallam County Opportunity Fund Board Agenda

March 28, 2024 at 1pm

In person at 141 W. First St., Port Angeles, WA

or via Zoom

<https://us02web.zoom.us/j/85358523644?pwd=bE5PdHJcExCNGFIZ2dnWjNlSzVrZz09>

Meeting ID: 853 5852 3644

Passcode: 676130

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- 1) Call to Order
- 2) Roll Call
- 3) Selection of Chair/Vice-Chair for 2024
- 4) Introductory Remarks and Orientation from Chair –
 - a) **Item for Consideration – Modify Quorum Definition:**
 - i) Review of bylaws dated 12-99 state: “A quorum shall be considered present for a meeting of an Opportunity Fund Board meeting when at least five (5) members are present. A majority of those present shall be required to make a recommendation, provided: that approval of official controls, as defined in R.C.W. 36.70 shall require a minimum of five votes in the affirmative. A tie vote shall have the same effect as a majority negative vote.”
 - ii) Clallam County Administrative Code’s Board and Committees Policies and Procedures updated in June 2010 states under “ADVISORY COMMITTEE AND BOARD MEETING GUIDELINES - QUORUM REQUIRED. If a quorum consisting of at least 50 percent of the committee's members is not present, any business transaction is null and void. The quorum protects against unrepresentative actions by a small number of individuals. In some cases, the governing law or document will establish what the quorum will be. At meetings where a quorum is not present, the only actions that may be legally taken are to fix a time for adjournment, adjourn, recess, or take measures to obtain a quorum (such as contacting absent members).
 - iii) **Recommended Action:** Move to amend Opportunity Fund Bylaws to state, “A quorum shall be considered present for a meeting of an Opportunity Fund Board meeting when at least 50 percent of members are present.”

5) Approval of Dec 17, 2021 Minutes – City of Forks Waste Water Treatment Facility Application

Dec 17, 2021 2:30 pm Via Zoom

- 1) Call to Order: Alan Barnard called to order meeting on 12.17.2022 at 2:32pm.
- 2) Roll Call: Alan Barnard, Johanna Bartee, Sharon Delabarre, Bruce Guckenberger, Bill Herman, Mike McAleer, Joe Murray. All board members were present constituting a quorum. Guests in attendance included Paul Hampton, Dan Wahlgren, Audrey Grafstrom and Rod Fleck from the City of Forks. Geoff James, Caleb McMahon from the Port of Port Angeles and Mark Lane CFO of Clallam County were in attendance as were Clallam EDC staff.
- 3) Selection of Chair/Vice-Chair for 2021 Chair Barnard entertained a motion for Chair and Vice Chair. Mike McAleer moved to select Alan Barnard as Chair; Joe Murray seconded the motion. The motion carried unanimously. Joe Murray moved to select Mike McAleer as Vice Chair; Bill Hermann seconded the motion. The motion carried unanimously.
- 4) Chair Barnard provided introductory remarks and a brief orientation.
- 5) Mike McAleer moved to approve the minutes as presented from the Sep 18, 2020 meeting on the review of the Clallam County Public Works & Road Dept Application. Joe Murray seconded the motion. The motion passed unanimously.
- 6) McAleer provided a program administrative review.
 - a) Colleen McAleer asked if there were any conflicts of interest as per OFB Bylaws dated Dec 16, 1999 in relation to this application for City of Forks Waste Water Treatment Facility funding. No board members offered any concerns.
 - b) Colleen McAleer briefly reviewed the RCW's and the Clallam County Code 5.40.041 & 5.40.060 – Opportunity Fund Program. McAleer reviewed the allowed Use of Proceeds and the minimum responsibilities of the Board.
 - c) County CFO Mark Lane provided a financial overview of the Clallam County Opportunity Fund. Discussion ensued.
- 7) The Chair opened the Public Meeting at 3:10pm.
 - a) Overview of the application – McAleer stated she had reviewed the application, confirmed the project was included in the City of Forks Comprehensive Plan and reviewed the financial records of the City and found everything to be in order. McAleer provided an overview of the project. Audrey Grafstrom provided a cost breakdown with the component list to prioritize the immediate need. Dan Wahlgren reviewed the operations of the clarifier over the past 36 years. Rod Fleck reviewed the other funding sources they pursued. He stated that the cities median income is less than half of the state's and that 30% of their city population lives below the poverty line which makes it difficult to pay off a debt service. Rod said they pursued CDBG funds but that they are highly competitive with no guarantee for funding. Paul Hampton explained the types of treatment plants and the differences within the cities that have secondary and tertiary redundancies, but that Forks has no redundancies. Dan added that levels of affluent at the waste plant are higher due to tourists during the summer months.

