



WORK SESSION AGENDA

BOARD OF CLALLAM COUNTY COMMISSIONERS

223 East 4th Street Room 160

Port Angeles, Washington

Monday, September 27, 2021 – 8:00 a.m.

****ATTENTION****

In response to the current pandemic, to promote social distancing, and in compliance with Governor's Proclamation and the recommendation of the Clallam County Health Officer, the Board of Commissioners meetings will be virtual only. The Board of Commissioners also strongly encourages public comments to be submitted in writing if possible.

This meeting can be viewed on a live stream at this link:
<http://www.clallam.net/features/meetings.html>

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 875 561 7844 and passcode: 12345

If you would like to participate in the meeting via Zoom video conference, visit <https://zoom.us/j/8755617844> and use meeting ID: 875 561 7844 and passcode: 12345

Public comment and questions can be directed to the Clerk of the Board at 360-417-2256 or agores@co.clallam.wa.us.

Administration – 9 a.m.

1. Calendar/Correspondence
2. Notice of call for bids to be received no later than 10 a.m. Tuesday, October 26, 2021 for Carpet Replacement – Superior Court II Courtroom & Hallway.

Notice of call for bids 

3. Agreement with Washington State Administrative Office of the Courts for Blake decision reimbursement

Agreement 

4. Agreement with Washington State Department of Ecology for Solid Waste activities

Agreement 

5. Agreement for collective bargaining unit of 1619 CS (2a)*

Agreement 

Agreement - posted on 9-23-21 after agenda was posted - item 5 

6. Letter of understanding for collective bargaining unit of 1619 CS (4a)*

Letter 

Letter of understanding - posted on 9-23-21 after agenda was posted - item 6 

7. Treasurer's Office request to hire Fiscal Specialist II position

Treasurer's Office request 

Board of Commissioners

8. Commissioners response to the 2020 Charter Review Commission's Recommendations

Charter Review Commission's Recommendations 

Budget

9. Letter to New Hope Food Bank for Notice of Termination of American Rescue Plan Act Funds (ARPA) Direct Grant Assistance Agreement (1c)*

Letter 

10. Discussion on County Department requests for funding from the American Rescue Plan Act (ARPA)

Discussion 

General Discussion/Items for Future Agendas

- A. Olympic National Forest update (October 18 – 10:30 a.m.)
- B. Olympic Discovery Trail discussion (October 25)
- C. Noise Ordinance (TBD)

EXECUTIVE SESSION

The Board may recess into Executive Session to consider employment or dismissal of personnel, to review the performance of a public employee, to consult with legal counsel, to consider the position to be taken in collective bargaining, to consider acquisition or sale of real estate, or other matters per RCW 42.30.110

- Other items may be added at the discretion of the Board and additional Work Sessions may be scheduled if more time is needed to allow for adequate discussion.
- Written testimony presented by members of the public during the Board meeting is considered a public document and must be submitted to the Clerk of the Board.
- Copies of public documents from Board meetings are available by contacting the Public Records Department.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

2
9/27/21

Department: Parks, Fair & Facilities

WORK SESSION ☒ **Meeting Date: 09.27.2021**

REGULAR AGENDA ☒ **Meeting Date: 10.05.2021**

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|---|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # 301 21003 | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Notice of Call For Bids |

Documents exempt from public disclosure attached: ☐

Executive summary:

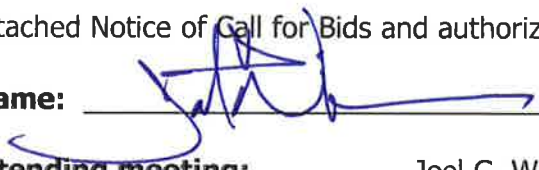
This is a Notice of Call for Bids for the Carpet Replacement in Superior Court II Courtroom and Hallway Project.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Yes. Funding for this project is approved in the 2021 REET I Projects fund.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

I recommend the Board approve the attached Notice of Call for Bids and authorize the Chair to sign.

County Official signature & print name:  Joel G. Winborn

Name of Employee/Stakeholder attending meeting: Joel G. Winborn (via ZOOM)

Relevant Departments: Superior Court II/Parks, Fair & Facilities

Date submitted: 09.21.2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

CLALLAM COUNTY PARKS, FAIR & FACILITIES DEPARTMENT

NOTICE OF CALL FOR BIDS

SEALED BIDS will be received by the Board of Clallam County Commissioners 223 East Fourth Street, Room 150, Port Angeles, Washington until **10:00 a.m. on Tuesday, October 26, 2021** for:

**CARPET REPLACEMENT
-SUPERIOR COURT II COURTROOM & HALLWAY-**

Complete drawings and specifications may be obtained from Pen Print, Inc., Email: heather@penprintinc.com, or, Phone: 360.457.3404. All bidding and related questions should be directed to **Joel G. Winborn at Email: jwinborn@co.clallam.wa.us (preferred), or, Phone: (360) 417.2429**

The sealed bids must be clearly marked on the outside of the envelope, "**BID PROPOSAL – CARPET REPLACEMENT – SUPERIOR COURT II COURTROOM & HALLWAY**". Address bid proposal to: Board of Clallam County Commissioners, 223 East 4th Street, Suite 4, Port Angeles, Washington 98362 or hand-deliver to 223 East 4th Street, Room 150, Port Angeles, Washington. Bid documents received late by the Commissioners' Office, delivered to other offices, received by fax or email or by any other means will not be considered. **Late bids will be returned unopened.** Note: All Bids shall include a 5% Bid Bond on a form approved by Clallam County.

Clallam County hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined in Title VI of the Civil Rights Act of 1964 at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Clallam County will determine the lowest responsible bidder in accordance with the terms of Clallam County Code Section 3.12.070 and reserves the right to reject any or all bids and to waive minor informalities in the process or to accept the bid, which in its estimation best serves the interests of Clallam County.

Bidders on Washington State Dept. of Labor & Industries or federal debarment list are prohibited from bidding on this project.

Construction Timeframe: November 9th-30th, 2021

There will be an on-site walk-through conducted Tuesday, October 19, 2021 at 2:00 PM. All interested bidders are to meet at the site, located at 223 East 4th Street, Port Angeles, WA, on the second floor of the courthouse in the Lobby near the elevator. This will be the only opportunity for bidders to review the as-built conditions. The facility will be occupied and operational during the site Pre-Bid meeting. Bring any tools, equipment, etc., needed for personal documentation. Owner's Representative will be on site to answer questions and provide access for bidders.

APPROVED this _____ day of _____ 2021.

**BOARD OF CLALLAM COUNTY
COMMISSIONERS:**

ATTEST:

Mark Ozias, Chair

Loni Gores, Clerk of the Board

Publish: **October 10 & 17, 2021 (PDN)**
(Bill Parks, Fair, & Facilities Department)

END OF SECTION 00100



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

3
9/27/21

Department: BOCC/Finance Department/ Clerks Office

WORK SESSION ☒ Meeting Date: 9-27-21

REGULAR AGENDA ☐ Meeting Date: 10-5-21

Required originals approved and attached? ☐

Will be provided on:

Item summary:

- | | |
|---|--|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 891.21.002 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The purpose of this Agreement is to provide reimbursements to assist Counties with extraordinary judicial, prosecutorial, or defense-related costs of resentencing and vacating the sentences of defendants whose convictions or sentences in Superior Court and District Court are affected by the State v. Blake decision and to provide reimbursements to assist Counties who have reimbursed or will reimburse LFOs to defendants whose convictions or sentences in Superior Court and District Court are affected by the State v. Blake decision.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Review and approve agreement between Clallam County and Washington State Administrative office of the Courts.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners, Finance Department, Courts, Prosecuting Attorney's Office

Relevant Departments: Board of Commissioners, Finance Department, Courts, Prosecuting Attorney's Office

Date submitted: 9-22-21

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

891.21.002

INTERAGENCY REIMBURSEMENT AGREEMENT IAA22161
BETWEEN
WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS
AND
CLALLAM COUNTY

THIS REIMBURSEMENT AGREEMENT (Agreement) is entered into by and between the Administrative Office of the Courts (AOC) and Clallam County, for the purpose of reimbursing Clallam County (County) for extraordinary costs of resentencing and vacating sentences under *Blake* and for the cost of refunding legal financial obligations (LFOs) under the *Blake* decision.

1. PURPOSE

The purpose of this Agreement is to provide reimbursements to assist Counties with extraordinary judicial, prosecutorial, or defense-related costs of resentencing and vacating the sentences of defendants whose convictions or sentences in Superior Court and District Court are affected by the *State v. Blake* decision and to provide reimbursements to assist Counties who have reimbursed or will reimburse LFOs to defendants whose convictions or sentences in Superior Court and District Court are affected by the *State v. Blake* decision.

2. REIMBURSEMENT

- A. Extraordinary Expenses Reimbursement. AOC shall reimburse the County up to a maximum of **\$615,200** for extraordinary judicial, prosecutorial, or defense-related costs of resentencing and vacating the sentences of defendants whose convictions or sentences are affected by the *State v. Blake* decision incurred during the period of February 25, 2021 to June 30, 2022. No reimbursement will be made under this Agreement for resentencing or vacation costs incurred after June 30, 2022, and any reimbursement requests in excess of this amount will be denied. If additional funding is appropriated by the Legislature for these purposes, the amount of reimbursement under this Agreement may be increased by agreement of the parties.
- B. LFO Reimbursement. AOC will reimburse the County up to a maximum of **\$435,524** for payments made by the County during the period February 25, 2021 to June 30, 2022 pursuant to court order which required reimbursement by the State of Washington of legal and financial obligations. No reimbursement will be made under this Agreement for resentencing or vacation costs incurred after June 30, 2022, and any reimbursement requests in excess of this amount stated in this Section 2 (b) will be denied. If additional funding is appropriated by the Legislature for these purposes, the amount of reimbursement under this Agreement may be increased by

agreement of the parties. Nothing in this Agreement requires the County to make payments pursuant to a court order when the funds available for reimbursement are less than the amount of the payment.

- C. General. AOC shall provide reimbursement to the County for approved and completed reimbursements by warrant or account transfer within 30 days of receipt of a properly completed A-19 invoice and the completed data report as required below.

3. PERIOD OF PERFORMANCE

Performance under this Agreement begins **July 1, 2021**, regardless of the date of execution, and ends on **June 30, 2022**. The period of performance may be amended by mutual agreement of the parties if the Legislature provides additional funding or time for these purposes.

4. TERMS OF REIMBURSEMENT

a) The County shall request reimbursement as follows:

1. The County will submit its A-19 invoices monthly to countyreimbursements@courts.wa.gov. A-19 invoices submitted under this agreement must include:
 - a. Payment documents from the County indicating the amounts expended, the recipients, and the date of expenditure.
 - b. Sufficient information to allow AOC to determine that the costs reimbursed are extraordinary judicial, prosecutorial, or defense-related costs of resentencing and vacating the sentences of defendants whose convictions or sentences are affected by the *State v. Blake*.
 - c. Proper coding for expenses under both 2.A. and B. For Clallam County, expenses under 2.A. must be coded **40105**, and reimbursement under 2.B. must be coded **40100**.
2. The County shall provide a monthly report to AOC that must contain at a minimum:
 - a. A list of any case numbers associated with the services provided;
 - b. A breakdown of expenses by judicial, prosecutorial, and defense-related costs;
 - c. The amount of LFOs reimbursed, with the case number associated with that amount.
 - d. Any positions supported by these funds, broken down by judicial, prosecutorial, and defense-related positions; and
 - e. Data, including case numbers and aggregate data on the number and type of cases:

- i. Vacated under *Blake*;
- ii. Resentenced under *Blake*; and
- iii. Being worked on under *Blake*.

b) By May 1, 2022, the County agrees to report any allocated funds under either 2. A. or B. that it will be unable to spend during the term of the contract, or any additional funds it anticipates needing during the term of the contract should additional funds become available. AOC reserves the right to reallocate funds that are reported to be unable to be spent.

5. AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by agreement of the parties. Such amendments are not binding unless they are in writing and signed by personnel authorized to bind each of the parties.

6. GOVERNANCE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement must be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency will be resolved by giving precedence in the following order:

- a. Applicable state and federal statutes and rules;
- b. This Agreement; and
- c. Any other provisions of the agreement, including materials incorporated by reference.

7. WAIVER

A failure by either party to exercise its rights under this Agreement does not preclude that party from subsequent exercise of such rights and is not a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

8. SEVERABILITY

If any provision of this Agreement, or any provision of any document incorporated by reference is held invalid, such invalidity does not affect the other provisions of this Agreement which can be given effect without the invalid provision and to this end the provisions of this Agreement are declared to be severable.

9. AGREEMENT MANAGEMENT

The program managers noted below are responsible for and are the contact people for all communications and billings regarding the performance of this Agreement:

AOC Program Manager	County Program Manager
Christopher Stanley Chief Financial and Management Officer PO Box 41170 Olympia, WA 98504-1170 christopher.stanley@courts.wa.gov (360) 890-2549	Mark Ozias Commissioner/Chair 223 East 4th St Ste 4 Port Angeles, WA 98362 mozias@co.clallam.wa.us 360-417-2233

10. ENTIRE AGREEMENT

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement are considered to exist or to bind any of the parties to this agreement unless otherwise stated in this Agreement.

AGREED:

Administrative Office of the Courts

Clallam County

Board of Clallam County Commissioners

Signature

Date

Signature

Date

Christopher Stanley

Name

Mark Ozias

Name

Chief Financial and Management Officer

Title

Chair

Title

Approved as to form only by:

Elizabeth Stanley
Civil Deputy Prosecuting Attorney
Clallam County



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: HHS-Environmental Health

WORK SESSION ☒ Meeting Date: 9/27/2021

REGULAR AGENDA ☒ Meeting Date: 10/5/2021

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|--------------------------------------|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 105511-21-DOE-SW | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Washington State Department of Ecology (Ecology) offered Clallam County Health and Human Services \$191,229.33 (total project cost)/\$143,422.00 (75% Ecology share) in the Local Solid Waste and Financial Assistance (LSWFA) grant for solid waste activities. This is a two year grant, starting July 1, 2021 – June 30, 2023. The monies will be used for solid waste enforcement activities, including permitting and inspecting 13 solid waste facilities and solid waste complaints.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
The grant funds are in the 2021 budget.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Please sign the contract with Ecology.

County Official signature & print name: *Karen LaPine*

Name of Employee/Stakeholder attending meeting: Jen Garcelon and Eli Owens

Relevant Departments: _____

Date submitted: 9/22/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

2021 Agenda Item Summary Contract 105511-21-DOE-SW

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019



DEPARTMENT OF
ECOLOGY
State of Washington

105511-21-DOE-SW

Agreement No. SWMLSWFA-2021-CICHHS-00046

SOLID WASTE MANAGEMENT LOCAL SOLID WASTE FINANCIAL ASSISTANCE AGREEMENT

BETWEEN

THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CLALLAM CO HEALTH AND HUMAN SERVICES

This is a binding Agreement entered into by and between the state of Washington, Department of Ecology, hereinafter referred to as "ECOLOGY," and CLALLAM CO HEALTH AND HUMAN SERVICES, hereinafter referred to as the "RECIPIENT," to carry out with the provided funds activities described herein.

GENERAL INFORMATION

Project Title:	SWE Clallam Co HHS
Total Cost:	\$191,229.33
Total Eligible Cost:	\$191,229.33
Ecology Share:	\$143,422.00
Recipient Share:	\$47,807.33
The Effective Date of this Agreement is:	07/01/2021
The Expiration Date of this Agreement is no later than:	06/30/2023
Project Type:	Solid Waste Enforcement

Project Short Description:

Clallam County Health and Human Services will spend \$191,229.33 to monitor solid waste handling facilities for compliance with rules and regulations, resolve solid waste complaints, and work to prevent solid waste violations from occurring at facilities and in the community through education and outreach.

Project Long Description:

See the Scope of Work section for more detailed information related to individual Tasks.

Overall Goal:

Provide regional solutions and intergovernmental cooperation; prevent or minimize environmental contamination through planning and project implementation; and comply with state and local solid and hazardous waste management plans and laws.

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

RECIPIENT INFORMATION

Organization Name: CLALLAM CO HEALTH AND HUMAN SERVICES

Federal Tax ID: 91-6001298

DUNS Number: 075739235

Mailing Address: 111 East 3rd Street
Port Angeles, WA 98362

Physical Address: 111 East 3rd Street
Port Angeles, Washington 98362

Organization Email: jgarcelon@co.clallam.wa.us

Organization Fax: (360) 417-2583

Contacts

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

Project Manager	Eli Owens Environmental Health Specialist 111 East 3rd Street Port Angeles, Washington 98362-3000 Email: ewens@co.clallam.wa.us Phone: (360) 417-2358
Billing Contact	DeeDee Crabb 223 E. 4th Street Port Angeles, Washington 98362 Email: dcrabb@co.clallam.wa.us Phone: (360) 417-2293
Authorized Signatory	Mark Ozias Commissioner 223 East 4th Street Port Angeles, Washington 98362 Email: mozias@co.clallam.wa.us Phone: (360) 417-2000

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

ECOLOGY INFORMATION

Mailing Address: Department of Ecology
Solid Waste Management
PO BOX 47600
Olympia, WA 98504-7600

Physical Address: Solid Waste Management
300 Desmond Drive SE
Lacey, WA 98503

Contacts

Project Manager	David Pater PO Box 47775 Olympia, Washington 98504-7775 Email: DAPA461@ecy.wa.gov Phone: (360) 790-5771
Financial Manager	David Pater PO Box 47775 Olympia, Washington 98504-7775 Email: DAPA461@ecy.wa.gov Phone: (360) 790-5771

Agreement No: SWMLSWFA-2021-CICHHS-00046
Project Title: SWE Clallam Co HHS
Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

AUTHORIZING SIGNATURES

RECIPIENT agrees to furnish the necessary personnel, equipment, materials, services, and otherwise do all things necessary for or incidental to the performance of work as set forth in this Agreement.

RECIPIENT acknowledges that they had the opportunity to review the entire Agreement, including all the terms and conditions of this Agreement, Scope of Work, attachments, and incorporated or referenced documents, as well as all applicable laws, statutes, rules, regulations, and guidelines mentioned in this Agreement. Furthermore, the RECIPIENT has read, understood, and accepts all requirements contained within this Agreement.

This Agreement contains the entire understanding between the parties, and there are no other understandings or representations other than as set forth, or incorporated by reference, herein.

No subsequent modifications or amendments to this agreement will be of any force or effect unless in writing, signed by authorized representatives of the RECIPIENT and ECOLOGY and made a part of this agreement. ECOLOGY and RECIPIENT may change their respective staff contacts without the concurrence of either party.

This Agreement shall be subject to the written approval of Ecology's authorized representative and shall not be binding until so approved.

The signatories to this Agreement represent that they have the authority to execute this Agreement and bind their respective organizations to this Agreement.

Washington State
Department of Ecology

CLALLAM CO HEALTH AND HUMAN SERVICES

By: _____

By: _____

Laurie Davies
Solid Waste Management
Program Manager

Date

Mark Ozias
Commissioner

Date

Template Approved to Form by
Attorney General's Office

Approved as to form only by:


Elizabeth Stanley
Civil Deputy Prosecuting Attorney
Clallam County

SCOPE OF WORK

Task Number: 1 Task Cost: \$191,229.33

Task Title: Solid Waste Enforcement

Task Description:

Activity - Solid Waste Handling Facility/Site Compliance (Permitted/Exempt)

The following work is expected to be performed under this activity by the RECIPIENT,

Compliance monitoring at solid waste handling facilities and sites using the following regulations as applicable to each facility or site:

- Chapter 173-350 WAC Solid Waste Handling Standards
- Chapter 173-351 WAC Criteria for Municipal Solid Waste Landfills
- Chapter 173-304 WAC Minimum Functional Standards for Solid Waste Handling
- All related local solid waste regulations or codes

Monitoring of existing and new facilities or sites requiring a permit will be accomplished through

- Issuing or renewing permits
- At least one inspection annually at each permitted facility or site
- Oversight and technical assistance
- Review of groundwater data
- Annual review of financial assurance

RECIPIENT will complete at least one inspection per calendar year at each permitted solid waste facility. RECIPIENT will track facilities monitored and include the information in quarterly progress reports, including uploading a copy of inspection reports conducted in the quarter. RECIPIENT will file all issued permits to ECOLOGY.

A list of facilities by name and permit status is located in the uploads form on the EAGL Application Menu page.

New solid waste permit applications and notices of exemption considered during the Agreement period for facilities not identified under this task may be managed under this Agreement.

RECIPIENT costs covered by solid waste facility fees for inspections, permit issuance or renewal are not eligible for reimbursement.

Activity - Solid Waste Investigation, Assistance and Enforcement:

The following work is expected to be performed under this activity by the RECIPIENT,

- Track the numbers of complaints received separate from the numbers of complaints resolved
- Offer technical assistance about solid waste regulations and how to prevent violations
- Investigate solid waste related complaints or concerns, track each investigation separately even if at the same location
- Assist in the proper handling of abandoned or illegally stored junk or nuisance vehicles (at RECIPIENT's discretion)
- Enforce as necessary
- Provide public education about proper handling and disposal methods, and how to prevent violations

Expected Task Costs- Costs eligible for reimbursement:

- RECIPIENT employee time
- RECIPIENT employee participation in trainings, workshops and or conferences must be pre-approved by ECOLOGY if not already listed as eligible in this scope of work
- RECIPIENT must follow the state of Washington travel requirements as prescribed in chapter 43.03 RCW and Chapter 10 of the State Administrative & Accounting Manual from the Office of Financial Management. Travel costs, including per diem, are reimbursed up to the state rate
- Costs not listed here but pre-approved in writing by Ecology

Costs not eligible for reimbursement:

- Overtime compensation (all hours are calculated at the regular rate of pay)
- Costs not specifically identified in the task's scope of work or pre-approved in writing by Ecology

Task Goal Statement:

The goal of this task is to protect human health and the environment by preventing and correcting violations of solid waste rules and regulations. RECIPIENT expects to accomplish this goal by providing technical assistance and education, compliance monitoring, and enforcement when necessary.

Task Expected Outcome:

90 permitted and conditionally exempt solid waste facility or site inspections

22 solid waste facility site permit reviews

75 solid waste complaints resolved, excluding solid waste facilities or sites

Recipient Task Coordinator: Eli Owens

Solid Waste Enforcement

Deliverables

Number	Description	Due Date
1.1	Task Expected Outcomes are the deliverables and achieved incrementally throughout the biennium.	

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-CICHHS-00046
Project Title: SWE Clallam Co HHS
Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

BUDGET

Funding Distribution EG220034

NOTE: The above funding distribution number is used to identify this specific agreement and budget on payment remittances and may be referenced on other communications from ECOLOGY. Your agreement may have multiple funding distribution numbers to identify each budget.

Funding Title: Clallam Co. HHS
Funding Effective Date: 07/01/2021
Funding Type: Grant
Funding Expiration Date: 06/23/2023
Funding Source:

Title: Model Toxics Control Operating Account (MTCOA)
Fund:
Type: State
Funding Source %: 100%
Description: Local Solid Waste Financial Assistance

Approved Indirect Costs Rate: Approved State Indirect Rate: 30%
Recipient Match %: 25%
InKind Interlocal Allowed: No
InKind Other Allowed: No
Is this Funding Distribution used to match a federal grant? No

Clallam Co. HHS	Task Total
Solid Waste Enforcement	\$ 191,229.33

Total: \$ 191,229.33

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
Clallam Co. HHS	25.00 %	\$ 47,807.33	\$ 143,422.00	\$ 191,229.33
Total		\$ 47,807.33	\$ 143,422.00	\$ 191,229.33

AGREEMENT SPECIFIC TERMS AND CONDITIONS

N/A

SPECIAL TERMS AND CONDITIONS

If the scope of this Agreement includes recycling activity managed or performed by the RECIPIENT at a recycling center (such as a transfer station or drop box location) or other locations, Ecology will not reimburse disposal costs for materials collected or advertised as collected for recycling/reuse or marketed for recycling/reuse under this Agreement, unless approved in writing by Ecology. RECIPIENT must immediately notify ECOLOGY when the RECIPIENT becomes aware that disposal of materials occurred or may occur due to the market conditions for recycled/reused materials. ECOLOGY may deny new costs or require repayment of costs already reimbursed or remove the task from the Agreement or terminate the Agreement.

Ecology will conduct a risk assessment of all Local Solid Waste Financial Assistance recipients. The level of risk determines the level of oversight required by Ecology throughout the biennium. If the RECIPIENT's performance or project circumstances change, Ecology may reassess risk and notify the RECIPIENT of any changes to administrative requirements.

RECIPIENT shall update the Spending Plan and Outcomes Data Collection form at least quarterly. The Spending Plan and Outcomes Data Collection form must be completed concurrent with the submittal of each payment Request/Progress Report. RECIPIENT shall report outcomes in a manner consistent with instructions in the Local Solid Waste Financial Assistance guidelines.

RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial (including payment requests), performance, and other reports required by this Agreement. Ecology shall have the right to deny reimbursement of payment requests received after this date.

GENERAL FEDERAL CONDITIONS

If a portion or all of the funds for this agreement are provided through federal funding sources or this agreement is used to match a federal grant award, the following terms and conditions apply to you.

A. CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY

EXCLUSION:

1. The RECIPIENT/CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the RECIPIENT/CONTRACTOR is unable to certify to the statements

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

contained in the certification, they must provide an explanation as to why they cannot.

2. The RECIPIENT/CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the RECIPIENT/CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.
4. The RECIPIENT/CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
5. The RECIPIENT/CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. Pursuant to 2CFR180.330, the RECIPIENT/CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.
7. RECIPIENT/CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.
8. RECIPIENT/CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier recipients or contractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. RECIPIENT/CONTRACTOR must run a search in <http://www.sam.gov> and print a copy of completed searches to document proof of compliance.

B. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) REPORTING

REQUIREMENTS:

CONTRACTOR/RECIPIENT must complete the FFATA Data Collection Form (ECY 070-395) and return it with the signed agreement to ECOLOGY.

Any CONTRACTOR/RECIPIENT that meets each of the criteria below must report compensation for its five top executives using the FFATA Data Collection Form.

- Receives more than \$25,000 in federal funds under this award.
- Receives more than 80 percent of its annual gross revenues from federal funds.
- Receives more than \$25,000,000 in annual federal funds.

Ecology will not pay any invoices until it has received a completed and signed FFATA Data Collection Form. Ecology is required to report the FFATA information for federally funded agreements, including the required DUNS number, at www.fsrs.gov <http://www.fsrs.gov/> within 30 days of agreement signature. The FFATA information will be available to the public at www.usaspending.gov <http://www.usaspending.gov/>.

For more details on FFATA requirements, see www.fsrs.gov <http://www.fsrs.gov/>.

C. FEDERAL FUNDING PROHIBITION ON CERTAIN TELECOMMUNICATIONS OR VIDEO SURVEILLANCE

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

SERVICES OR EQUIPMENT:

As required by 2 CFR 200.216, federal grant or loan recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment, video surveillance services or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232 <https://www.govinfo.gov/content/pkg/PLAW-115publ232/pdf/PLAW-115publ232.pdf>, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

Recipients, subrecipients, and borrowers also may not use federal funds to purchase certain prohibited equipment, systems, or services, including equipment, systems, or services produced or provided by entities identified in section 889, are recorded in the System for Award Management (SAM) <https://sam.gov/SAM> exclusion list.

GENERAL TERMS AND CONDITIONS

Pertaining to Grant and Loan Agreements With the state of Washington, Department of Ecology

GENERAL TERMS AND CONDITIONS

For DEPARTMENT OF ECOLOGY GRANTS and LOANS

06/24/2021 Version

1. ADMINISTRATIVE REQUIREMENTS

- a) RECIPIENT shall follow the "Administrative Requirements for Recipients of Ecology Grants and Loans – EAGL Edition." (<https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.html>)
- b) RECIPIENT shall complete all activities funded by this Agreement and be fully responsible for the proper management of all funds and resources made available under this Agreement.
- c) RECIPIENT agrees to take complete responsibility for all actions taken under this Agreement, including ensuring all subgrantees and contractors comply with the terms and conditions of this Agreement. ECOLOGY reserves the right to request proof of compliance by subgrantees and contractors.
- d) RECIPIENT's activities under this Agreement shall be subject to the review and approval by ECOLOGY for the extent and character of all work and services.

2. AMENDMENTS AND MODIFICATIONS

This Agreement may be altered, amended, or waived only by a written amendment executed by both parties. No subsequent modification(s) or amendment(s) of this Agreement will be of any force or effect unless in writing and signed by authorized representatives of both parties. ECOLOGY and the RECIPIENT may change their respective staff contacts and administrative information without the concurrence of either party.

3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY

The RECIPIENT must comply with the Washington State Office of the Chief Information Officer, OCIO Policy no. 188, Accessibility (<https://ocio.wa.gov/policy/accessibility>) as it relates to "covered technology." This requirement applies to all products supplied under the Agreement, providing equal access to information technology by individuals with disabilities, including and not limited to web sites/pages, web-based applications, software systems, video and audio content, and electronic documents intended for publishing on Ecology's public web site.

4. ARCHAEOLOGICAL AND CULTURAL RESOURCES

RECIPIENT shall take all reasonable action to avoid, minimize, or mitigate adverse effects to archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, sacred sites, or other cultural resources, hereby referred to as Cultural Resources.

The RECIPIENT must agree to hold harmless ECOLOGY in relation to any claim related to Cultural Resources discovered, disturbed, or damaged due to the RECIPIENT's project funded under this Agreement.

RECIPIENT shall:

- a) Contact the ECOLOGY Program issuing the grant or loan to discuss any Cultural Resources requirements for their project:
 - Cultural Resource Consultation and Review should be initiated early in the project planning process and must be completed prior to expenditure of Agreement funds as required by applicable State and Federal requirements.
 - * For state funded construction, demolition, or land acquisitions, comply with Governor Executive Order 21-02, Archaeological and Cultural Resources.

Agreement No: SWMLSWFA-2021-CICIIIS-00046
Project Title: SWE Clallam Co IHS
Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

- For projects with any federal involvement, comply with the National Historic Preservation Act of 1966 (Section 106).
- b) If required by the ECOLOGY Program, submit an Inadvertent Discovery Plan (IDP) to ECOLOGY prior to implementing any project that involves field activities. ECOLOGY will provide the IDP form.

RECIPIENT shall:

- Keep the IDP at the project site.
 - Make the IDP readily available to anyone working at the project site.
 - Discuss the IDP with staff, volunteers, and contractors working at the project site.
 - Implement the IDP when Cultural Resources or human remains are found at the project site.
- c) If any Cultural Resources are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
- Immediately stop work and notify the ECOLOGY Program, who will notify the Department of Archaeology and Historic Preservation at (360) 586-3065, any affected Tribe, and the local government.
- d) If any human remains are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
- Immediately stop work and notify the local Law Enforcement Agency or Medical Examiner/Coroner's Office, the Department of Archaeology and Historic Preservation at (360) 790-1633, and then the ECOLOGY Program.
- e) Comply with RCW 27.53, RCW 27.44, and RCW 68.50.645, and all other applicable local, state, and federal laws protecting Cultural Resources and human remains.

5. ASSIGNMENT

No right or claim of the RECIPIENT arising under this Agreement shall be transferred or assigned by the RECIPIENT.

6. COMMUNICATION

RECIPIENT shall make every effort to maintain effective communications with the RECIPIENT's designees, ECOLOGY, all affected local, state, or federal jurisdictions, and any interested individuals or groups.

7. COMPENSATION

- a) Any work performed prior to effective date of this Agreement will be at the sole expense and risk of the RECIPIENT. ECOLOGY must sign the Agreement before any payment requests can be submitted.
- b) Payments will be made on a reimbursable basis for approved and completed work as specified in this Agreement.
- c) RECIPIENT is responsible to determine if costs are eligible. Any questions regarding eligibility should be clarified with ECOLOGY prior to incurring costs. Costs that are conditionally eligible require approval by ECOLOGY prior to expenditure.
- d) RECIPIENT shall not invoice more than once per month unless agreed on by ECOLOGY.
- e) ECOLOGY will not process payment requests without the proper reimbursement forms, Progress Report and supporting documentation. ECOLOGY will provide instructions for submitting payment requests.
- f) ECOLOGY will pay the RECIPIENT thirty (30) days after receipt of a properly completed request for payment.
- g) RECIPIENT will receive payment through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment you must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>. If you have questions about the vendor registration process, you can contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.
- h) ECOLOGY may, at its sole discretion, withhold payments claimed by the RECIPIENT if the RECIPIENT fails to satisfactorily comply with any term or condition of this Agreement.
- i) Monies withheld by ECOLOGY may be paid to the RECIPIENT when the work described herein, or a portion thereof, has been completed if, at ECOLOGY's sole discretion, such payment is reasonable and approved according to this Agreement, as appropriate, or upon completion of an audit as specified herein.

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

j) RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial, performance, and other reports required by this Agreement. Failure to comply may result in delayed reimbursement.

8. COMPLIANCE WITH ALL LAWS

RECIPIENT agrees to comply fully with all applicable federal, state and local laws, orders, regulations, and permits related to this Agreement, including but not limited to:

- a) RECIPIENT agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington which affect wages and job safety.
- b) RECIPIENT agrees to be bound by all applicable federal and state laws, regulations, and policies against discrimination.
- c) RECIPIENT certifies full compliance with all applicable state industrial insurance requirements.
- d) RECIPIENT agrees to secure and provide assurance to ECOLOGY that all the necessary approvals and permits required by authorities having jurisdiction over the project are obtained. RECIPIENT must include time in their project timeline for the permit and approval processes.

ECOLOGY shall have the right to immediately terminate for cause this Agreement as provided herein if the RECIPIENT fails to comply with above requirements.

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

9. CONFLICT OF INTEREST

RECIPIENT and ECOLOGY agree that any officer, member, agent, or employee, who exercises any function or responsibility in the review, approval, or carrying out of this Agreement, shall not have any personal or financial interest, direct or indirect, nor affect the interest of any corporation, partnership, or association in which he/she is a part, in this Agreement or the proceeds thereof.

10. CONTRACTING FOR GOODS AND SERVICES

RECIPIENT may contract to buy goods or services related to its performance under this Agreement. RECIPIENT shall award all contracts for construction, purchase of goods, equipment, services, and professional architectural and engineering services through a competitive process, if required by State law. RECIPIENT is required to follow procurement procedures that ensure legal, fair, and open competition.

RECIPIENT must have a standard procurement process or follow current state procurement procedures. RECIPIENT may be required to provide written certification that they have followed their standard procurement procedures and applicable state law in awarding contracts under this Agreement.

ECOLOGY reserves the right to inspect and request copies of all procurement documentation, and review procurement practices related to this Agreement. Any costs incurred as a result of procurement practices not in compliance with state procurement law or the RECIPIENT's normal procedures may be disallowed at ECOLOGY's sole discretion.

11. DISPUTES

When there is a dispute with regard to the extent and character of the work, or any other matter related to this Agreement the determination of ECOLOGY will govern, although the RECIPIENT shall have the right to appeal decisions as provided for below:

- a) RECIPIENT notifies the funding program of an appeal request.
- b) Appeal request must be in writing and state the disputed issue(s).
- c) RECIPIENT has the opportunity to be heard and offer evidence in support of its appeal.
- d) ECOLOGY reviews the RECIPIENT's appeal.
- e) ECOLOGY sends a written answer within ten (10) business days, unless more time is needed, after concluding the review.

The decision of ECOLOGY from an appeal will be final and conclusive, unless within thirty (30) days from the date of such decision, the RECIPIENT furnishes to the Director of ECOLOGY a written appeal. The decision of the Director or duly authorized representative will be final and conclusive.

The parties agree that this dispute process will precede any action in a judicial or quasi-judicial tribunal.

Appeals of the Director's decision will be brought in the Superior Court of Thurston County. Review of the Director's decision will not be taken to Environmental and Land Use Hearings Office.

Pending final decision of a dispute, the RECIPIENT agrees to proceed diligently with the performance of this Agreement and in accordance with the decision rendered.

Nothing in this Agreement will be construed to limit the parties' choice of another mutually acceptable method, in addition to the dispute resolution procedure outlined above.

12. ENVIRONMENTAL DATA STANDARDS

a) RECIPIENT shall prepare a Quality Assurance Project Plan (QAPP) for a project that collects or uses environmental measurement data. RECIPIENTS unsure about whether a QAPP is required for their project shall contact the ECOLOGY Program issuing the grant or loan. If a QAPP is required, the RECIPIENT shall:

- Use ECOLOGY's QAPP Template/Checklist provided by the ECOLOGY, unless ECOLOGY Quality Assurance (QA) officer or the Program QA coordinator instructs otherwise.
- Follow ECOLOGY's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004 (Ecology Publication No. 04-03-030).
- Submit the QAPP to ECOLOGY for review and approval before the start of the work.

b) RECIPIENT shall submit environmental data that was collected on a project to ECOLOGY using the Environmental Information Management system (EIM), unless the ECOLOGY Program instructs otherwise. The RECIPIENT must confirm with ECOLOGY that complete and correct data was successfully loaded into EIM, find instructions at:

<http://www.ecy.wa.gov/eim>.

c) RECIPIENT shall follow ECOLOGY's data standards when Geographic Information System (GIS) data is collected and processed. Guidelines for Creating and Accessing GIS Data are available at:

<https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Standards>. RECIPIENT, when requested by ECOLOGY, shall provide copies to ECOLOGY of all final GIS data layers, imagery, related tables, raw data collection files, map products, and all metadata and project documentation.

13. GOVERNING LAW

This Agreement will be governed by the laws of the State of Washington, and the venue of any action brought hereunder will be in the Superior Court of Thurston County.

14. INDEMNIFICATION

ECOLOGY will in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the Scope of Work.

To the extent that the Constitution and laws of the State of Washington permit, each party will indemnify and hold the other harmless from and against any liability for any or all injuries to persons or property arising from the negligent act or omission of that party or that party's agents or employees arising out of this Agreement.

15. INDEPENDENT STATUS

The employees, volunteers, or agents of each party who are engaged in the performance of this Agreement will continue to be employees, volunteers, or agents of that party and will not for any purpose be employees, volunteers, or agents of the other party.

Agreement No: SWMLSWFA-2021-CICHHS-00046
Project Title: SWE Clallam Co HHS
Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

16. KICKBACKS

RECIPIENT is prohibited from inducing by any means any person employed or otherwise involved in this Agreement to give up any part of the compensation to which he/she is otherwise entitled to or receive any fee, commission, or gift in return for award of a subcontract hereunder.

17. MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MWBE)

RECIPIENT is encouraged to solicit and recruit, to the extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated under this Agreement.

Contract awards or rejections cannot be made based on MWBE participation; however, the RECIPIENT is encouraged to take the following actions, when possible, in any procurement under this Agreement:

- a) Include qualified minority and women's businesses on solicitation lists whenever they are potential sources of goods or services.
- b) Divide the total requirements, when economically feasible, into smaller tasks or quantities, to permit maximum participation by qualified minority and women's businesses.
- c) Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
- d) Use the services and assistance of the Washington State Office of Minority and Women's Business Enterprises (OMWBE) (866-208-1064) and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

18. ORDER OF PRECEDENCE

In the event of inconsistency in this Agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable federal and state statutes and regulations; (b) The Agreement; (c) Scope of Work; (d) Special Terms and Conditions; (e) Any provisions or terms incorporated herein by reference, including the "Administrative Requirements for Recipients of Ecology Grants and Loans"; (f) Ecology Funding Program Guidelines; and (g) General Terms and Conditions.

19. PRESENTATION AND PROMOTIONAL MATERIALS

ECOLOGY reserves the right to approve RECIPIENT's communication documents and materials related to the fulfillment of this Agreement:

- a) If requested, RECIPIENT shall provide a draft copy to ECOLOGY for review and approval ten (10) business days prior to production and distribution.
- b) RECIPIENT shall include time for ECOLOGY's review and approval process in their project timeline.
- c) If requested, RECIPIENT shall provide ECOLOGY two (2) final copies and an electronic copy of any tangible products developed.

Copies include any printed materials, and all tangible products developed such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements, or gadgets with a message, such as a refrigerator magnet, and any online communications, such as web pages, blogs, and twitter campaigns. If it is not practical to provide a copy, then the RECIPIENT shall provide a description (photographs, drawings, printouts, etc.) that best represents the item.

Any communications intended for public distribution that uses ECOLOGY's logo shall comply with ECOLOGY's graphic requirements and any additional requirements specified in this Agreement. Before the use of ECOLOGY's logo contact ECOLOGY for guidelines.

RECIPIENT shall acknowledge in the communications that funding was provided by ECOLOGY.

20. PROGRESS REPORTING

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

- a) RECIPIENT must satisfactorily demonstrate the timely use of funds by submitting payment requests and progress reports to ECOLOGY. ECOLOGY reserves the right to amend or terminate this Agreement if the RECIPIENT does not document timely use of funds.
- b) RECIPIENT must submit a progress report with each payment request. Payment requests will not be processed without a progress report. ECOLOGY will define the elements and frequency of progress reports.
- c) RECIPIENT shall use ECOLOGY's provided progress report format.
- d) Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be submitted within thirty (30) days after the end of the quarter being reported.
- e) RECIPIENT must submit within thirty (30) days of the expiration date of the project, unless an extension has been approved by ECOLOGY, all financial, performance, and other reports required by the Agreement and funding program guidelines. RECIPIENT shall use the ECOLOGY provided closeout report format.