- b) The Chair asked the Board if they had any questions or input for the applicant. Sharon Delabarre stated that she concluded that applying for an infrastructure loan with the CDBG was not a viable option at this time. She said that if any of the top 3 elements were to fail it would be catastrophic and that the last 2 elements could continue to be operational. Sharon concluded this was a strong application with a serious need.
- c) Bill Hermann asked if the existing system could be used as a redundant system by way of using City maintenance funds to rebuild the old system. Paul responded that they could use reserves for this. Audrey stated that the two clarifiers could be used at the same time.
- d) Joe thanked Colleen for the review of the application. Joe stated the system is over 30 years old with no back-up or redundancy system in place. The system is stressed due to the city's growth and tourism.
- e) The Chair asked the board members if they had any additional questions, or if they wanted to raise any concerns before they were to deliberate on the application. None were offered.
- f) Opportunity for Public Input
 - i) Chair requests any members of the audience who wish to present written comments.
 - ii) No public comments were offered.
- g) Application rebuttal and close of public meeting. No rebuttal was offered.
- h) The Chair Closed the Public hearing at 3:56 pm.
- 8) Joe Murray moved **the Opportunity Fund Board recommend to the Board of County Commissioners to approve a grant in the amount of \$2,375,610 for the City of Forks Waste Water Treatment Facility.** Mike McAleer seconded the motion. The motion passed unanimously.
- 9) The Chair adjourned the meeting at 4:00.

6) Report from Program Administrator

- a) Conflict of Interest review as per the OFB Bylaws dated Dec 16, 1999
 - b) RCW 82.14.370 and RCW 43.330.010
 - c) Clallam County Code 5.40.041 – Opportunity Fund Program
- Use of Proceeds:**
- i) Moneys received from this tax shall only be used by Clallam County for the following purposes:
 - The financing of public facilities serving economic development purposes in accordance with Washington statutes. The public facility must be listed as an item in the officially adopted Clallam County overall capital facilities plan, or the economic development section of Clallam County's comprehensive plan, or the comprehensive plan of a city or town located within Clallam County; or provide affordable workforce housing infrastructure or facilities. "Affordable workforce housing infrastructure or facilities" means housing infrastructure or facilities that a qualifying provider uses for housing for a single person, family, or unrelated persons living together whose income is no more than 120 percent of the median income, adjusted for housing size, for the county where the housing is located. Nothing in this section shall be deemed to require that a qualified provider is permitted to, or is required to, consider the source of a tenant's, or

prospective tenant's, source of income in determining eligibility in contravention of RCW 59.18.255.

- To finance the compensation of personnel in “economic development offices” as that term is defined in State law.
- ii) For the purposes of this section, “public facilities” means bridges, roads, domestic and industrial water facilities, sanitary sewer facilities, earth stabilization, storm sewer facilities, railroad, electricity, natural gas, buildings, structures, telecommunications infrastructure, transportation infrastructure, or commercial infrastructure, and port facilities in the State of Washington.
- iii) For purposes of this section, “economic development purposes” means those purposes which facilitate the creation or retention of businesses and jobs in Clallam County. Economic development purposes may be accomplished through construction of public facilities that have direct job creation or by construction of public facilities, such as infrastructure, that create an environment for business development and job creation.
- iv) For purposes of this section, “qualifying provider” means a nonprofit entity as defined in RCW 84.36.560, a nonprofit entity or qualified cooperative association as defined in RCW 84.36.049, a housing authority created under RCW 35.82.030 or 35.82.300, a public corporation established under RCW 35.21.660 or 35.21.730, or a county or municipal corporation.

Minimum responsibilities of the Board:

Review of Feb 2024 Opportunity Fund Balance and budgeted revenues and expenses.

Overview of 2024 applications anticipated.

7) Application Review: Forks Supplemental Request for the Waste Water Treatment Facility

- a) Open Public Meeting
- b) Administrative Overview of the application – CCEDC Executive Director
- c) Presentation of funding request by Rod Fleck.

8) Opportunity for Public Input

9) Application rebuttal and close of public meeting

10) OF Board Members questions, concerns and debate

11) Motion for disposition

12) Adjourn Meeting.