21. PROPERTY RIGHTS

- a) Copyrights and Patents. When the RECIPIENT creates any copyrightable materials or invents any patentable property under this Agreement, the RECIPIENT may copyright or patent the same but ECOLOGY retains a royalty free, nonexclusive, and irrevocable license to reproduce, publish, recover, or otherwise use the material(s) or property, and to authorize others to use the same for federal, state, or local government purposes.
- b) Publications. When the RECIPIENT or persons employed by the RECIPIENT use or publish ECOLOGY information; present papers, lectures, or seminars involving information supplied by ECOLOGY; or use logos, reports, maps, or other data in printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to ECOLOGY.
- c) Presentation and Promotional Materials. ECOLOGY shall have the right to use or reproduce any printed or graphic materials produced in fulfillment of this Agreement, in any manner ECOLOGY deems appropriate. ECOLOGY shall acknowledge the RECIPIENT as the sole copyright owner in every use or reproduction of the materials.
- d) Tangible Property Rights. ECOLOGY's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans," shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by ECOLOGY in the absence of state and federal statutes, regulations, or policies to the contrary, or upon specific instructions with respect thereto in this Agreement.
- e) Personal Property Furnished by ECOLOGY. When ECOLOGY provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to ECOLOGY prior to final payment by ECOLOGY. If said property is lost, stolen, or damaged while in the RECIPIENT's possession, then ECOLOGY shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.
- f) Acquisition Projects. The following provisions shall apply if the project covered by this Agreement includes funds for the acquisition of land or facilities:
 - 1. RECIPIENT shall establish that the cost is fair value and reasonable prior to disbursement of funds provided for in this Agreement.
 - 2. RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this Agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses intended by this Agreement.
- g) Conversions. Regardless of the Agreement expiration date, the RECIPIENT shall not at any time convert any equipment, property, or facility acquired or developed under this Agreement to uses other than those for which assistance was originally approved without prior written approval of ECOLOGY. Such approval may be conditioned upon payment to ECOLOGY of that portion of the proceeds of the sale, lease, or other conversion or encumbrance which monies granted pursuant to this Agreement bear to the total acquisition, purchase, or construction costs of such property.

Agreement No: SWMLSWFA-2021-CICHHS-00046
Project Title: SWE Clallam Co HHS
Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

22. RECORDS, AUDITS, AND INSPECTIONS

RECIPIENT shall maintain complete program and financial records relating to this Agreement, including any engineering documentation and field inspection reports of all construction work accomplished.

All records shall:

- a) Be kept in a manner which provides an audit trail for all expenditures.
 - b) Be kept in a common file to facilitate audits and inspections.
 - c) Clearly indicate total receipts and expenditures related to this Agreement.
 - d) Be open for audit or inspection by ECOLOGY, or by any duly authorized audit representative of the State of Washington, for a period of at least three (3) years after the final grant payment or loan repayment, or any dispute resolution hereunder.
- RECIPIENT shall provide clarification and make necessary adjustments if any audits or inspections identify discrepancies in the records.

ECOLOGY reserves the right to audit, or have a designated third party audit, applicable records to ensure that the state has been properly invoiced. Any remedies and penalties allowed by law to recover monies determined owed will be enforced. Repetitive instances of incorrect invoicing or inadequate records may be considered cause for termination.

All work performed under this Agreement and any property and equipment purchased shall be made available to ECOLOGY and to any authorized state, federal or local representative for inspection at any time during the course of this Agreement and for at least three (3) years following grant or loan termination or dispute resolution hereunder.

RECIPIENT shall provide right of access to ECOLOGY, or any other authorized representative, at all reasonable times, in order to monitor and evaluate performance, compliance, and any other conditions under this Agreement.

23. RECOVERY OF FUNDS

The right of the RECIPIENT to retain monies received as reimbursement payments is contingent upon satisfactory performance of this Agreement and completion of the work described in the Scope of Work.

All payments to the RECIPIENT are subject to approval and audit by ECOLOGY, and any unauthorized expenditure(s) or unallowable cost charged to this Agreement shall be refunded to ECOLOGY by the RECIPIENT.

RECIPIENT shall refund to ECOLOGY the full amount of any erroneous payment or overpayment under this Agreement.

RECIPIENT shall refund by check payable to ECOLOGY the amount of any such reduction of payments or repayments within thirty (30) days of a written notice. Interest will accrue at the rate of twelve percent (12%) per year from the time ECOLOGY demands repayment of funds.

Any property acquired under this Agreement, at the option of ECOLOGY, may become ECOLOGY's property and the RECIPIENT's liability to repay monies will be reduced by an amount reflecting the fair value of such property.

24. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, and to this end the provisions of this Agreement are declared to be severable.

25. STATE ENVIRONMENTAL POLICY ACT (SEPA)

RECIPIENT must demonstrate to ECOLOGY's satisfaction that compliance with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC) have been or will be met. Any reimbursements are subject to this provision.

26. SUSPENSION

When in the best interest of ECOLOGY, ECOLOGY may at any time, and without cause, suspend this Agreement or any portion thereof for a temporary period by written notice from ECOLOGY to the RECIPIENT. RECIPIENT shall resume performance on the next business day following the suspension period unless another day is specified by ECOLOGY.

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

27. SUSTAINABLE PRACTICES

In order to sustain Washington's natural resources and ecosystems, the RECIPIENT is fully encouraged to implement sustainable practices and to purchase environmentally preferable products under this Agreement.

- a) Sustainable practices may include such activities as: use of clean energy, use of double-sided printing, hosting low impact meetings, and setting up recycling and composting programs.
- b) Purchasing may include such items as: sustainably produced products and services, EPEAT registered computers and imaging equipment, independently certified green cleaning products, remanufactured toner cartridges, products with reduced packaging, office products that are refillable, rechargeable, and recyclable, 100% post-consumer recycled paper, and toxic free products.

For more suggestions visit ECOLOGY's web page, Green Purchasing,

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Sustainable-purchasing>.

28. TERMINATION

a) For Cause

ECOLOGY may terminate for cause this Agreement with a seven (7) calendar days prior written notification to the RECIPIENT, at the sole discretion of ECOLOGY, for failing to perform an Agreement requirement or for a material breach of any term or condition. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Failure to Commence Work. ECOLOGY reserves the right to terminate this Agreement if RECIPIENT fails to commence work on the project funded within four (4) months after the effective date of this Agreement, or by any date mutually agreed upon in writing for commencement of work, or the time period defined within the Scope of Work.

Non-Performance. The obligation of ECOLOGY to the RECIPIENT is contingent upon satisfactory performance by the RECIPIENT of all of its obligations under this Agreement. In the event the RECIPIENT unjustifiably fails, in the opinion of ECOLOGY, to perform any obligation required of it by this Agreement, ECOLOGY may refuse to pay any further funds, terminate in whole or in part this Agreement, and exercise any other rights under this Agreement.

Despite the above, the RECIPIENT shall not be relieved of any liability to ECOLOGY for damages sustained by ECOLOGY and the State of Washington because of any breach of this Agreement by the RECIPIENT. ECOLOGY may withhold payments for the purpose of setoff until such time as the exact amount of damages due ECOLOGY from the RECIPIENT is determined.

b) For Convenience

ECOLOGY may terminate for convenience this Agreement, in whole or in part, for any reason when it is the best interest of ECOLOGY, with a thirty (30) calendar days prior written notification to the RECIPIENT, except as noted below. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Non-Allocation of Funds. ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to the completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the Agreement, in whole or part, or renegotiate the Agreement, subject to new funding limitations or conditions. ECOLOGY may also elect to suspend performance of the Agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification or restrictions, although ECOLOGY will make a reasonable attempt to provide notice.

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the RECIPIENT through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the RECIPIENT. In no

Agreement No: SWMLSWFA-2021-CICHHS-00046

Project Title: SWE Clallam Co HHS

Recipient Name: CLALLAM CO HEALTH AND HUMAN SERVICES

event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the Agreement and any amendments. If payments have been discontinued by ECOLOGY due to unavailable funds, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination.

RECIPIENT's obligation to continue or complete the work described in this Agreement shall be contingent upon availability of funds by the RECIPIENT's governing body.

c) By Mutual Agreement

ECOLOGY and the RECIPIENT may terminate this Agreement, in whole or in part, at any time, by mutual written agreement.

d) In Event of Termination

All finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, reports or other materials prepared by the RECIPIENT under this Agreement, at the option of ECOLOGY, will become property of ECOLOGY and the RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Nothing contained herein shall preclude ECOLOGY from demanding repayment of all funds paid to the RECIPIENT in accordance with Recovery of Funds, identified herein.

29. THIRD PARTY BENEFICIARY

RECIPIENT shall ensure that in all subcontracts entered into by the RECIPIENT pursuant to this Agreement, the state of Washington is named as an express third party beneficiary of such subcontracts with full rights as such.

30. WAIVER

Waiver of a default or breach of any provision of this Agreement is not a waiver of any subsequent default or breach, and will not be construed as a modification of the terms of this Agreement unless stated as such in writing by the authorized representative of ECOLOGY.

End of General Terms and Conditions



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

5
9/27/21
aa

Department: Human Resources

WORK SESSION ☒ **Meeting Date: 9/27/2021**

REGULAR AGENDA ☒ **Meeting Date: 9/28/2021**

Required originals approved and attached? ☐ **Not Signed**
Will be provided on: 9/24/2021 Afternoon

Item summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 461.21.14 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

In accordance with Collective Bargaining protocols and the 6-30-21 expiration of the 2020-2021 Contract Extension Agreements from the original 2018-2020 Collective Bargaining Agreements (CBA), staff has completed negotiations with the bargaining unit of 1619 CS (Correction Sergeants) and have ratified a three-year contract extension agreement commencing retroactive to July 1, 2021 and expiring on June 30, 2024.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
2021 budgetary impacts will be discussed at the worksession.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the ratified proposed contract extension agreements as negotiated and presented.

County Official signature & print name: Tom Reyes Tom Reyes

Name of Employee/Stakeholder attending meeting: Tom Reyes – Rich Sill

Relevant Departments: All Departments

Date submitted: 9/21/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

5 9/27/21/29 9/28/21
Document was submitted after the
agenda and packet were posted on
9/23/21

**Agreement
By and Between
Clallam County**

And

**The Washington State Council of
County and City Employees, Local 1619-CS
For the Period**

July 1, 2021 – June 30, 2024

Contract Extension Agreement

Corrections Sergeants

**Clallam County/AFSCME 1619-CS
Contract Extension Agreement
July 1, 2021 – June 30, 2024**

Clallam County (“the County”) and AFSCME 1619-CS (“the Union”) have, by mutual agreement, modified the collective bargaining agreement extension expiring June 30, 2021, as follows:

Article 1 – Term of Agreement. Revise as follows:

This AGREEMENT shall be effective as of July 1, 2021 and shall continue in full force and effect through June 30, 2024.

This AGREEMENT shall supersede previous agreements and MOU’s signed between the County and the Union on the Articles below regarding wages and conditions of employment. This agreement shall take effect on July 1, 2021 or the first of the month following ratification and signature by both parties, whichever is later.

Article 11.6 Flex-Time

With the mutual agreement of an employee and his/her immediate supervisor, an employee who works overtime may adjust scheduled shift hours remaining within the workweek or the following workweek and not receive overtime payments for the hours worked beyond the regular shift. The adjustment of shifts due to flextime will not obligate the employer to additional compensation in any form.

Article 12.10 Health and Welfare Coverage

- A. During the life of this Agreement, the County will provide Health Care Insurance for employees and their dependents who meet hours of eligibility as specified in Article 2 and in the Teamster Trust. The bargaining unit may reopen this Article periodically to change the specified Teamster medical benefit plans provided to the group to different selection of plans, provided that the change occurs at a time and in a manner which is permissible under Teamster Trust guidelines and the County’s participation agreement, provided that, if the cost of such selection exceeds County contribution identified below, 100% of such excess cost shall be paid by the employee. Both parties reserve the right to reopen this Article 12.10 concerning the cost of insurance benefits, plan design, and the employee and County share of the cost of insurance benefits. If reopened, the parties will schedule bargaining during the months of November and December. Bargaining will occur between the County and AFSCME units M&P, CD and CS as a coalition. The parties shall exchange proposals and data in advance and shall not be required to meet for more than one day of bargaining. The result of negotiations will be either an agreement reached by the parties in bargaining or the agreement reflected in this Article with respect to costs. The bargaining unit may reopen this Article periodically to change the medical benefit plans. The change must be permissible with the Teamster Trust guidelines and the trust subscription agreement provided that, if the cost of such selection exceeds the County’s contribution identified below, 100% of such excess cost shall be paid by the

**Clallam County/AFSCME 1619-CS
Contract Extension Agreement
July 1, 2021 – June 30, 2024**

employee.

If the bargaining unit elects a change in insurance plans, the change shall become effective prospectively and only in accordance with and as permitted by Teamster trust guidelines. If the cost of benefits elected by the bargaining unit is less than the cap, extra dollars shall be paid into the employees' HRA account

The bargaining unit has elected for 2021:

Teamster Medical Plan Z

Teamster Dental Plan B

Teamster Vision Plan EXT

Teamster Life Insurance (30k)

Effective July 1, 2021, the County shall contribute up to one thousand one hundred seventy eight dollars and fifty-six cents (\$1,178.56) as an employer cap towards the medical plans identified above, and the employee shall contribute one hundred sixty five dollars and sixty-four cents (\$165.64) creating a total contribution to the medical plans of one thousand three hundred forty-four dollars and twenty cents (\$1,344.20). Effective January 1, 2022, the new employer cap shall increase by fifty dollars (\$50.00), to one thousand two hundred twenty-eight dollars and fifty-six cents (\$1,228.56). Effective January 1, 2023, the new employer cap shall increase by fifty dollars (\$50.00), to one thousand two hundred seventy eight dollars and fifty-six cents (\$1,278.56). Effective January 1, 2024, the new employer cap shall increase by fifty dollars (\$50.00) to one thousand three hundred twenty-eight dollars and fifty-six cents (\$1,328.56). If the County's contribution exceeds the cost of the above plans the difference shall be placed into a HRA account to be established by the County. This account will be owned by the employee.

HRA contributions will be made on a monthly basis beginning July 1, 2018.

Note: Effective July 1, 2020, the County will contribute an additional one hundred seventy-five dollars (\$175.00) to either the HRA VEBA or into the medical plan, based on the bargaining unit's determination. In subsequent years for the life of the Agreement, the employee and County will share equally (50/50) in the premium amount in excess of the cap. . Increases for which the employee is responsible will first result in a reduction of the HRA contribution to cover such cost. The Union and the Employer agree that monthly contributions to the Teamsters Trust shall be distributed as follows: the Dental Plan, the Vision Plan, and then the Medical Plan.

No changes to the rest of Article 12.10.

**Clallam County/AFSCME 1619-CS
Contract Extension Agreement
July 1, 2021 – June 30, 2024**

Article 12.17 - COVID Leave (New)

Effective July 1, 2021, regular full-time employees (defined as thirty-seven and one-half (37.5) hours/week or more) shall be eligible for up to an additional eighty (80) hours of paid sick leave during the 2021 calendar year for absences caused by COVID-related illness or mandatory quarantine because of COVID infection or exposure. This is a contingent benefit and shall have no cash out value should the benefit not be utilized by an employee, nor shall there be carryover of unused COVID leave into the next calendar year. This benefit is retroactive to January 1; 2021 and requires that a physician or the Clallam County Health Officer provide verification to Human Resources.

Article 12.18 - COVID Vaccine Benefit (New)

Each full-time employee (defined as thirty-seven and one-half (37.5) hours/week or more) who presents proof of completed COVID vaccination treatment to the Human Resources Department (through presentation of a vaccine record from an accredited state agency or health care provider) shall receive sixteen (16) hours of floating holiday in the calendar year in which the employee completed vaccine treatment. This is a one-time benefit and shall have no cash out value nor shall there be carryover of unused hours into the next calendar year.

Article 13.1 Wages

The attached Appendix A wage scale reflects the wage scale for Corrections Sergeants with base wages in effect on July 1, 2021, which shall continue during 2021 and be subject to adjustment as hereinafter specified.

Effective January 1, 2022, provide a cost of living increase to the Appendix A wage scale reflected of two and one-half percent (2.50%). Effective January 1, 2023, provide an additional cost of living increase to the Appendix A wage scale of two and one-half percent (2.50%). Effective January 1, 2024, provide an additional cost of living increase to the Appendix A wage scale of two and one-half percent (2.50%).

Article 13.2 Step Placement:

The County shall implement the following step administration plan for those positions and salaries enumerated under the County's wage and classification plan.

- A. The step increases shall be based solely upon performance and shall not be granted unless supported by satisfactory employee evaluations. Evaluations of employees shall be conducted at least annually and shall be used as a factor in justifying annual step increases.

**Clallam County/AFSCME 1619-CS
Contract Extension Agreement
July 1, 2021 – June 30, 2024**

- B. Entry level for Sergeant is identified as Year One (1) of Appendix A, the “3-Step Wage Scale.” All promotions to the position of Sergeant shall be made in accordance with 13.2
- C. Lateral appointments shall be made within the 3-Step Wage Scale. An employee shall move to the next highest step of the 3-Step Wage Scale effective on the first day of the month following the twelve (12) month anniversary of promotion or date of lateral hire except when the anniversary falls on the first day of the month in which case the increase shall be effective on that day. Longevity steps are identified in Article 13.6.
- C. Assignment to a step in the Sergeant range of the 3-step pay plan of an employee promoted from another classification of Clallam County employment shall be a minimum of five percent (5%) increase above the wage of the lower classification.

Article 13.4 Out of Class Differential

Corrections Sergeants may be assigned as acting managers. A Sergeant who is assigned as acting manager shall be paid a differential of five percent (5%) of the Sergeant’s base wage per hour for out-of-class assignments of one full shift or more.

Article 13.6 Longevity

Longevity pay is embedded within the Appendix A wage schedule after the completion of four (4), nine (9) and fourteen (14) years of employment as a Clallam County Corrections Sergeant.

Article 13.9 Accreditation Pay (New)

To recognize the high standards met, and the efforts involved in the accreditation process, as of July 1, 2021, each employee covered under this Agreement shall receive an additional one percent (1%) monthly accreditation premium pay calculated from the employee’s base salary. In the event management does not seek accreditation renewal, or fails the accreditation process, the premium pay shall end on the expiration date of the existing accreditation certification. Accreditation premium pay shall remain in place so long as any portion of the Sheriff’s Office (patrol or jail) is accredited. Any eligible employee receiving an evaluation having an overall rating less than satisfactory/meets standards/meets expectations shall have accreditation pay suspended until such time as an overall satisfactory/meets standards/meets expectations (or higher) evaluation is received.

**Clallam County/AFSCME 1619-CS
Contract Extension Agreement
July 1, 2021 – June 30, 2024**

Agreement which contravenes any federal, state or local law shall be invalid.

Dated Signed

By Union: _____

*THE WASHINGTON STATE COUNCIL OF
COUNTY AND CITY EMPLOYEES
LOCAL 1619-CS*

Darrell Bryant, President

Josh Marburger, AFSCME Representative

*APPROVED AS TO FORM
Matthew Lynch, Employment Council*

*Bill Benedict, Clallam County Sheriff
Date Signed:* _____

Date Signed

By County: _____

*CLALLAM COUNTY
BOARD OF COMMISSIONERS*

Mark Ozias, Chair

Bill Peach

Randy Johnson

ATTEST:

*Loni Gores
Clerk of the Board*

CORRECTIONS SERGEANT 3-Year Contract Extension

	July 1, 2021 Salary Schedule
Year 1	5,680.67
Year 2	5,830.17
Year 3	5,979.66
Year 4	5,979.66
Year 5 (Long 5.6%)	6,314.52
Year 6	6,314.52
Year 7	6,314.52
Year 8	6,314.52
Year 9	6,314.52
Year 10 (Long 3.4%)	6,529.78
Year 11	6,529.78
Year 12	6,529.78
Year 13	6,529.78
Year 14	6,529.78
Year 15 (Long 3.4%)	6,751.79
Year 16	6,751.79
Year 17	6,751.79
Year 18	6,751.79
Year 19	6,751.79
Year 20	6,751.79
Year 21	6,751.79
Year 22	6,751.79
Year 23	6,751.79
Year 24	6,751.79
year 25	6,751.79



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

6
9/27/21
4a

Department: Human Resources

WORK SESSION ☒ Meeting Date: 9/27/2021

REGULAR AGENDA ☒ Meeting Date: 9/28/2021

Required originals approved and attached? ☐
Will be provided on: 9/24/2021 Afternoon

Item summary:

- | | | |
|---|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 461.21.15 | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other Letter of Understanding – 1619-CS |

Documents exempt from public disclosure attached: ☐

Executive summary:

In accordance with Collective Bargaining protocols and the 6-30-21 expiration of the 2020-2021 Contract Extension Agreements from the original 2018-2020 Collective Bargaining Agreements (CBA), staff has completed negotiations with the bargaining unit of 1619 CS (Correction Sergeants) and have ratified a Letter of Understanding commencing retroactive to July 1, 2021 and expiring on June 30, 2024.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
2021 budgetary impacts will be discussed at the worksession.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the ratified proposed letter of understanding as negotiated and presented.

County Official signature & print name: Tom Reyes Tom Reyes

Name of Employee/Stakeholder attending meeting: Tom Reyes – Rich Sill

Relevant Departments: All Departments

Date submitted: 9/22/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy Agenda Item Summary - 2021-2024 Ltr of Understanding 1619-CS
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies) Revised: 3-04-2019

6/9/21/21
4/9/20/21

**Clallam County/AFSCME 1619-CS
Letter of Understanding
July 1, 2021 – June 30, 2024**

Clallam County ("the County") and AFSCME 1619-CS ("the Union") agree to the following language changes to the contract extension effective July 01, 2021 through June 30, 2024:

Wage progression for the following individuals will occur as noted. Anniversary dates are based on dates of hire/promotion as a Clallam County Corrections Sergeant. Rates are based on the Appendix A Wage Schedule as adjusted contractual annual cost-of-living increases):

<u>Ross Cameron</u>	<u>Wage</u>	<u>Alicia Newhouse</u>	<u>Wage</u>
7/1/21	\$6751.79	8/1/21	\$6052.63
		1 st Promotion Anniv. Date	\$6314.52
		2 nd Promotion Anniv. Date	\$6529.78
		3 rd Promotion Anniv. Date	\$6751.79
<u>Sandra Waterhouse</u>	<u>Wage</u>		
7/1/21	\$6052.63		
1 st Promotion Anniv. Date	\$6314.52		
2 nd Promotion Anniv. Date	\$6529.78		
3 rd Promotion Anniv. Date	\$6751.79		

Dated Signed
By Union: _____

*THE WASHINGTON STATE COUNCIL OF
COUNTY AND CITY EMPLOYEES
LOCAL 1619-CS*

Darrell Bryant, President

Josh Marburger, AFSCME Representative

APPROVED AS TO FORM
Matthew Lynch, Employment Council

Date Signed
By County: _____

*CLALLAM COUNTY
BOARD OF COMMISSIONERS*

Mark Ozias, Chair

Bill Peach

Randy Johnson



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

7
9/27/21

Department: Treasurer

WORK SESSION ☒ Meeting Date: 9/27/2021

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution (draft) | ☐ Proclamation | ☒ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

Treasurer's office request to hire Fiscal Specialist II (entry-level) position to assist the office in meeting daily and long-term goals and objectives.

Budgetary impact: Budget change to be submitted for debatable emergency.

If a budget action is required, has it been submitted and a copy attached? ☐

Recommended action: We request the BOCC approve to increase our front-line support staff. Please see attached Treasurer's Request to Hire or Recruit Staff, Risk Assessment, and Treasurer's Justification of Position.

County Official signature & print name: Teresa Marchi Teresa Marchi

Name of Employee/Stakeholder attending meeting: Teresa Marchi / Jennifer White

Relevant Departments: Treasurer

Date submitted: August 25, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Item Summary for Tax Title - Online Sales/PubSurplus
Revised: 3-04-2019



Treasurer's Request to Hire or Recruit Staff

223 E. 4th St., Suite 3 • Port Angeles, WA • 98362

Position: **Fiscal Specialist II**

Department: **Treasurer**

☐ New Position ☒ Replacement Replacement for: Position left unfilled from 12/2017

☐ Renewal/Extension of Contract

Posting: ☐ In-House Only ☒ Public

Anticipated Start-Date: **October 1, 2021** Months remaining 2021: **3**

Range: **46** Step: **1** Anticipated Beginning Salary: **\$20.32hr / \$3,521mo / \$42,253yr**

2021 Anticipated Salary Cost:	\$10,563	2021 Anticipated Benefits:	\$6,170
		2021 Total Anticipated Cost:	\$16,733

2022 Anticipated Salary Cost:	\$43,743	2022 Anticipated Benefits:	\$23,492
		2022 Total Anticipated Cost:	\$67,235

Appointment Type

☒ Full-Time Permanent ☐ Part-Time Permanent - Specify hours per week:

☐ Contracts – Term: Reason for Contract:

Funding Source

Wage/Salary Source: **General Fund Reserves** Budget Number: **00100.293**

☐ Operating Funds ☐ Other (please define):

Office space allocated: ☒ Yes ☐ No – if no, give reason:

Authorization and request

After thoroughly assessing the needs of the department and our services to the County and Community, I find this hire justifiable and necessary for the success of our office.

HIRING MANAGER, TERESA MARCHI, TREASURER DATE

ATTACHED: **Risk Assessment, Justification of position, 7/1/21 Wages, Fiscal II Job Description.**



Clallam County

Risk Assessment – Treasurer

223 E. 4th St., Suite 3 • Port Angeles, WA • 98362

Date:

Treasurer's Office Overview:

As a critical component of efficient and necessary Clallam County government operations, the Treasurer's office holds a key position of public trust in the financial affairs of our local government system. The Treasurer's office is the depository for all funds, fees (collected by other County offices, and various districts), and collections. State and federal monies allocated to our government are transmitted to the Treasurer and are deposited to property funds. The Treasurer's office receipts and accounts for all deposits, billing and collection of property taxes and assessments, investments and distribution of funds, conducts tax foreclosures and personal/mobile distraint, conducts tax title sales, processes real estate excise tax, and manages government debt.

Summary & Request:

The Treasurer's office is seeking an additional 1FTE to achieve the following:

- Allow public needs to be met in a timely manner (front-line customer service);
- Ensure staff safety and strict adherence to internal controls (minimum staff level; segregation of duties; dual control) during staff absences (due to COVID; required time-off; unanticipated time-off; internal controls requiring staff take 1-week per calendar year; and dual control);
- Keep our office doors open during Treasurer hours (9am-3pm) at all times;
- Processing the influx of tax payments;
- Manage payment plans for taxpayers, and send short payment statements and manage bill fee codes, collections and reports for these accounts (>200 caseload);
- Assist inputting REET affidavits into PACS (the County's Property Assessment and Collection System database), meeting with public and title companies daily to assist with tangible submissions, as well as maintain the electronic REET recording database, Simplifile;
- Allow Fiscal III to perform required personal and mobile distraint duties. These have both had new legislation created and we are in non-compliance with these collections. This includes pursuit of taxation as well as distraint process, and collaboration with the Assessor for on-sight visits and inventory.
- Allow Fiscal III to resume collaboration with the Assessor and local Dept. of Revenue office where they can assist with monthly training and provide support and contacts to new business owners.
- Allow Chief Deputy time to develop legislative processes (foreclosure, mobile home distraint, and personal property), related internal processes (interdepartmental collaboration to effect the legislative processes), attend COOP and EOC meetings, conduct tax title sales, and participate in legislative actions directly related to the Treasurer functions and Investments;
- Provide assistance to the Chief Deputy/Treasurer which will allow for continued tax title sales, and implementing additional and upgraded electronic payment submission by taxpayers;

Consequences of Treasurer's request denied

- Treasurer's office will proceed with implementation of the following priorities, however, with the current limited staffing resources it will undoubtedly negatively impact the implementation in the following ways:
 - Continued absentee at the COOP and EOC tables. A primary function of the EOC is Finance. We have had a representative (current Chief Deputy) actively participating on both of these teams, however due to short staffing they have not been able to participate since COVID began at the end of the 1st quarter in 2020.
 - Training additional back-up staff for essential office functions.
 - Treasurer has had to close doors to the public due to insufficient staff. This occurs weekly for different amounts of time. We are required to have a minimum of 3 staff in office to keep our doors open, the doors must close if one of these people go to lunch, takes their designated break, or has to use the restroom.
 - Customer service will continue to be delayed. With staff at the counter or on the phone with other customers, we are unable to respond quickly to the public, title companies, and taxing districts.
 - Treasurer's office will delay implementation of County Kiosks for the Cities of Forks, Clallam Bay and Sequim – this kiosk project would allow all County business (paying taxes, fines, vehicle registrations, permit fees, etc.) to be conducted at kiosk locations spread around the County. This project will take a lot of work to complete and though we have begun an assessment – it will not be complete in any reasonable amount of time.
 - Tax title sales will be delayed or cancelled. From August 2020-July 2021 we held 4 tax title sales totaling a collection of over \$340,000 for 40 properties. This is labor intensive with vetting of the properties, verifying legal descriptions, BOCC meetings for approval for sale, publication, notice to adjoining land owners, coordinating with the Assessor for values, and posting maps and information with other data entry to our electronic sales platform. We have about 1,600 more properties to vet for tax title process. If we are not allowed the time to complete this task, we will be unable to bring those monies in and put properties back on the tax rolls. **This is the only discretionary task of the Treasurer's office.**

Approving the Treasurer's request

This constitutes a much needed investment in the financial infrastructure of the County and it's 30 other taxing districts by ensuring emergency readiness, strict adherence to internal controls, adequate taxpayer customer support, and the ability for Management staff to meet their required daily tasks while additionally fulfilling the special projects (kiosk implementation, tax title, investment research, required legislation implementation).

Risk Assessment

The Treasurer's office performs many other required tasks in order to successfully complete its functions. We also provide additional support services to the public that directly correlates to the customer service division of our office. Listed below are the Treasurer Office duties, with time and risk measures for each:

1. Fiscal Specialist III – REQUIRED**Full-Time 1FTE**

This is a strong support position in our office and is training to be our REET expert. This position provides front-line customer service by answering phones, helping customers at the counter, and through email. They are the lead of our REET intake and posting. This position balances their daily accounts (payments, mail and counter) and also the REET reports and balancing on a daily basis. They hold appointments for Public, and 3 Title Companies/Attorney offices. This position is cross training to back-up Cashier and Chief Deputy on deposits.

a) RISK: HIGH

When the Cashier is out of office, this position should be able to back-up. When she is back-up Cashier, Chief Deputy and Treasurer must take on the daily tasks of this position. This is very difficult as we do not know from day-to-day what our staffing situation will be and it can change in an instant. This position is the primary for personal property collection and is also primary for mobile distraint, and Advance Tax calculations. This position should be training additionally with Chief Deputy to take on additional tasks such as bankruptcy and assisting with foreclosure and tax title.

b) RESOLUTION:

With a Fiscal II on board, Fiscal III will be able to get her personal property and mobile distraint collections into State compliance. Fiscal III would be able to update REET rules and requirement reference documents and keep current. Fiscal III would be able to take on additional training for bankruptcies, tax title research and data entry, as well as foreclosure.

c) Fiscal III duties attached**2. Cashier function – REQUIRED****Full-Time 1FTE**

This is a highly specialized position that requires extensive training. This position performs required duties for accepting all County and Tax District deposits, balances the incoming and outgoing funds, performs fund transfers, and receipts in all ACH funds. They must balance these funds at the end of each day as required to maintain State compliance. To achieve this, the Cashier requires pre-approved password access and knowledge of on-line banking processes, maintaining electronic check registers, tracking and processing ACH fund deposits, working with other districts to achieve fund transfers including payroll, completing multiple balance spreadsheets, and compiling extensive daily packets for retention purposes. At this time we have 3 staff qualified to act as Cashier.

a) RISK: HIGH

When the assigned Cashier is out of the office, either our Fiscal Specialist III, Investment Officer, or Chief Deputy must fill in this specialized area.

If Fiscal Specialist III is back-up, then Chief Deputy must absorb their duties, performing Fiscal Specialist III duties while they are acting Cashier.

If Investment Officer is back-up, then Senior Accountant must absorb their duties while they are acting Cashier.

If Chief Deputy is back-up, then Fiscal III and Treasurer must perform their duties.

This leaves other required duties open to error and failure in meeting our daily compliance requirements.

b) RESOLUTION:

With a Fiscal II present, the Fiscal III will be able to back-up Cashier without additional workloads and risk of failure and non-compliance by allowing Accountant, Chief Deputy and Senior Accountant tend to their usual daily duties.

c) Cashier duties attached

3. Investments – REQUIRED

Full-Time 1FTE

This is another specialized position that requires extensive training. This position is back-up for the Senior Accountant position. Required daily activities include daily warrant reconciliation, managing the investments for the County and its entities, distributes timber revenue, and reconciles the Cashier (second point of contact) daily transactions and balancing.

a) RISK: HIGH

The Accountant must train with the Senior Accountant as part of our transition plan. They are unable to do this when assisting the Chief Deputy and performing backup duties to the Cashier.

b) RESOLUTION:

With a Fiscal II present, the Accountant will move back to the 2nd backup Cashier position. This allows ample training and backup support to the Senior Accountant.

c) Accountant duties attached.

4. Chief Deputy – REQUIRED

Full-Time 1FTE

This appointed position oversees many daily required duties, as well as provides back-up to Fiscal III, Cashier, Accountant, and Treasurer. Chief Deputy has not been able to train with the new Senior Accountant in order to assist their duties. This position manages day-to-day business, with primary functions to staff training and support, foreclosure, tax title, deposits, and customer service. This position performs many specialized functions that require extensive training and understanding, such as tax statement processing, tax title, foreclosure, annual budget assistance, records retention, daily/weekly/annual refund affidavit processing and balancing, and bankruptcy management.

a) RISK: HIGH

The Chief Deputy must provide training and assistance to staff daily, and must also train with the Senior Accountant and Treasurer as part of our transition plan. Chief Deputy must implement many new rules of legislation and attend training in order to maintain a level of compliance with the State. This includes developing and enhancing new processes and collaborations with the Assessor, Auditor, Sheriff's office and Prosecuting Attorney. Chief Deputy also needs to implement special projects such as working with the Accountant to allow ACH tax payment processing, County kiosk development and implementation, and maintain Electronic REET processing. Electronic REET took hundreds of dedicated hours from August 2020 to February 2021 and continues to need daily attention.

b) RESOLUTION:

With a Fiscal II present, Fiscal III will be able to back-up Cashier while Fiscal II can maintain daily duties. Chief Deputy back-up to Fiscal III will be minimized. With a new team member, Chief Deputy will be able to train for the transition plan of our office, and complete required time consuming tasks.

c) Chief Deputy duties attached.

5. Functions – REQUIRED

The following functions are required by law to be complete daily: (NOTE: 0 time allotted* indicates tasks this position is required to perform, but does not have time in their daily schedule. These duties often are caught up on at some point, still need to be done and are required duties, but are prioritized last. Having additional help will allow us to either designate that task to another team member or allow us to redistribute workloads so the tasks can be complete.)

Fiscal III –

- i. REET close prior day collection
 - i. **45min daily**
- ii. REET mail processing (manual REET)
 - i. Average 8 REET X 7mins average manual processing = **56mins daily**
- iii. Message returns
 - i. Average 7 X 5mins average = **35mins daily**
- iv. REET public appointments (manual REET entry)
 - i. Average 3 appointments X 15mins = **45mins daily**
- v. REET title company appointments (unable to submit electronically)
 - i. Average 4 X 15mins = **60mins daily**
- vi. REET electronic submissions
 - i. Average 20 packages X 5mins = **100mins daily**
- vii. REET end of day balancing
 - i. **45mins daily**
- viii. Payment processing
 - i. **60mins daily**
- ix. Daily reports/till balancing/close day reports
 - i. **30mins daily**
- x. Personal Property Collections (field work, collections contacts, statement printing, payment plans)
 - i. Accounts needing attention : **0 time allotted***
- xi. Mobile Home Distraint (field work, collections contacts, statement printing, payment plans)
 - i. **0 time allotted***
- xii. Advance Tax Requests
 - i. **0 time allotted***
- xiii. Ownership Change Statements (run report, print, review, stamp, stuff envelopes)
 - i. Average 110 per week @ **90mins weekly**
- xiv. Mail processing
 - i. **0 time allotted***
- xv. Customer Service (front desk, walk ins)
 - i. **0 time allotted***

Cashier –

- i. Prior Day and Current Day banking reports and department emails
 - o Average = **110mins daily**
- ii. ACH Tyler/Check register entries
 - o Average 8 entries X 6min average entry = **48mins daily**
- iii. Miscellaneous receipting (Tyler/Eden)
 - o average 20 MR's per day X complete 1 MR average 9mins = **180mins daily**
- iv. Funds transfers
 - o Average = **18mins daily**
- v. Process Official Payments (online payments)
 - o Average 22 entries= average of **30mins daily**
- vi. End of Day Balancing
 - o **90min daily process**

- vii. Return mail – research, process and log
 - **0 time allotted***
- viii. Address changes
 - **0 time allotted***

Accountant –

- i. Manages the investments for County Entities
 - **60mins daily**
- ii. Maintain positive cash – daily reports and ledger balancing in cash and investments
 - **Average 60min daily**
- iii. Investment Ledger – general ledger entry and AS400 entry
 - **Average 180mins daily**
- iv. Warrant reconciliation
 - **Average 90mins daily**
- v. Rate information – collects data from banks, institutions, entities for review
 - **60min weekly**
- vi. Timber revenue – distributes State deposits
 - **60min weekly**
- vii. Reports – research for presentations at finance committee, for BOCC, State Auditors, and Treasurer
 - **1 designated day per meeting**
- viii. Retainage – deposits and releases funds
 - **Average 120mins per month**
- ix. Month-End balancing
 - **4 dedicated days per month (minimum)**
- x. Audits – sales tax revenue
 - **240mins monthly (minimum)**
- xi. Receipts – Jefferson County
 - **120mins per month**
- xii. State Remittance – leasehold tax, DNR distribution, deferred tax, school apportionment receipts
 - **Average 180mins per month**
- xiii. Processes tax payments
 - **Average 60mins daily**
- xiv. Back-up REET counter
 - **Average 60mins weekly**
- xv. Customer service – answering phone, counter and email
 - **45mins daily**
- xvi. Balance end of day
 - **30mins daily**

Chief Deputy –

- i. Records retention – COVID self-attestation, record keeping, organizing and housing, requests
 - **45mins daily**
- ii. Returning correspondence to Public (3 email addresses) and Title Companies
 - **90mins daily**
- iii. Bankruptcy management

- **30mins daily**
- iv. Special projects – Initiate and complete projects, attend demos, BOCC documents, Simplifile, kiosks
 - **90mins daily**
- v. Foreclosure
 - **120mins daily (minimum)**
- vi. Senior/Exempt Proration
 - **2 per day average * 15mins each = 30mins daily (106 complete to date)**
- vii. Refunds – log, balance and cut refunds
 - **4 per day average * 15mins each = 30mins daily (152 complete to date)**
- viii. Deposit – deposit all checks electronically
 - **Non Tax Time average 45mins daily – Month prior, during and month after tax time average 240mins daily**
- ix. Website Maintenance
 - **120mins per week**
- x. Tax preparation Time
 - **9 dedicated days to certify tax rolls**
- xi. Tax Title – vetting, consolidation, BOCC meetings, research legal descriptions, generate maps and logging, put onto virtual platform, conduct sale, create deeds/excise, recording, distribution of funds
 - **1 sale of 12 properties elicits an average of 120hrs to complete or 15days**
- xii. End of year records –
 - **4 dedicated days**
- xiii. Order supplies – as necessary
 - **1hr per week**
- xiv. Budgets
 - **6 dedicated days for annual budget**
- xv. Legislative updates – reading, interpreting, creating processes to effect, training
 - **120mins per week**
- xvi. REET – process EREET and mail in
 - **60mins daily**
- xvii. Train/Assist Staff
 - **45mins daily**
- xviii. Customer service – answer phone, process payments at the counter
 - **90mins daily**
- xix. Balance and perform end of day duties
 - **30mins daily**
- xx. EOC member – attend meetings and training
 - **0 time allotted***
- xxi. COOP member – attend meetings and training
 - **0 time allotted***
- xxii. Duplicate Statement processing
 - **60mins weekly**
- xxiii. Tax payment imports (auto agent) and refunds
 - **3 dedicated days and 90mins daily April and 90mins daily October**
- xxiv. Statements – printing, mailing, electronic files, proofing
 - **5 dedicated days**

Senior Accountant –

- i. Dedicated to Senior Accountant tasks, is able to back-up Chief Deputy for deposits and process tax payments (non-cash) as needed.
- ii. Senior Accountant duties are attached.

Treasurer –

- i. Oversee foreclosure process and assist Chief Deputy
 - o **Average 120mins per day**
- ii. Supplemental – process supplemental statements and tax calculations
 - o **60mins daily**
- iii. Correspondence – mail and email responses
 - o **45min daily**
- iv. Policy & procedures – interprets policy/procedure/codes/regulations for taxpayers
 - o **30min daily**
- v. Payments
 - o **Average 60mins daily (non-tax time)**
 - o **Average 360mins daily (tax time)**
- vi. REET – back-up to Fiscal III and Chief Deputy
 - o **Average 30mins daily minimum and 240mins maximum**
- vii. Manages ENotice Online
 - o **30mins weekly**
- viii. Public Records Requests
 - o **30mins per week**
- ix. Back-up Chief Deputy – senior and exempt calculations
 - o **30mins daily**
- x. Training – provide staff adequate training and monitoring
 - o **60mins daily**
- xi. Personal Property & Mobile Distraint – oversee collections and assist with recording
 - o **60mins daily**
- xii. Payroll
 - o **60mins per month**
- xiii. Balancing end of day
 - o **Average 30mins daily**
- xiv. Statements – printing, mailing, electronic files, proofing, training
 - o **5-10 dedicated days**
- xv. Banking runs – exchange funds and make change
 - a. 90mins weekly
- xvi. Meetings – finance committee, work sessions, regular and Dept. Head meetings
 - a. **Average 120mins monthly**

Risk Response

Internal Controls and Segregation of Duties

- It is the primary duty of the Treasurer to hold the funds of the County and the County's taxing districts. The amount of money so held averages around \$100million dollars.

- Internal controls have been updated and implemented through the prior and current Treasurer. The Treasurer has identified strict adherence to internal controls as a priority to be maintained, even (and especially) during periods of staff resource scarcity.
- Having few staff members available to assist the public and title companies is a detriment to the customer service we are known to have provided in the past.
- With additional staff, we do not anticipate that we can extend our current working hours, however we can ensure the REET counter closures will be minimal.

Staff Security

- To ensure the safety of staff in an office that handles and stores cash, there must be at least 3 staff members to maintain the office open to the public. Two must be present at all times, and a third present to allow for any breaks.
- To ensure strict adherence to internal controls, specific duties must be performed by separate people during any given day:
 - Cashiering and REET intake should not be handled by the same person. Both can accept property tax payments.
 - Neither the Treasurer nor the Senior Accountant are able to handle cash because they are responsible for reviewing, reporting, and auditing.
- On any given day, to open the office to the public, there must be present:
 - Staff member qualified to act as Cashier
 - Staff member qualified for REET intake
 - Staff member qualified to act as Accountant/or able to allow for breaks
- Ensuring staff security, the Treasurer has instructed staff to immediately lock the office if they find themselves alone in the office. They must follow closure procedures which includes, closing and locking the doors, put a sign on the door to inform of closure and expected time of return, notify the Treasurer by phone, and to notify the County Administrator via email if the Treasurer is unavailable.

Qualified Staff

- Minimum of 3 qualified staff must be present at all times: Cashier/Investments and REET intake with additional staff who is qualified for both.
- Investment officer duties include daily warrant reconciliation (only permanent Cashier is trained as back-up for this position), and extensive balancing and daily investment changes as well as transferring daily funds to keep us in the black.
- Customer service needs:
 - Receipting in of property tax payments, accomplished via password protected payment processing software that requires extensive training to navigate.
 - Taking in REET affidavits, which includes immediate review for compliance to a myriad of RCWs and WACs.
 - Daily appointment times to process counter REET from public and from 3 other Title Companies/Attorney offices.
 - Answering phone and email questions and providing forms and tax information.
 - Direct people to the appropriate departments to receive information regarding all other County offices.
 - Deescalate situations with individuals regarding property taxes and foreclosure.
 - Complete change of address requests

- Research information for taxpayers and public records office daily.
- Mail processing
- Training is required. Personal property, mobile distraint, foreclosure, tax title, investments, and legislative updates and requirements are all mandatory. This is an area of non-compliance and needs immediate correction.
- Annual training as required by employer requires adequate time to complete.

Current Staff Levels

- With 1 of the 5 Treasurer staff member accumulating 25 days per year, and another accumulating 15 days per year and all staff accumulating 4 floating holidays and 2 additional “COVID” leave days - Treasurer’s office accumulates:
 - 76 annual leave days
 - 40 sick leave days
 - 20 floating holiday days
 - 6 “COVID” days
 - 142 Days or 28.5 weeks of “short staffing” where 1 or more persons are gone.
 - Treasurer works every day. The office depends on her to show up to help carry the load. **THIS IS OPTIONAL.** The Elected Official is not *required* to work 40+ hour work weeks. The Treasurer does this to ensure proper staffing, support staff and enhance employee morale.
 - If during anyone’s vacation, another staff member is ill or has a family emergency the Treasurer’s office is down 2 people and it leaves the minimum staff available to function.
 - The office also needs the proper combination of people (see above); and
 - The Treasurer herself is in the office, we can remain open.
 - While Treasurer’s staff is exemplary in scheduling time off so as to minimize disruption to the office hour functions, they are obviously not in control of any need to take unanticipated leave.
- To maintain staff security and adherence to internal controls during time of staff scarcity, the Treasurer’s office will (continue) to be subject to unexpected closures to the public unless the request for additional FTE is granted.

REET Processing

- From May 1, 2021 to August 23, 2021 we have processed about 1,483 Affidavits.
- EREET processing:
 - May = 227
 - June = 293
 - July = 290
 - August 23 = 207
 - 1,017 EREET
 - 466 Manual Entry REET (done at the counter by appointment and mail-in)
- While EREET implementation has allowed the processing time (between Treasurer, Assessor and Auditor) to be cut back – the volume has increased as we can reach more customers across the nation.

- This requires live monitoring of our EREET (Simplifile) account
 - Pre-entering Manual entries that are emailed ahead of time to us to shorten the appointment times at the counter
 - EREET is not being done while the REET worker is at the counter for appointment times – or Chief Deputy/Treasurer have to jump in and assist.
 - 10:00am-11:00am Public appointments
 - 1:00pm-1:30pm Frontier Title & Attorneys
 - 1:30pm-2:00pm Olympic Peninsula Title
 - 2:00-2:30pm Clallam Title CO.
 - EREET closes at 2:30pm to allow ample time to complete processing before the Auditor's window closes (electronically) at 4:00pm.
 - THIS IS A FULL TIME JOB
 - With an additional worker, we can have our Fiscal III worker backup Fiscal II on EREET and the new staff member able to handle the Manual REET at the counter from 10:00am-11:00am and from 1:00pm-2:30pm (2.5hrs daily)
 - REET generates revenue for the County
 - Jan 1, 2021 to June 30, 2021 we have collected \$7,478,364.00 in excise tax
 - \$2,225,558.57 will go to capital projects for County
 - \$68,286.47 will go to the County (administrative fees collected)
 - \$10,200 toward state technology fee
 - **This is only 6 months of collected excise**
-

Summary of Impacts

If the Treasurer's request for an additional FTE is granted, Treasurer's office will:

- Be able to continue EREET procedures, uploading timely to the State to maintain compliance;
- Be able to continue daily appointments with public and title companies/attorney offices;
- Better comply with "Clallam County Strategic Goals" and a provide higher level of customer service to the citizens of Clallam County;
- Research and potentially implement the expansion of payment options to the public and title companies;
- Minimize Treasurer office closures due to limited staffing;
- Expand proper cross-training to include Fiscal III training with Chief Deputy for Bankruptcy, and Tax Title and Foreclosure assistance;
- Expand proper cross-training to Fiscal III training with Cashier (as first backup);
- Expand proper cross-training between Accountant and Senior Accountant for backup duties;
- Expand proper cross-training between Senior Accountant and Chief Deputy for backup duties;
- Expand proper cross-training between Treasurer and Chief Deputy for backup duties;
- Continue Tax Title sales, generating revenue for the County;
- Allow adequate time and processing for payment plans to keep homeowners from tax foreclosure;
- Reactivate monthly training for current/new business owners on Assessor/Treasurer functions and requirements to be a successful business owner in Clallam County;

- Get Personal Property and Mobile Distraint into State compliance;
- Get Treasurer's staff back to the COOP and EOC tables;

If Treasurer's request for an additional FTE is denied, Treasurer's Office will:

- Continue to be absentee from COOP and EOC tables, where a primary function of the EOC is Finance;
- Not be able to train additional staff for backup tasks for essential functions
- Not be able to train staff for transition with 1 elected official leaving office, and 1 senior staff member retiring in 1 years' time;
- Continue to close doors to the public due to insufficient staff and inability to maintain our staff safety and office security measures.
- Continue to delay customer service (long wait times for email correspondence, closed doors to public walk-ins, wait time for phone message return calls);
- Be unable to expand appointment times for title companies and taxing districts;
- Delay implementation of County Kiosks for the Cities of Forks, Clallam Bay and Sequim;
- Cancel tax title sales, which is a major revenue generator for the County.

Treasurer – Teresa Marchi

- Plans, organizes, directs, and controls all activities of the Treasurer's Office in accordance with the Revised Code of Washington, the Clallam County Charter, Clallam County Policies, and any requirements of grant funds administered under the authority of the Treasurer.
- Accounts for all operations of the department which includes collecting funds, investments, and redemption of warrants.
- Provides technical and professional advice to other departments, municipalities, and the public, as appropriate.
- Accomplishes short-term and long-range planning, implements and maintains sound organizational practices, controls costs, and otherwise directs and controls all departmental operations to assure optimum services to the County.
- Makes final decisions regarding proposed changes to these internal controls, including banking security and employee duties.
- Verifies and processes payroll for the office
- Prepares legal publications and notices
- Conducts Quarterly Finance Committee Meetings
- Attends Monthly Department Head Meetings
- Prepares cancellations and supplemental statements
- Customer service (counter phone) and email
- Accepts and processes tax payments
- Interprets policies, procedures, codes and regulations for taxpayers in person and on phone
- Prepares and trains staff for the Annual Tax Statement Processing
- Coordinates (and trains) printing of tax statements with printing vendor
- Reviews and processes REET at counter and thru Simplifile
- REET daily balancing, reports, and copy distribution (done by all, time permitting)
- Balances daily receipts runs PACS reports and prepares deposit for taxes collected
- Prepares checks for electronic deposit, gives reports, cash, and credit card transactions to cashier
- Processes tax payments
- Processes overpayment refunds
- Troubleshoots PACS (Property Appraisal and Collections Software) issues
- Fields taxpayer correspondence via mail and website inquiries
- Backup Chief Deputy hosting on-line sales of tax title properties and assists in distributing funds
- Trains staff
- Backup and Train Chief Deputy Foreclosure proceedings (year long process).
- Oversees collection of personal property and mobile home taxes, including distraint
- Oversees plat reviews
- End of January – BOCC work session re uncollectible personal property taxes and refunds made during the year (work with Chief Deputy)
- Backup Chief Deputy- prepares and prorates exempt and non-exempt tax issues
- Backup Senior Accountant - process accounts payable invoices

- Backup Senior Accountant - Statement of Taxes Collected
- Backup Investment Officer - investments

Senior Accountant – Lisa Partridge

GENERAL DUTIES

- Performs all duties as outlined below under “specific duties”
- Performs responsibilities of “Treasurer’s Senior Accountant” outlined in Policy 502 Financial System Operations and Security
- Works with State Auditors during annual audits to provide information and documentation
- Reports to the Treasurer and Chief Financial Officer with activities reviewed for adequacy of professional judgment, compliance with state statutes and auditing regulations, and achievement of results consistent with objectives
- Write and revise procedures, internal control policies, and other policy directives and statements for the County and the Treasurer’s office
- Monitor compliance of other County departments and junior taxing districts with regulatory deposit requirements
- Review software for potential purchase by Treasurer’s office
- Administrator for Tyler Cashiering: generate account parameters for all users, create and/or update BARS numbers for the system and do year end procedures
- Backup to the Budget Director/Financial System Administrator in the Eden Financial System
- Monitor and review Treasurer’s office banking arrangements, including bank charges, account services, and security measures
- Regularly review internal policies and procedures for changes necessary to ensure internal policies remain current and effective
- Follow through consistent with state law and County policy in case potential discrepancies or other problems are identified
- Communicate and work with Senior Accountants, fiscal specialists, and financial officers of other County departments as well as other taxing districts as needed to accomplish duties
- Research and posts corrections to the general ledger
- Regularly and randomly reviews other employees in Treasurer’s office for compliance with internal policies and procedures
- Trains others in Treasurer’s office as backups as assigned
- Answers the phone during particularly busy times

Due to the limited staff capacity of the Treasurer’s office, the Senior Accountant processes tax payments made by check during particularly busy times. Internal controls over such transactions are maintained as follows:

- The Cashier balances the Daily Summary reports for each user, and verifies any voided payments reflected on the Cashiers Grouping Summary.
- Any diversion of tax payments made by check would be subject to discovery by the taxpayer upon receipt of a delinquent statement as well as subject to bank verification.

DAILY DUTIES

- Review Cashiering Receipts, compare to Tyler Cashiering Batch Report
- Track deposits for Districts and Departments, Sheriff and Jail, and Department of Community Development
- Post Cashiering files for Treasurer's office and DCD (Department of Community Development)
- Scan cashiering receipts
- Record School District Cash Balances
- Record PACS taxes from BALMAST on Schools Daily Cash Balances
- Review REET affidavits processed
- Update Advance Travel unfunded checks listing
- Record School District cash balances
- Record PACS taxes on Schools Daily Cash Balances
- Enter REET in PACS
- REET daily balancing, reports, and copy distribution (done by all, time permitting)
- Backup for Foreclosure Specialist electronically deposits checks and provide end of day deposit bank report to cashier to confirm amount deposited
- Secondary backup for Investment Officer on warrant issues, redemptions and voids

WEEKLY DUTIES

- Export REET affidavit data to DOR (Department of Revenue)
- Process office accounts payable

MONTHLY DUTIES

- REET Statement of Taxes Collected
- Change excise date on REET thumper
- Import Court remittance files
- Import PACS taxes
- Close month in PACS
- Book warrant errors and cashier over/short
- Prepare and email Sheriff Deposit tracking spreadsheet
- Prepare cities distribution receipt
- Prepare REET Distribution Report
- Prepare school reports
- Generate and distribute Eden and Investment reports to taxing districts
- Update Finance Committee graphs/spreadsheets
- A8 State Remittance Reporting to the State
- Book State Pool interest
- Bank account reconciliations: Treasurer, Advance Travel, Flexible Benefits, Workers Compensation, and any banks with Certificates of Deposits
- Suspense account reconciliations
- Update Bank Analysis monthly tracking spreadsheets

- Import US Bank images from CD
- Import RDM CD titled Remote Check Deposit Archive (electronically deposited checks)
- Schools Daily Cash Balance spreadsheet
- Randomly audit two Cashier Daily Balancing Packets for each month

QUARTERLY or SEMI-ANNUALLY DUTIES

- Private Harvest tax distributions (Paid quarterly (Feb, May, Aug, Nov) by State and distributed by County by next-month-end)
- June 1 and December 1 – Bond payments
- Random Cash Counts
- May and November – pay by check Cashmere Valley Bank bond payments (for SD 323) and Bank of America bond payment (for Forks Community Hospital)
- Jan 24 and Jul 24 book Fire District 5 USDA Loan Payment (automatic ACH Debit payment)

ANNUAL DUTIES

- January – work with Treasurer on PACS Year-end Checklist
- January – invoices to various districts for bank charges
- January – invoice City of Port Angeles Stormwater
- January – notify Treasurer of delinquent LID (Local Improvement District)
- First Monday of February – Annual Report of Collections to County Auditor pursuant to RCW 84.56.300
- February – report to DOR re Property Tax Collections for previous year
- July 1 – (after June distribution is posted) change PACS mapping of 5th year tax collections to current expense
- August – fiscal year Collection Activity for State Levy Report to DOR
- End of August – create Taxes Receivable reports for schools for the fiscal school year = 9/1/20XX to 8/31/20XX
- August – create new school year in Eden
- December – create and mail LID Statements
- End of December – run PACS Receivable Summary reports for all taxing districts for calendar year

Accountant (Investment Officer) – Jeanette Gorr

- Uses on line banking to run daily reports and compares reports to check register
- Redeem warrants with daily reconciliation to the bank
- Issue all school, Forks Hospital and Fire District 3 warrants in Eden, process any voided warrants or manual issue requests
- Download and send tax import file for Auto Agent and other tax processing institutions
- Assists Senior Accountant with month-end balancing of investments and warrants
- Audits Sales Tax Revenue sharing report for UGA/Port Angeles prepared by cashier
- Works with Department of Revenue to ensure correct distribution of Sales Tax Revenue
- Audits DOR Hotel/Motel reports prepared by cashier

- Works with Department of Revenue to ensure correct distribution of Hotel/Motel Revenue
- Prepares monthly Jefferson County receipts
- Prepares weekly and month-end state remittance receipts which include Leasehold Excise Tax Receipt (bimonthly), DNR Interest distribution receipt, deferred tax payments, DNR Timber and Other Receipts, and School Apportionment Receipts
- Processes Retainage deposits and releases of deposits
- Bills Road Improvement District (RID) assessments
- Update revenue on DNR Timber spreadsheet shared with the CFO
- Prepares periodic reports of investment activity for all funds and for Finance Committee, Board of County Commissioners, State Auditors, and Treasurer
- Prepares investment general ledger receipts
- Manages the investments for the county and entities
- Distributes State Pool interest on a monthly basis
- Transfers State Pool Investment between funds in Computech to maintain positive cash balances
- Confers with various financial institutions, entities, and State Treasurer's Office for rate information
- Monitors cash and investment balances to maintain positive cash
- Prepares checks for electronic deposit, gives reports, cash, and credit card transactions to cashier
- Customer service (counter and phone)
- Accepts and processes tax payments
- Interprets policies, procedures, codes and regulations for taxpayers in person and on phone
- Reviews and processes REET at counter
- Inputs REET in PACS
- REET daily balancing, reports, and copy distribution (done by all, time permitting)
- Issues mobile home move permits
- Backup Senior Accountant as Tyler Cashiering Administrator
- Backup Senior Accountant REET auditing, uploading and month end processes
- Backup REET Specialist/Chief Deputy in identifying the need to close the REET counter and implementing closure
- Backup Cashier in all daily activities – ACH research and identification, posting Official Payments, balancing, etc.
- Backup Cashier preparing school district direct deposit wire receipt and initiates wire timely
- Backup Cashier preparing school district payroll tax receipt

Cashier (Fiscal Specialist IV) – Mary Orsborn

- Accepts and processes deposits from county departments and junior taxing districts
- Enters all Miscellaneous Receipts in Tyler Cashiering
- Identify and post into Tyler incoming and outgoing ACH payments. Research and reject ACH payments that cannot be identified
- Initiates VitalChek ACH payments
- Processes credit card, e-check, and debit card transactions through Official Payments

- Daily balancing of PAC reports with Balancing Spreadsheet and entering into Balmast. Close day in PACS. Balance Balmast with PACS reports month to date periodically during the month and at end of month. Print end of month proof for the Senior Accountant.
- Prepares and maintains daily cash balancing via spreadsheets and other daily reports and places them in safe (most recent) and vault
- Maintains check register for Treasurer's funds, recording checks, ACH credits and debits, and deposits to bank
- Log incoming secure deposit bags and secure in safe for Loomis pickup
- Reviews deposits and voided transactions from other employees
- Prepares daily deposits for bank
- Monitor cashier email account
- Assists investment position in determining incoming and outgoing funds to maintain a positive cash balance in Treasurer checking account
- Initiates wire transfers for bond payments, school payroll funds, and monthly distributions
- Transfers funds through Single Point for Fire District 3 payroll, City of PA distribution, and Workers Comp account; transfer funds into main account from Parks
- Processes returned deposit items and bank corrections
- Issues Advance Travel, receives reimbursements, and maintains the check register
- Opens and distributes incoming mail, both USPS and internal mail
- Deposit Flexible Benefit funds
- Orders checks, deposit slips and deposit bags for Treasurer's Bank account and Advance Travel
- Determines currency needs and initiates orders with US BankCustomer service (counter and phone)
- Accepts and processes tax payments
- Interprets policies, procedures, codes and regulations for taxpayers in person and on phone
- Accepts and processes tax payments at counter
- Answers phone when other office staff is not available
- Researches return mail, resends and changes address in PACS
- Enters change of address requests in PACS
- Prepares Sales Tax Revenue sharing report for UGA/Port Angeles
- Prepares Hotel/Motel reports for Budget Director for CB/Seki businesses
- Backup Investment Officer on banking report comparison to check register for Treasurer General and Advance Travel accounts and determining cash requirements
- Backup for Investment Officer on warrant issues, redemptions and voids

Chief Deputy (REET/Foreclosure Specialist) – Jennifer White

- Prepares prorated exempt and non-exempt calculations for exempt properties being transferred
- Monitors Washington Administrative Codes and RCWs for changes in Excise exemption rules
- Maintains REET instruction & processes notebooks in compliance with State rules
- Generates new tax statements for new owners of properties recently transferred once a week
- Create, print, and mail delinquent tax notices for real property

- Works with Assessor's office personnel (including REET, senior exemptions, and foreclosure waivers)
- Orders supplies as needed
- Electronically deposits checks daily and provide end of day deposit bank report to cashier to confirm amount deposited
- Perform daily records retention duties (destroy electronically processed warrants)
- Continuation of Operations Plan (COOP) lead, essential employee
- Incident Management Team representative (EOC)
- Vet tax title properties, and conduct tax title sales
- Create deeds, excise and distribute funds for all foreclosure and tax title sales
- Oversee advance tax requests for personal property and mobile homes leaving the County
- Update annual tax statement forms and create all brochures regarding legislative changes and support services
- Create literature for tax statement inserts
- Fulfill State records requests for excise
- Report and follow procedures to request DOR audit for excise
- Create an implement new legislative compliant processes (foreclosure, distraint, tax payment processing, etc).
- Maintain duplicate statement processing and distribution list
- Import all Auto Agent payments into PACS and apply mortgage company payments
- Administer refunds to mortgage companies and agents
- Run daily, weekly, monthly queries to balance refunds, foreclosure, and tax title properties
- Maintain office website and social media
- Maintains REET email and WebTreas email accounts
- Oversee boundary line adjustments/short plat records
- Train staff and maintain training literature for Fiscal III and assist with Cashier
- Assist Treasurer, Senior Accountant and Accountant with budget processes
- Maintain office records (COVID attestations and reports)
- Work with Treasurer to develop new systems for payment processing
- Assist Treasurer in office closure procedures, and implement office closure plans
- Updates Tax Title/County owned properties list; identify what can be sold, contact adjoining land owners, prepare for sale
- Prepares annual property tax statements
- January – record retention; destroy records or notify state archivist of items for pickup
- End of January – BOCC work Session re uncollectible personal property taxes and refunds made during the year (work with Treasurer)
- October – check that emergency supplies are within cutoff dates
- Backup Treasurer preparing cancellations and supplemental statements
- Process refund petitions
- Deliver annual refund petition ledger by district for levy process to Assessor
- Prepares short letters if processing mail
- Maintains REET contact list

- Responsible for identifying the need to close the REET counter and implementing closure
- Interprets policies, procedures, codes and regulations for taxpayers in person and on the phone
- Second responder customer service (counter and phone)
- Accepts and processes tax payments
- Interprets policies, procedures, codes and regulations for taxpayers in person and on phone
- Reviews and processes REET at counter
- Inputs REET in PACS (manual and EREET)
- REET daily balancing, reports, and copy distribution (done by all, time permitting)
- Balances daily receipts and cash box, runs PACS reports and prepares deposit for taxes collected
- Prepares checks for electronic deposit, gives reports, cash, and credit card transactions to cashier
- Issues mobile home move permits
- Assists Treasurer in updating a desk manual
- Secondary backup Cashier in all daily activities
- Backup Fiscal III in all daily duties

Mobile Home/Personal Property Specialist (Fiscal Specialist III) – Jill Landes

- First responder customer service (counter and phone)
- First responder accepting and processing tax payments at counter, mail-in and drop off
- Interprets policies, procedures, codes and regulations for taxpayers in person and on phone
- Reviews and processes REET at counter
- Enter REET in PACS
- REET daily balancing, reports, and copy distribution (done by all, time permitting)
- Balances daily receipts and cash box, runs PACS reports and prepares deposit for taxes collected
- Prepares checks for electronic deposit, gives reports, cash, and credit card transactions to cashier
- Issues mobile home move permits
- Processes REET mail ins (primary)
- Enters address changes into PACS
- Researches returned mail
- Prepares short letters
- Mobile home collection/distrain
- Personal property collection/distrain
- Produces delinquent tax notices for mobile homes and personal property
- Handles bankruptcies
- Scans short letters in PACS Events and enter on the master log
- Scans paid in full checks received and the letter sending it back and enter on the master log
- Auto Agent once a week (every other day in April and October)
- Maintain vault storage of REET, returned mail, drop box envelopes, and address changes
- Scans mobile home move permits and maintains spreadsheet on K drive (annually)
- Bring recycle bin from the vault into the office on Wednesday AM, take it outside Wednesday PM, bring it back to the vault on Thursday
- Unload packs of paper delivered into the cupboard

- Breakdown cardboard boxes and take them to the outside bin
- Backup for Cashier
- Secondary backup for Chief Deputy electronically depositing checks and provide end of day deposit bank report to cashier to confirm amount deposited



Treasurer's Justification of Position

223 E 4th St., Suite 3 • Port Angeles, WA • 98362

Position: **Fiscal Specialist II**

Department: **Treasurer**

Range: **46** Step: **1**

Beginning Salary: **\$20.32hr / \$3,521mo / \$42,253yr**

REASON FOR REQUEST (Briefly explain why this position is necessary):

We are currently understaffed and struggling to complete daily tasks. In an effort to conserve public funds, the current Treasurer has not replaced a worker that was needed in 2017 due to an abrupt Treasurer resignation that occurred that same year. With the pandemic guiding departments to develop contactless transactions; it has significantly increased our workloads and has forced staff to work on many special projects to be able to meet the needs of the Public and County. Electronic REET implementation, as well as necessary upgrades to servers, tax title sales, and increasing payment options to the Public; have all contributed directly to the overwhelming daily tasks. We require dedicated customer service, mail processing, payment processing, and special project assistance in order to be successful in all areas. By having a dedicated worker to complete the daily tasks it will significantly redistribute the work load across our office.

POSITION OVERVIEW (Briefly state the primary purpose of this position):

The purpose of this position will be to assume many of the office daily tasks and is an entry-level position.

POSITION DESCRIPTION (Briefly state the primary duties and responsibilities of this position):

This position will primarily be our front-line customer service worker. Assisting public at the counter; on the phone and through email; processing and distributing mail; processing payments; inputting address changes. If there is additional time, they will be trained to input REET/EREET and run all daily reports required for their daily activities and to balance the REET account daily.

SPECIAL SKILLS (List specialized clerical, administrative, technical skills needed to perform duties):

Keyboarding; willing to be trained on department programs/software- and successfully operate such; ability to use 10-key by touch; great communication and customer service skills; good problem solving and resolution skills; strong time management; ability to adapt to changing and growing work environment.

PHYSICAL REQUIREMENT (List minimum physical requirements or labor skills necessary):

Typically requires prolonged walking, standing and sitting for 30+mins at a time; ability to lift 30+ lbs.; finger dexterity for typing and 10-key operation; able to focus on computer screens for 2+hrs at a time; able to push cart for storage units on carpet and concrete surfaces; manage noise level in the office work environment at a moderate level.

ADDITIONAL SKILLS/PROFESSIONAL CHARACTERISTICS (List any education, formal training, knowledge, skills, and abilities desired for this position):

High School Diploma required

ADDITIONAL CONSIDERATION:

We would like to note our office has worked for as long as we have been able to reserve public funds by workers assuming additional duties for the past 3.5 years. It is no longer feasible or efficient to continue at the current rate. We have 2 senior staff who intend to retire within the next 1-1.5 years and the Treasurer's office requires adequately trained staff to make this transition successful. At this time, we would like to onboard one support staff now, to assist with this.



Hiring Manager, Teresa Marchi, Treasurer

Date

1-1-21+1.00%

7-1-21 Teamster, FLSA Exempt, 1619MP, 1619LC, DPA

Range	Period	1	2	3	4	5	6	7	8	9
41	Hourly	17.954	18.404	18.865	19.335	19.819	20.315	20.823	21.342	21.876
	40 Hr Monthly	3,112.15	3,189.95	3,269.69	3,351.44	3,435.21	3,521.10	3,609.12	3,699.35	3,791.85
	Annual	37,345.78	38,279.44	39,236.23	40,217.25	41,222.50	42,253.23	43,309.44	44,392.23	45,502.16
42	Hourly	18.404	18.865	19.335	19.819	20.315	20.823	21.342	21.876	22.423
	40 Hr Monthly	3,189.95	3,269.69	3,351.44	3,435.21	3,521.10	3,609.12	3,699.35	3,791.85	3,886.64
	Annual	38,279.44	39,236.23	40,217.25	41,222.50	42,253.23	43,309.44	44,392.23	45,502.16	46,639.64
43	Hourly	18.865	19.335	19.819	20.315	20.823	21.342	21.876	22.423	22.984
	40 Hr Monthly	3,269.69	3,351.44	3,435.21	3,521.10	3,609.12	3,699.35	3,791.85	3,886.64	3,983.80
	Annual	39,236.23	40,217.25	41,222.50	42,253.23	43,309.44	44,392.23	45,502.16	46,639.64	47,805.65
44	Hourly	19.335	19.819	20.315	20.823	21.342	21.876	22.423	22.984	23.559
	40 Hr Monthly	3,351.44	3,435.21	3,521.10	3,609.12	3,699.35	3,791.85	3,886.64	3,983.80	4,083.40
	Annual	40,217.25	41,222.50	42,253.23	43,309.44	44,392.23	45,502.16	46,639.64	47,805.65	49,000.75
45	Hourly	19.819	20.315	20.823	21.342	21.876	22.423	22.984	23.559	24.147
	40 Hr Monthly	3,435.21	3,521.10	3,609.12	3,699.35	3,791.85	3,886.64	3,983.80	4,083.40	4,185.49
	Annual	41,222.50	42,253.23	43,309.44	44,392.23	45,502.16	46,639.64	47,805.65	49,000.75	50,225.87
46	Hourly	20.315	20.823	21.342	21.876	22.423	22.984	23.559	24.147	24.751
	40 Hr Monthly	3,521.10	3,609.12	3,699.35	3,791.85	3,886.64	3,983.80	4,083.40	4,185.49	4,290.11
	Annual	42,253.23	43,309.44	44,392.23	45,502.16	46,639.64	47,805.65	49,000.75	50,225.87	51,481.33
47	Hourly	20.823	21.342	21.876	22.423	22.984	23.559	24.147	24.751	25.370
	40 Hr Monthly	3,609.12	3,699.35	3,791.85	3,886.64	3,983.80	4,083.40	4,185.49	4,290.11	4,397.36
	Annual	43,309.44	44,392.23	45,502.16	46,639.64	47,805.65	49,000.75	50,225.87	51,481.33	52,768.35
48	Hourly	21.342	21.876	22.423	22.984	23.559	24.147	24.751	25.370	26.004
	40 Hr Monthly	3,699.35	3,791.85	3,886.64	3,983.80	4,083.40	4,185.49	4,290.11	4,397.36	4,507.31
	Annual	44,392.23	45,502.16	46,639.64	47,805.65	49,000.75	50,225.87	51,481.33	52,768.35	54,087.78
49	Hourly	21.876	22.423	22.984	23.559	24.147	24.751	25.370	26.004	26.654
	40 Hr Monthly	3,791.85	3,886.64	3,983.80	4,083.40	4,185.49	4,290.11	4,397.36	4,507.31	4,619.99
	Annual	45,502.16	46,639.64	47,805.65	49,000.75	50,225.87	51,481.33	52,768.35	54,087.78	55,439.88
50	Hourly	22.423	22.984	23.559	24.147	24.751	25.370	26.004	26.654	27.320
	40 Hr Monthly	3,886.64	3,983.80	4,083.40	4,185.49	4,290.11	4,397.36	4,507.31	4,619.99	4,735.49
	Annual	46,639.64	47,805.65	49,000.75	50,225.87	51,481.33	52,768.35	54,087.78	55,439.88	56,825.91
51	Hourly	22.984	23.559	24.147	24.751	25.370	26.004	26.654	27.320	28.003
	40 Hr Monthly	3,983.80	4,083.40	4,185.49	4,290.11	4,397.36	4,507.31	4,619.99	4,735.49	4,853.87
	Annual	47,805.65	49,000.75	50,225.87	51,481.33	52,768.35	54,087.78	55,439.88	56,825.91	58,246.42
52	Hourly	23.559	24.147	24.751	25.370	26.004	26.654	27.320	28.003	28.704
	40 Hr Monthly	4,083.40	4,185.49	4,290.11	4,397.36	4,507.31	4,619.99	4,735.49	4,853.87	4,975.21
	Annual	49,000.75	50,225.87	51,481.33	52,768.35	54,087.78	55,439.88	56,825.91	58,246.42	59,702.51
53	Hourly	24.147	24.751	25.370	26.004	26.654	27.320	28.003	28.704	29.421
	40 Hr Monthly	4,185.49	4,290.11	4,397.36	4,507.31	4,619.99	4,735.49	4,853.87	4,975.21	5,099.60
	Annual	50,225.87	51,481.33	52,768.35	54,087.78	55,439.88	56,825.91	58,246.42	59,702.51	61,195.16
54	Hourly	24.751	25.370	26.004	26.654	27.320	28.003	28.704	29.421	30.155
	40 Hr Monthly	4,290.11	4,397.36	4,507.31	4,619.99	4,735.49	4,853.87	4,975.21	5,099.60	5,227.09
	Annual	51,481.33	52,768.35	54,087.78	55,439.88	56,825.91	58,246.42	59,702.51	61,195.16	62,725.05
55	Hourly	25.370	26.004	26.654	27.320	28.003	28.704	29.421	30.155	30.910
	40 Hr Monthly	4,397.36	4,507.31	4,619.99	4,735.49	4,853.87	4,975.21	5,099.60	5,227.09	5,357.75
	Annual	52,768.35	54,087.78	55,439.88	56,825.91	58,246.42	59,702.51	61,195.16	62,725.05	64,293.02

*Ranges 1-25 are excluded due to WA State Minimum Wage Law

2018=\$11.50/hour 2019=\$12.00/hour 2020=\$13.50

*1619LC hired prior to 7/1/2018 will be paid an additional 5% in their respective range/step

Class Summary

The responsibilities of this classification include providing technical, financial, accounting and/or fiscal support services. Duties also include basic coding of financial, accounting and/or fiscal information, calculating accounts payable and accounts receivable and cashiering.

Distinguishing Characteristics

This is the second level of a four-level classification series. The Fiscal Specialist II differs from other classifications in this series in that the incumbent performs financial, accounting and/or fiscal support tasks that are technically or procedurally complex. Duties include performing basic coding of financial accounting and/or fiscal information; performing calculations involving accounts receivable and accounts payable; and reconciliation of accounts and payroll. Work is performed under general supervision and requires a moderate degree of independent judgment. This classification is distinguished from general office support and customer service support classification series in that the incumbent's primary focus is technical accounting and financial support.

Essential Functions

- Provide specialized and/or technical information that requires moderate interpretation of established policies, procedures and guidelines to internal and/or external customers. Some incumbents may have to deal with sensitive and/or potentially volatile situations
- Compile data that may require information searches through files, contracts, records, microfilm, or computer files, including spreadsheets and/or customized database applications
- Perform basic numerical calculations involving accounts payable, accounts receivable, cashiering, reconciliation of accounts, monitoring of routine expenditures, payroll and/or other applications
- Perform basic coding of financial, accounting and/or fiscal information
- Establish, maintain, modify, retrieve and track financial, accounting and/or fiscal information using a variety of methods
- Enter, obtain and/or verify financial, accounting and/or fiscal information following established clearly defined methods and guidelines
- Provide technical assistance to customers with regard to appropriate and applicable codes, policies, regulations, contracts and laws
- Maintain, inventory, order, collect and distribute supplies and/or equipment
- May compose, draft, type and/or word process, proofread and edit documents, contracts and/or correspondence
- Process mailings and documents that may require attaching related correspondence or information; select mail to handle personally where the response requires specialized

knowledge of the assigned function; identify priority and/or time-sensitive matters; and maintain security and confidentiality.

- Conduct orientation and/or train coworkers
- Modify and update assigned work procedures

Qualifications

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Knowledge of:

Knowledge of the job assignment sufficient to perform thoroughly and accurately the full scope of responsibility as illustrated by examples in the above job description

Knowledge of clerical and administrative procedures, practices and policies

Knowledge of modern office procedures, methods and equipment including computers and related software

Knowledge of principles of business letter writing, research and report preparation

Knowledge of physical standards for work involving computer use including appropriate seating, arm and/or wrist usage

Knowledge of conflict resolution techniques and problem-solving skills

Knowledge of general office principles and practices

Knowledge of software applications relative to the position assignment

Knowledge of proper English grammar, usage and spelling

Knowledge of word processing and spreadsheet applications

Knowledge of basic accounting and mathematics

Skill in:

Skill in keyboarding (speed required may vary according to position assignment)

Skill in communication (oral and written)

Skill in interpersonal and human relations

Skill in organization

Skill in problem-solving

Skill in customer service, in person and via telephone (discretion, patience, etiquette, professionalism)

Skill in using 10-key machine by touch

Skill in numerical analysis

Skill in operation of a variety of office equipment, such as fax machine and copier

Skill in following oral and written instructions

Skill in adapting to changes in work load demand

Skill in following through on assignments

Skills in acquiring knowledge of specialized terminology relevant to position assignment

Skill in taking initiative

Skill in conducting research for a specific work assignment

Skill in working on multiple projects simultaneously

Skill in maintaining confidentiality of sensitive matters

Ability to:

Ability to demonstrate competency in required job skills and knowledge

Ability to communicate clearly and effectively, both verbally and in writing, with coworkers, other government agencies, contractors, and the general public
Ability to work independently and as part of a team, coordinating with others to facilitate teamwork
Ability to perform multiple tasks simultaneously under tight deadlines, prioritizing work and managing own time
Apply common sense understanding when carrying out instructions furnished in written or oral form
Ability to learn and apply new skills
Ability to keep abreast of current developments using available resources effectively
Ability to be inquisitive
Ability to be methodical and logical
Ability to demonstrate attention to detail
Ability to demonstrate accuracy and thoroughness at all times
Ability to be organized, showing excellent administrative skills
Ability to select and use appropriate communication methods
Ability to get along well with others
Ability to cooperate in a team environment
Ability to problem solve in a group environment
Ability to confront difficult situations while maintaining objectivity
Ability to keep emotions under control
Ability to establish and maintain effective relations
Ability to exhibit good listening and comprehension
Ability to meet attendance standards necessary for successful job performance

Education and Experience Required:

Requires knowledge of the field of assignment sufficient to perform thoroughly and accurately the full scope of responsibility as illustrated by examples in the above job description.

Education:

High school diploma or general education degree (GED)

Experience:

Prior experience and/or training preferred; to perform this job successfully, an individual should have a great deal of computer knowledge and ability.

Licensing/Certification Requirements

Washington State Driver's License
U.S. citizenship (selected positions)
Pass polygraph test (selected positions)
Pass Psychological Evaluation (selected positions)
Pass Physical (selected positions)
Drug testing (selected positions)
Pass Background Check
Pass OSHA/Designated Required Training

Note: Any first aid rendered by such persons is rendered only as a collateral duty responding solely to injuries resulting from workplace incidents, generally at the location where the incident occurred.

Physical Demands and Environment

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job, the Fiscal Specialist will be working primarily in an office setting. The work typically requires prolonged walking and standing for 30+ minutes at a time. The employee is occasionally required to sit, stand, walk, stoop, bend, kneel, crouch, reach, push, pull, twist; use ladders/stepstools, use hands to finger, handle or feel, talk or hear. The employee must occasionally lift and/or move up to 30+ pounds. There will be focus on a computer screen for 2+ hours at a time which will require specific vision abilities. The employee will be required to push a cart to storage units and push over carpets, concrete and aggregate surfaces. The noise level in the work environment is moderate.

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

High Exposure Designation

The employee assigned to this position may work within a high exposure classification as defined under the Occupational Safety & Health Act and Washington Administrative Code governing Washington Industrial Safety & Health Act for blood borne pathogens protocols.

Essential Worker Designation

The employee assigned to this position may be designated as an “essential worker.” Essential workers are required by the county to respond and perform work functions during an emergency in order to ensure the protection of the health, safety, and welfare of the citizens of Clallam County and public facilities and property located therein. The county maintains the right to recall essential workers during any emergency and/or as necessary to restore governmental functions during extended emergencies.

Requirement for Confidentiality

The employee assigned to this position works in the capacity of a confidential employee and is required to maintain confidentiality with regard to a broad range of matters including, but not limited to: employee performance, the management of protected health information, and matters protected by the attorney – client privilege. Any breach of this requirement of employment may result in immediate discipline, up to and including termination.

General Disclaimer

The statements contained herein reflect general details as necessary to describe the principal functions of this position, the level of knowledge and skill typically required, and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements. The individual may be directed to perform other duties as assigned including work in other functional areas to cover absences or relief, to equalize peak work periods or otherwise to balance the workload.



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

8
9/27/21

Department: BOCC

WORK SESSION ☒ **Meeting Date: 9-27-21**

REGULAR AGENDA ☒ **Meeting Date: 10-5-21**

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other - CRC recommendation response |

Executive summary:

Commissioners' Response to Charter Review Commission's Recommendations:

Upon receipt of the five formal recommendations presented to the County Commissioners by the Charter Review Commission, the BOCC has prepared a formal response to each using the process outlined in our County Charter.

After an initial work session discussion to review the Commissioners' responses in draft form, additional edits have been made and we anticipate the document being reviewed today will be the final draft, save any additional edits that are made during the work session conversation.

Once the Commissioners are satisfied with the entirety of the document it will be added to our next regular meeting agenda for formal adoption and signature by all three Commissioners.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Review and recommend approval of the Charter Review recommendation responses.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



MARK OZIAS, District 1, Chair
RANDY JOHNSON, District 2
BILL PEACH, District 3

Board of Clallam County Commissioners

223 East 4th Street, Suite 4
Port Angeles, WA 98362-3015
360.417.2233 Fax: 360.417.2493
Email: commissioners@co.clallam.wa.us

RICH SILL, County Administrator

October 5, 2021

2020 Clallam County Charter Review Commission County Commissioners' Formal Response to Recommendations

Background

Clallam County is a "Home Rule Charter" county, which in effect means that Clallam County has its own County Constitution, or Charter, rather than utilizing the system of county governance that is established by state law.

Every five years a group of county residents is elected by their peers to serve on the Charter Review Commission which is tasked with reviewing the county Charter to vet and suggest for further consideration, either directly by voters in the form of Charter Amendments or by providing recommendations to the Board of County Commissioners for additional vetting with county residents.

Section 11.10.40 of our Charter lays out a process for the County Commissioners to follow when presented with formal recommendations by the Charter Review Commission:

The Board of Commissioners shall conduct meetings, as required, including district town hall meetings, to fully vet publically all recommendations for changes or revisions to county operations and procedures (not proposed for ballot measures) forwarded to them by the Charter Review Commission. The meetings shall engage the public and shall encourage public comment on the proposed changes and revisions. Upon the conclusion of the meetings, the Board of Commissioners shall issue written conclusions and responses to the recommendations, including timetables for adoption of the recommendation and/or reasons for not adopting the recommendation. (New article proposed by the Charter Review Commission and approved by the voters November 3, 2015.)

Since the mechanism for presenting formal recommendations to the County Commissioners was adopted in 2015, and since the Charter Review Commission did not meet again until 2020, this is the first time that a Board of County Commissioners has received recommendations, engaged the public, encouraged public comment and issued written conclusions and responses to the recommendations.

Charter Review Commission's Recommendations

The five formal recommendations forwarded to the Board of County Commissioners by the 2020 Charter Review Commission are:

1. The BOCC shall take all required and necessary legal actions to ensure that any franchise associated with new radio frequency devices or systems operating in the micro or millimeter wave frequency range be accompanied by a scientific study determining that such law, regulation or franchise is in compliance with the National Environmental Policy Act (NEPA) prior to the enactment or granting of any franchise.
2. The Clallam County Board of County Commissioners pass a resolution calling on the state legislature to pass legislation, which would enable the County (and other jurisdictions in the state) to adopt ranked-choice voting for local elections, if they so choose.
3. That Clallam County increase its monitoring of the DNR's management of its trust lands by hiring a forester.
4. The Clallam County Board of Commissioners immediately take active leadership to reclaim and renew their primary leadership role in engaging a group of public and private organizations and businesses to creatively increase affordable housing availability, apply forward thinking ideas proven to be successful in communities that have reduced the experience of homelessness effectively, and report progress back to the community every six months.
5. The BOCC and the DCD shall jointly agree to commission a third-party review of the County ordinances and solicit a report on proposed changes to ordinances and operating procedures to clarify the roles and responsibilities of the DCD. The BOCC will consider, after public review and hearings, any proposed Ordinances for adoption within 120 days of the commissioned report. BOCC shall place on the November 2022 ballot, if needed, any necessary Charter changes to clarify the powers and duties of an elected DCD Director.

Public Engagement Process

The County Commissioners have engaged in a variety of efforts to "engage the public and encourage public comment" on these recommendations, including:

- Multiple Public Hearings, including morning, afternoon and evening events, attended by all three County Commissioners
- Presentations and question/answer opportunities with the Forks Chamber of Commerce (Commissioner Peach,) the Port Angeles Regional Chamber of Commerce (Commissioner Johnson,) and the Sequim-Dungeness Chamber of Commerce (Commissioner Ozias)
- Town hall-style events held by each County Commissioner in our respective Districts
- Radio outreach and question/answer opportunities on KONP and KSQM
- Written comments received (mostly via email) from October 2020 through June 2021
- Individual conversations with county residents

Our intent was to provide a variety of times, forums and formats to engage the public. The Public Hearings, and by extension the written comments received over several months, were where public engagement was most effective and successful. The Chamber of Commerce events were all well-attended and provided opportunities to further explore the recommendations that garnered the most interest. The town hall-style events were not an effective means of communicating with the public; despite broad promotion attendance at these events was essentially nil. It is certainly likely that in-person attendance was impacted by COVID-19. The radio outreach opportunities provided a good way to share and discuss the recommendations but were less effective in terms of engaging the public.

Commissioners' Responses to Recommendations

1. *"The BOCC shall take all required and necessary legal actions to ensure that any franchise associated with new radio frequency devices or systems operating in the micro or millimeter wave frequency range be accompanied by a scientific study determining that such law, regulation or franchise is in compliance with the National Environmental Policy Act (NEPA) prior to the enactment or granting of any franchise."*

This recommendation relates to "5G" technology that is currently being deployed across the country. The general topic of "5G" generated the highest volume of comments from members of the community during the Charter Review process, with a significant number concerned about the safety of this technology and others looking forward to improved mobile and broadband speed capability in a county with poor access to broadband.

The Commissioners understand that concerns exist regarding public health and safety that have been raised during this discussion. Small cell or 5G wireless technology is substantively different from previous technologies and its impacts have not been widely studied; most health concerns center around the increase in involuntary exposure to electromagnetic radiation. Public health concerns relating to this new technology have caused other countries to take a variety of actions, including Switzerland placing a moratorium on the use of its 5G network in February of 2020 before developing new environmental guidelines that were released in February of 2021.

In county government, elected officials are tasked with looking to their Prosecuting Attorney's office for legal advice and guidance. Legal guidance from our Prosecuting Attorney's office indicated:

- Clallam County can only grant franchises along county roads or rights-of-way owned by the county, and we have no authority to grant or deny franchises along state highways. Franchises in cities are managed by cities, while public or private providers may also seek easements across private property or purchase property themselves on which to locate equipment.
- Clallam County's ability to regulate telecommunications equipment is limited by the Telecommunications Act of 1996 and the Commerce Clause of the U.S. Constitution. While Clallam County retains some regulatory authority over our rights-of-way, the extent to which the County can regulate telecommunications is quite restricted: "No State or local statute or regulation, or other State or local requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." The Act goes on to state that "regulation of the placement, construction and modification of personal wireless service facilities by any...local government...shall not prohibit or have the effect of prohibiting the provision of personal wireless services."

The legal opinion goes on to indicate that a requirement to ensure compliance with NEPA would create many hurdles that would need to be overcome before the telecommunications equipment could be installed, and would seem to require action by the FCC that neither Clallam County nor the company applying for the franchise could force the FCC to take. It is also unclear what specific steps would be necessary to demonstrate compliance with NEPA. The Commissioners believe the result of creating an Ordinance that would require NEPA compliance would seem to be that no entity would be able to obtain such a franchise, which would likely be viewed by the Court as an outright and unlawful ban.

Furthermore, federal law already requires compliance with NEPA. The county Ordinance that is being suggested would, in effect, ask an entity that is applying for a wireless franchise to be compliant with federal law that already exists. The Commissioners do not believe that any county department has the expertise necessary to even evaluate NEPA compliance in this context.

Regardless of whether a local jurisdiction like Clallam County may or may not wish to regulate wireless technology, Congress has ensured that only Congress itself can regulate such technology under the Commerce Clause of the U.S. Constitution. As cities and counties have pushed back against the reality that we have little ability to regulate wireless franchises and "5G" technology, the Court has substantially upheld FCC rules and underscored the extremely limited ability local jurisdictions have to enact local regulations. While local jurisdictions have been found to be able to legally regulate franchise fees and the aesthetics of cell towers, no local jurisdictions have been found to be able to legally regulate franchise agreements based on public health concerns.

Conclusion: There is no action that Clallam County could reasonably or legally take to ensure compliance with NEPA that federal law doesn't already require, making any proposed Ordinance redundant at best and potentially placing the County in legal jeopardy at worst. When coupled with the fact that there are many other jurisdictions within Clallam County that have the ability to grant wireless franchises, the Commissioners see no benefit – public health or otherwise – to even attempting to place an additional regulatory burden on entities seeking a new wireless franchise.

Additionally, the Commissioners do not believe that the County Charter is the appropriate location in which to identify or direct any specific Ordinance; rather, its purpose is to describe how Ordinances are to be adopted, amended or rescinded. The Charter envisions an Initiative Process, outlined in Sections 8.10, 8.20, 8.30, 8.40 and 8.50 which is to be used when the people desire a new Ordinance.

The Commissioners will continue to follow this topic closely should the regulatory environment change in the future in such a way as to allow local jurisdictions more authority.

2. *"The Clallam County Board of County Commissioners pass a resolution calling on the state legislature to pass legislation, which would enable the County (and other jurisdictions in the state) to adopt ranked-choice voting for local elections, if they so choose."*

Ranked-choice voting is an electoral system in which voters have the ability to rank multiple candidates by preference on their ballots, rather than just voting for a single candidate. Under a ranked-choice system, if a candidate garners a majority (more than 50%) of first-place votes they are declared the winner. If no candidate achieves a majority of first-place votes, then the candidate with the fewest first-place votes is eliminated. The first preference votes cast for the failed candidate are eliminated, lifting the second-place votes on those ballots. The count is re-tallied, and if there is still not a majority winner the process repeats until a candidate achieves a majority.

Ranked-choice voting has been instituted in a variety of states and locales across the United States, most notably Maine and New York City. It is currently being considered by local jurisdictions as well, including the City of Seattle.

Proponents of ranked-choice voting believe that ranked-choice voting ensures that candidates with the broadest support win, and that it levels the field for all candidates. It effectively allows voters to vote their actual preferences instead of having to vote strategically; for example, a voter might rank their *actual* favorite candidate first, followed by the candidate they can live with and who they expect to win. This assures that if their first place vote is negated, their second-place vote will still have meaning. Proponents argue that ranked-choice voting might also reduce distortions in partisan representation, reduce the entrenchment of incumbents in "safe" seats, reduce some of the vitriol currently taking place in elections and improve representation and competition.

Opponents of ranked-choice voting have expressed concern that it is too complicated and difficult to understand, which could discourage some from exercising their right to vote. Some point to the value of a traditional primary that elevates the top two candidates, who then have several months to engage each other and the public to garner support in the general election. Others point to data from previous elections that illustrate ranked-choice voting usually produces similar outcomes to traditional elections. Conversely, there is concern that ranked-choice voting could result in "fringe" candidates winning. Finally the complexity in counting votes can delay the final outcome for a longer period of time, resulting in further questions about the integrity of the system.

This recommendation garnered a substantial volume of comments from county residents, with approximately even numbers in support and in opposition. There are strong feelings about ranked-choice voting, but no clear mandate.

The potential cost related to the implementation of ranked-choice voting is unclear. County Auditor Shoona Riggs has done preliminary research and indicates that the county's voting system vendor believes that its system would require a substantial overhaul in order to accommodate a ranked-choice election; in addition to new or updated software there would also be an unknown impact on the elections staff needed to manage a more complex vote counting process. The County Commissioners believe that should ranked-choice voting eventually be allowed by the state legislature and then adopted by a vote of county residents, a robust and ongoing public education campaign would be necessary to help explain the new system.

Conclusion: The County Commissioners see no reason to preclude Clallam County voters from adopting ranked-choice voting should it be allowed by state law. While no Commissioner is opposed to considering a Resolution that would call on the state legislature to allow for ranked-choice voting, the Commissioners note that in recent legislative sessions Bills to allow for ranked-choice voting have garnered little traction and have never advanced past the preliminary stages of the legislative process. Since there is no clear mandate from Clallam County voters, the Commissioners believe there would be little-to-no impact in forwarding such a Resolution at this time. Of course, any interested individual is encouraged to reach out to our state representatives to share their support for, or opposition to, ranked choice voting.

Rather, the Commissioners believe that a combination of internal preparatory work – namely developing a more clear understanding of what it would take in terms of technology, software, hardware and staff time, coupled with increased public education about ranked-choice voting are more important and meaningful exercises. Should it become clear that the state legislature is actively and realistically

contemplating legislation that would allow for ranked-choice voting at some point in the future, the County Commissioners believe that it would be wholly-appropriate to consider the proposed Resolution at that time.

3. *"That Clallam County increase monitoring of the DNR's management of its trust lands by hiring a forester."*

The Department of Natural Resources (DNR) manages approximately 92,000 acres of Clallam County Trust Lands for commercial forestry with a mandate to return revenue to the county and to junior taxing districts. This is an important source of revenue for all parties, but most especially for some junior taxing districts.

There is no doubt that the DNR has an antiquated and inadequate inventory system and the County Commissioners agree that improvements are needed. However, both the state House and Senate recently passed bills to fund significant improvements in the DNR's inventory system so there is reason to expect improvement. Furthermore, Clallam County has been working with other "timber counties" through the Washington Association of Counties Timber Counties Caucus to review the entirety of the DNR's system – not just inventory management – and have developed a common set of priorities to take to the DNR and to the legislature. These priorities, and the entire assessment, can be viewed in greater detail at [Trust Lands Performance Assessment Project: Charting a Course for the Future \(wa.gov\)](https://www.wa.gov/Trust-Lands-Performance-Assessment-Project-Charting-a-Course-for-the-Future)

We believe this effort will be more successful than any action taken by an individual county because of the many involved timber counties and because the DNR has instituted a broad review process and has a stake in its success. The Commissioners believe that there may be increased opportunity for local engagement at the conclusion of this effort.

In addition, the Commissioners have allocated a large amount of time and effort working with the DNR's Regional Office to improve the flow of information available to the county and to junior taxing districts. This information and accountability have continued to improve with time, although new financial systems, new GIS systems and myriad other recommended improvements need to be implemented.

Because the Charter Review Commission did not envision a job description for this position it is impossible to know exactly what may have been considered beyond an improved understanding of actual inventory on the ground. When discussing this recommendation with county citizens, the Commissioners found that most either had no opinion or did not understand the potential role of such a position.

Others believed that for such a position to have value, the job description would need to be sufficiently expansive as to help establish broad vision and policy for the future of county trust lands. Given that our Charter defines the role of the elected Director of Community Development as "...advise(ing) the County Commissioners on all laws...with respect to the environment, natural resources, and land and shoreline development, including...forest management..." the Commissioners continue to see the need for language in the Charter that clarifies the responsibility of the Commissioners vs. the Director of Community Development specifically with regard to county trustlands.

Conclusion: The Commissioners will not move forward with hiring a county forester at this time. We will continue to work with fellow Timber Counties Caucus members and the Department of Natural Resources both locally and in Olympia to continue to improve and provide recommendations regarding forest management, operations, improved transparency, sustainable harvest calculation and the fiduciary duty of the DNR to provide funding for our schools and junior taxing districts.

The Commissioners note the need for clarification in our Charter; it is logical that the Director of Community Development would be the party directly responsible for timberland conversions to other land use changes. It is not logical that the broader issues at hand including timberland trust performance and policy issues which result in funding for the county and junior taxing districts fall under the purview of the DCD. The Commissioners will therefore continue to operate as we currently do in performing our fiduciary duties and plan to recommend a Charter change to clarify these ambiguities.

4. *"The Clallam County Board of Commissioners immediately take active leadership to reclaim and renew their primary leadership role in engaging a group of public and private organizations and businesses to creatively increase affordable housing availability, apply forward thinking ideas proven to be successful in communities that have reduced the experience of homelessness effectively, and report progress back to the community every six months."*

The County Commissioners are acutely aware that housing and homelessness rank among the top concerns of our community and of county governance, and we are engaged in a variety of efforts in this arena.

However, we must point out that while our Charter indicates that Charter Review recommendations be forwarded to the Commissioners this recommendation may have been better directed to the elected Director of Community Development, who is specifically empowered by our Charter to "administer, enforce and advise the County Commissioners on all laws, except health, with respect to...land and shoreline development, including, but not limited to, zoning, land divisions, environmental policy, building and fire codes..." Nothing is more central to community development then enumerating and pursuing a housing policy and recommending new or updated Ordinance, planning documents or development regulations in support of this policy. (The Commissioners do acknowledge that Director Winborn created a pre-approved "tiny home" plan available to county residents.)

Because no broad vision or plan for increasing the availability of affordable housing has ever been presented by any elected Director of Community Development, and given the immediate and substantial need for more affordable housing options in our county, the Commissioners are providing leadership by:

- Planning for the strategic use of the HB 1406 revenue stream for maximum impact now
- Considering how the Opportunity Fund can be paired with other revenue sources to facilitate the development of affordable housing units
- Working with community partners including the Peninsula Housing Authority, Habitat for Humanity, Peninsula Behavioral Health, Serenity House, Healthy Families, Sarge's Place and private builders to create a land bank, community land trust or similar model to reduce the cost of affordable housing and to create a method of ensuring affordable housing stock in perpetuity
- Leading a housing/homelessness working group to establish priorities and opportunities for dollars recently made available through the American Recovery Plan Act
- Working with Serenity House, Peninsula Behavioral Health and the Peninsula Housing Authority to support funding applications and planning processes for affordable housing projects in multiple areas of the county
- Providing a letter of support and funding to support a current application to the Dept. of Commerce Housing Trust Fund for a 25-27 unit affordable housing project being spearheaded by Peninsula Behavioral Health
- Supporting the United Way in leading a "Housing Summit" to bring service providers, cities and community members together to examine alternatives for increasing housing stock

The Commissioners do have a clear role to play with regard to addressing homelessness and the coordinated entry system. We are currently engaged in the following:

- Implementing a Clallam County Homelessness Gaps and Needs Analysis, including targeted recommendations
- Working closely with Serenity House to facilitate a major expansion of their overnight shelter
- Supporting the Homelessness Task Force in their work to improve the RFP and funding process for the dedicated revenue streams that can be used to build homelessness programming and infrastructure
- Funding a variety of programs that support homeless individuals in pursuit of permanent housing
- Planning for in-house management and oversight for the coordinated entry system, a responsibility which is currently deferred to Serenity House

Conclusion: While our Charter indicates that the Director of Community Development is tasked with the primary leadership role in developing and recommending policy to engage public and private organizations and businesses to creatively increase affordable housing availability, nevertheless the Commissioners are highly-engaged in this work due to its importance and due to the reality that most in the community (up to and including the Charter Review Commission) see this as the Commissioners' job.

The Commissioners believe that the combination of new revenue sources (primarily HB 1406 and ARPA funds) coupled with intense community focus provides the opportunity to make real gains in the provision and availability of affordable housing in the next few years.

As supported by the recently-concluded Homelessness survey and gaps analysis, our efforts in the homelessness arena will be focused on expanding and improving coordinated entry, increasing funding for effective outreach and case management services, expanding shelter options, considering strategies like establishing safe parking areas and most importantly working to ensure improved coordination and communication among and between service providers, and between providers and business and community leaders.

Affordable housing in all forms is and will continue to be a major issue for Clallam County. This has a direct effect on the wellbeing of our County and will continue to be a major focus of the Commissioners. Leadership provision, vision-setting and policy development related to housing and affordable housing are topics that would benefit from clarification in our Charter language.

- 5. The BOCC and the DCD shall jointly agree to commission a third-party review of the County ordinances and solicit a report on proposed changes to ordinances and operating procedures to clarify the roles and responsibilities of the DCD. The BOCC will consider, after public review and hearings, any proposed Ordinances for adoption within 120 days of the commissioned report. BOCC shall place on the November 2022 ballot, if needed, any necessary Charter changes to clarify the powers and duties of an elected DCD Director.*

Clallam County is unique in Washington State, and we believe in the entire country, in that our Director of Community Development is an elected – rather than appointed – position. Due to the unusual and challenging nature of this arrangement, previous Charter Review Commissions have asked county voters to re-affirm this choice several times and each time voters have affirmed that they do, in fact, wish this county official to be elected by the people.

One of the unique challenges arising from this situation is that state and federal law do not recognize the elected authority of this official. Therefore, any number of planning documents, grant agreements and contracts that would appear to fall squarely under the jurisdiction of the elected DCD in fact require that

final action be taken by the Board of County Commissioners. This reality truly “muddies the waters” when attempting to describe and capture the intended authority of the DCD in county Ordinance, policy or procedure.

As previously noted, the waters are further muddied by public perception. Our Charter language indicates that the DCD take the lead in developing broad environmental vision around forestry policy, yet when no policy has been advanced the public (via the Charter Review Commission) asks the Commissioners to act to fill the void by hiring a forester. Our Charter language indicates that the DCD should take the lead in developing affordable housing policy, yet when no such policy has been advanced the public (via the Charter Review Commission) asks the Commissioners to reclaim our natural leadership role in this arena.

It is these “muddy waters” that underscored this recommendation and there is little doubt that all parties would benefit from greater clarity. Since the recommendation asks the Commissioners and the DCD to jointly agree to a third-party review of county Ordinances we began by discussing the recommendation and potential third-party reviewers at a Commissioners’ work session late in 2020.

During that discussion, Director of Community Development Mary Ellen Winborn indicated that she did not believe that such a review was as important or necessary as improving relationships between her and the Commissioners and requested consideration of a mediation to help improve these relationships prior to any third-party review.

The Commissioners have agreed to mediation as requested by Director Winborn and each Commissioner will engage in an individual mediation with Director Winborn sometime this summer. Our expectation is that we can begin with a third-party review as recommended by the Charter Review Commission at the conclusion of these mediations.

Conclusion: The Commissioners believe there would be value in engaging in the third-party review as suggested by the Charter Review Commission and plan to work with Director Winborn to identify an appropriate “third party” to review county Ordinance after the completion of these mediations. Should the review indicate consideration of changes or updates to Ordinance, policy or procedure the Commissioners will move forward with the appropriate required processes to vet them with the public.

Recommendations for Next Time

The Commissioners deeply appreciate the service of those elected to the 2020 Charter Review Commission and commend them for their effort and dedication, particularly given the tremendous impact of the COVID-19 pandemic. Our county government only works when residents are active participants and those who serve on the Charter Review Commission do all of us a great service; even more so in 2020 during such a difficult time.

Based on our experience receiving and responding to formal recommendations from the Charter Review Commission for the first time, we wish to offer the following observations and recommendations for the next Charter Review cycle for the consideration of future Charter Review Commissioners and future County Commissioners. The County Commissioners recognize the unusual challenges that the 2020 Charter Review Commission faced as they worked around the COVID-19 pandemic and understand the extreme impact the pandemic had on the CRC’s process and public participation plan.

- Given that most people who are elected as Charter Review Commissioners may not be wholly familiar with the structure of county government generally, nor with the functioning of Clallam County government specifically, we believe that it is vital for future Charter Review Commissions to spend sufficient time “up-front” to build up their knowledge base. ***This is particularly important given that these recommendations relate to "changes or revisions to***

county operations or procedures,”rather than topics that are worthy of inclusion in the Charter itself, which is intended as a document that outlines the structure, authorities and operation of county government.

- It was very difficult to engage the public in a meaningful way after the conclusion of the formal Charter Review effort. Most county residents who were interested in engaging in the topics being raised for consideration by the Charter Review Commission provided their input during the Charter Review process. Our recommendation is to ensure robust public engagement during the year the Charter Review Commission is meeting; again, we realize that the 2020 CRC’s process was severely hampered by the COVID-19 pandemic.
- The Commissioners question the benefit of the Charter language that was adopted in 2015 that asks Charter Review Commissioners to make suggestions related to county operations or procedures. We believe that county residents are best-served by a Charter Review Commission that focuses its attention on the Charter document itself, rather than being distracted by “getting into the weeds” by focusing on operational or procedural issues and our suggestion to the next Charter Review Commission is to reconsider the efficacy of this language.

Sincerely,

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

Randy Johnson

Bill Peach



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

9
9/27/21
1C

Department: BOCC - Finance

WORK SESSION ☒ Meeting Date: September 27, 2021

REGULAR AGENDA ☒ Meeting Date: September 28, 2021

Required originals approved and attached? ☐

Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance Discussion | ☐ Final Ordinance | ☒ Other Termination of ARPA Agreement |

Documents exempt from public disclosure attached: ☐

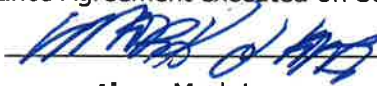
Executive summary:

On September 7, 2021, the Clallam County Board of County Commissioners executed an ARPA direct Grant Assistance Agreement that was effective between Clallam County Washington and an entity that was purported to be New Hope Food Bank (the Recipient). This agreement was for the provision of Federal ARPA funds to the Recipient to assist in the purchase of a building to house the Food Bank so that it could continue to meet community need by providing food security to families and community members in need of food because of the impacts of the COVID-19 pandemic. At the time that New Hope Food Bank was set to close on the subject property, it came to the attention of Advantage Escrow Company and Clallam County that New Hope Food Bank was not a legal entity able to purchase and hold the subject property.

Since that time, the Recipient has taken steps to re-organize and make relevant applications to the Washington Secretary of State for organization as, and creation of, a non-profit corporation. The Recipient has re-applied for ARPA Direct Grant funds under its new identity. Based on the foregoing, the original ARPA Direct Grant Assistance Agreement, executed by the Clallam County Board of County Commissioners on September 7, 2021, between Clallam County Washington and the New Hope Food Bank, is hereby terminated pursuant to Paragraph Five (5) of said agreement which states that "the County may terminate this Agreement for convenience or otherwise and for no consideration or damages, upon prior notice to the Recipient." This termination is effective immediately.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Sign letter terminating ARPA Direct Grant Assistance Agreement executed on September 7, 2021.

County Official signature & print name:  Mark Lane

Name of Employee/Stakeholder attending meeting: Mark Lane

Relevant Departments: BOCC and Finance

Date submitted: 9/20/2021

* Work Session Meeting - Submit 1 single sided/not stapled copy Notice of Termination of New Hope Food Bank ARPA agreement 09-28-21

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019

Questions? Call Loni Gores, Clerk of the Board, ext 2256



Board of Clallam County Commissioners

223 East 4th Street, Suite 4
Port Angeles, WA 98362-3015
360.417.2233 Fax: 360.417.2493
Email: commissioners@co.clallam.wa.us

MARK OZIAS, District 1, Chair
RANDY JOHNSON, District 2
BILL PEACH, District 3

RICH SILL, County Administrator

September 28, 2021

New Hope Food Bank
Attn: Tom Hull, President
PO Box 336
16693 Highway 112
Clallam Bay, WA 98326

RE: Notice of Termination of ARPA Direct Grant Assistance Agreement

On September 7, 2021, the Clallam County Board of County Commissioners executed an ARPA direct Grant Assistance Agreement that was effective between Clallam County Washington and an entity that was purported to be New Hope Food Bank (the Recipient). This agreement was for the provision of Federal ARPA funds to the Recipient to assist in the purchase of a building to house the Food Bank so that it could continue to meet community need by providing food security to families and community members in need of food because of the impacts of the COVID-19 pandemic. At the time that New Hope Food Bank was set to close on the subject property, it came to the attention of Advantage Escrow Company and Clallam County that New Hope Food Bank was not a legal entity able to purchase and hold the subject property.

Since that time, the Recipient has taken steps to re-organize and make relevant applications to the Washington Secretary of State for organization as, and creation of, a non-profit corporation. The Recipient has re-applied for ARPA Direct Grant funds under its new identity. Based on the foregoing, the original ARPA Direct Grant Assistance Agreement, executed by the Clallam County Board of County Commissioners on September 7, 2021, between Clallam County Washington and the New Hope Food Bank, is hereby terminated pursuant to Paragraph Five (5) of said agreement which states that "the County may terminate this Agreement for convenience or otherwise and for no consideration or damages, upon prior notice to the Recipient." This termination is effective immediately.

Any questions regarding this Notice may be directed to Mark Lane at 360-417-2383 or by email at mlane@co.clallam.wa.us.

Sincerely,

Clallam County Board of Commissioners

Mark Ozias, Chair

Randy Johnson

Bill Peach

Cc: New Hope Food Bank



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

10
9/27/21

Department: Finance

WORK SESSION ☒ **Meeting Date:** **09/27/2021**

REGULAR AGENDA ☐ **Meeting Date:**

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|---|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU | |
| ☐ Resolution | ☐ Proclamation | ☒ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive Summary:

COUNTY DEPARTMENT NEED REQUESTS FOR FUNDING FROM THE AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BACKGROUND

In May 2021, the County was awarded \$15,020,640 of federal stimulus funding from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Funds ("ARPA Funds") under Section 603(b) of the Social Security Act, as amended by Section 9901 of the American Rescue Plan Act ("ARPA Act"). The County received the first half of these funds on May 28, 2021, with the 2nd half of these funds to be disbursed to the County by the US Treasury one year thereafter.

On June 15th, 2021, a memo was distributed by the Finance Department to each Clallam County department head/elected official providing a list of authorized uses of funds and requesting that departments review funding needs within their areas for the BOCC to consider when determining how ARPA funds awarded to the County will be allocated. The funding requests are divided into cost requirements for each year of the four years of funding eligibility.

The submitted requests were collected, vetted to determine eligibility, assigned into ARPA eligible expenditure categories and summarized in the attached workbook for BOCC review.

Several of the department requests would have been eligible under the ARPA eligible "*Cost Category 2- Costs to provide government services funded with revenue lost by the county as a result of the pandemic*"; however, a review of Clallam County lost revenue was conducted by the Finance Department which determined Clallam County, the public entity, did not qualify for any lost revenue

* Work Session Meeting - Submit 1 single sided/not stapled copy Request.docx

Agenda Item Summary --ARPA County Department Funding

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019

credit as a result of COVID-19. While no longer eligible for the less restrictive lost revenue funding category within ARPA, the requests remain in the workbook for informational purposes.

As outlined in the attached workbook, a total of \$9,890,105 of ARPA eligible funding request have been submitted by various county departments with such requests broken down as follows:

1.4	Prevention in Congregate Settings	\$ 283,872
1.7	Capital Investments	\$2,623,804
1.8	COVID-19 Public Health Expenses	\$ 368,000
2.13	Other Economic Support	\$1,199,000
4.1	Premium Pay - Public Sector Employees	\$ 52,000
5.1	Clean Water – Wastewater Treatment	\$ 200,000
5.2	Clean Water – Wastewater Collection	\$4,714,000
5.10	Drinking Water – Treatment	\$ 100,000
5.16	Broadband – Last Mile	\$ 69,681
7.1	Administrative Expenses	\$ 279,248

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐

Once a roadmap of projected usage of the ARPA Funds for internal Clallam County department needs is determined and approved by the BOCC, a Budget Change Form will be submitted to appropriately modify the budget for the American Rescue Plan Act Special Revenue Fund and the affected county department fund's revenues and expenditures. There is no grant match requirement.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Following discussion of these requests, we are soliciting BOCC feedback on which requests it wishes to allocate ARPA funding to support.

County Official signature & print name:

Rich Meier

Name of Employee/Stakeholder attending meeting: Mark Lane

Relevant Departments: Finance, BOCC, Auditor, Health and Human Services, Information
Technology, Juvenile Services, Parks and Facilities, Prosecuting Attorney,
Public Works, Sheriff

Date submitted:

September 22, 2021

* Work Session Meeting - Submit 1 single sided/not stapled copy
Request.docx

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

**CLALLAM COUNTY--COMMITTED & UNCOMMITTED ARPA FUNDS TO
DATE--AS OF 9/22/2021**

Based on Revised Ask of
Peninsula Food Coalition

Total ARPA Award : \$ 15,020,640.00

Amounts Committed to Date

Clallam County Economic Development Council	\$ 2,500,000.00
Clallam County Economic Development Council - Childcare	\$ 500,000.00
Clallam County PUD	\$ 350,000.00
Affordable Housing/Homelessness Support	\$ 369,903.00
Local Water Systems Infrastructure	\$ 150,000.00
Food Security Support to Local Food Banks	\$ 1,883,950.00
Affordable Housing--Peninsula Housing Authority - All View Motel	\$ 737,500.00

(PBH \$210k, Habitat for Humanity \$100k, NORVHN \$59,903)

(PA Food Bank \$1.348 million, Sequim FB \$186k, Forks FB \$100k, New Hope Clallam Bay \$250k)
(Includes initial \$337.5k commitment, and \$400k additional match discussed in 9/20 Work Session)

Total ARPA Committed to Date: \$ 6,491,353.00

Total Internal County Commitments: \$

Total Remaining for Current Year: \$ 1,018,967.00

(To Be Discussed)

Total Remaining to be Allocated of \$15 million ARPA Award: \$ 8,529,287.00

with the loan discounted at the recipient's cost of funding. A recipient's cost of funding can be determined based on the interest rates of securities with a similar maturity to the cash flow being discounted that were either (i) recently issued by the recipient or (ii) recently issued by a unit of state, local, or Tribal government similar to the recipient. Recipients that have adopted the Current Expected Credit Loss (CECL) standard may also treat the cost of the loan as equal to the CECL-based expected credit losses over the life of the loan. Recipients may measure projected losses either once, at the time the loan is extended, or annually over the covered period.

Under either approach for measuring the amount of funds used to make loans with maturities longer than December 31, 2026, recipients would not be subject to restrictions under 2 CFR 200.307(e)(1) and need not separately track repayment of principal or interest.

Any contribution of Fiscal Recovery Funds to a revolving loan fund must follow the approach described above for loans with maturities longer than December 31, 2026. In other words, a recipient could contribute Fiscal Recovery Funds to a revolving loan fund, provided that the revolving loan fund makes loans that are eligible uses and the Fiscal Recovery Funds contributed represent the projected cost of loans made over the life of the revolving loan fund.

4.12. May funds be used for outreach to increase uptake of federal assistance like the Child Tax Credit or federal programs like SNAP? [7/14]

Yes. Eligible uses to address negative economic impacts include work "to improve efficacy of programs addressing negative economic impacts, including through use of data analysis, targeted consumer outreach, improvements to data or technology infrastructure, and impact evaluations." See 31 CFR 35.6(b)(10). Of note, per the CSFRF/CLFRF [Reporting Guidance](#), allowable use of funds for evaluations may also include other types of program evaluations focused on program improvement and evidence building. In addition, recipients may use funds to facilitate access to health and social services in populations and communities disproportionately impacted by the COVID-19 pandemic, including benefits navigators or marketing efforts to increase consumer uptake of federal tax credits, benefits, or assistance programs that respond to negative economic impacts of the pandemic. See 31 CFR 35.6(b)(12).

5. Eligible Uses – Premium Pay

5.1. What criteria should recipients use in identifying essential workers to receive premium pay?

Essential workers are those in critical infrastructure sectors who regularly perform in-person work, interact with others at work, or physically handle items handled by others.

Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Interim Final Rule. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents.

The Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of [eligible projects](#) include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of [eligible projects](#) include: construction of publicly-owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water

plan in a judicial, administrative, or regulatory proceeding, except to the extent the judgment or settlement requires the provision of services that would respond to the COVID-19 public health emergency. That is, satisfaction of a settlement or judgment would not itself respond to COVID-19 with respect to the public health emergency or its negative economic impacts, unless the settlement requires the provision of services or aid that did directly respond to these needs, as described above.

In addition, as described in Section V.III of this **SUPPLEMENTARY INFORMATION**, Treasury will establish reporting and record keeping requirements for uses within this category, including enhanced reporting requirements for certain types of uses.

Question 1: Are there other types of services or costs that Treasury should consider as eligible uses to respond to the public health impacts of COVID-19? Describe how these respond to the COVID-19 public health emergency.

Question 2: The interim final rule permits coverage of payroll and benefits costs of public health and safety staff primarily dedicated to COVID-19 response, as well as rehiring of public sector staff up to pre-pandemic levels. For how long should these measures remain in place? What other measures or presumptions might Treasury consider to assess the extent to which public sector staff are engaged in COVID-19 response, and therefore reimbursable, in an easily-administrable manner?

Question 3: The interim final rule permits rehiring of public sector staff up to the government's pre-pandemic staffing level, which is measured based on employment as of January 27, 2020. Does this approach adequately measure the pre-pandemic staffing level in a manner that is both accurate and easily administrable? Why or why not?

Question 4: The interim final rule permits deposits to Unemployment Insurance Trust Funds, or using funds to pay back advances, up to the pre-pandemic balance. What, if any, conditions should be considered to ensure that funds repair economic impacts of the pandemic and strengthen unemployment insurance systems?

Question 5: Are there other types of services or costs that Treasury should consider as eligible uses to respond to the negative economic impacts of COVID-19? Describe how these respond to the COVID-19 public health emergency.

Question 6: What other measures, presumptions, or considerations could be used to assess "impacted industries"

affected by the COVID-19 public health emergency?

Question 7: What are the advantages and disadvantages of using Qualified Census Tracts and services provided by Tribal governments to delineate where a broader range of eligible uses are presumed to be responsive to the public health and economic impacts of COVID-19? What other measures might Treasury consider? Are there other populations or geographic areas that were disproportionately impacted by the pandemic that should be explicitly included?

Question 8: Are there other services or costs that Treasury should consider as eligible uses to respond to the disproportionate impacts of COVID-19 on low-income populations and communities? Describe how these respond to the COVID-19 public health emergency or its negative economic impacts, including its exacerbation of pre-existing challenges in these areas.

Question 9: The interim final rule includes eligible uses to support affordable housing and stronger neighborhoods in disproportionately-impacted communities. Discuss the advantages and disadvantages of explicitly including other uses to support affordable housing and stronger neighborhoods, including rehabilitation of blighted properties or demolition of abandoned or vacant properties. In what ways does, or does not, this potential use address public health or economic impacts of the pandemic? What considerations, if any, could support use of Fiscal Recovery Funds in ways that do not result in resident displacement or loss of affordable housing units?

B. Premium Pay

Fiscal Recovery Funds payments may be used by recipients to provide premium pay to eligible workers performing essential work during the COVID-19 public health emergency or to provide grants to third-party employers with eligible workers performing essential work.⁹⁵ These are workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.

Since the start of the COVID-19 public health emergency in January 2020, essential workers have put their physical wellbeing at risk to meet the daily needs of their communities and to provide care for others. In the course of this work, many essential workers have

contracted or died of COVID-19.⁹⁶ Several examples reflect the severity of the health impacts for essential workers. Meat processing plants became "hotspots" for transmission, with 700 new cases reported at a single plant on a single day in May 2020.⁹⁷ In New York City, 120 employees of the Metropolitan Transit Authority were estimated to have died due to COVID-19 by mid-May 2020, with nearly 4,000 testing positive for the virus.⁹⁸ Furthermore, many essential workers are people of color or low-wage workers.⁹⁹ These workers, in particular, have borne a disproportionate share of the health and economic impacts of the pandemic. Such workers include:

- Staff at nursing homes, hospitals, and home care settings;
- Workers at farms, food production facilities, grocery stores, and restaurants;
- Janitors and sanitation workers;
- Truck drivers, transit staff, and warehouse workers;
- Public health and safety staff;
- Childcare workers, educators, and other school staff; and
- Social service and human services staff.

During the public health emergency, employers' policies on COVID-19-related hazard pay have varied widely, with many essential workers not yet compensated for the heightened risks they have faced and continue to face.¹⁰⁰

⁹⁶ See, e.g., Centers for Disease Control and Prevention, COVID Data Tracker: Cases & Death among Healthcare Personnel, <https://covid.cdc.gov/covid-data-tracker/#health-care-personnel> (last visited May 4, 2021); Centers for Disease Control and Prevention, COVID Data Tracker: Confirmed COVID-19 Cases and Deaths among Staff and Rate per 1,000 Resident-Weeks in Nursing Homes, by Week—United States, <https://covid.cdc.gov/covid-data-tracker/#nursing-home-staff> (last visited May 4, 2021).

⁹⁷ See, e.g., The Lancet, The plight of essential workers during the COVID-19 pandemic, Vol. 395, Issue 10237:1587 (May 23, 2020), available at [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)2931200-9/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)2931200-9/fulltext).

⁹⁸ *Id.*

⁹⁹ Joanna Gaitens et al., Covid-19 and essential workers: A narrative review of health outcomes and moral injury, *Int'l J. of Envtl. Research and Pub. Health* 18(4):1446 (Feb. 4, 2021), available at <https://pubmed.ncbi.nlm.nih.gov/33557075/>; Tiana N. Rogers et al., Racial Disparities in COVID-19 Mortality Among Essential Workers in the United States, *World Med. & Health policy* 12(3):311–27 (Aug. 5, 2020), available at <https://onlinelibrary.wiley.com/doi/full/10.1002/wmh3.358> (finding that vulnerability to coronavirus exposure was increased among non-Hispanic blacks, who disproportionately occupied the top nine essential occupations).

¹⁰⁰ Economic Policy Institute, Only 30% of those working outside their home are receiving hazard pay (June 16, 2020), <https://www.epi.org/press/only-30-of-those-working-outside-their-home-are-receiving-hazard-pay-black-and-hispanic-workers-are-most-concerned-about-bringing-the-coronavirus-home/>.

⁹⁵ Sections 602(c)(1)(B), 603(c)(1)(B) of the Act.

Many of these workers earn lower wages on average and live in socioeconomically vulnerable communities as compared to the general population.¹⁰¹ A recent study found that 25 percent of essential workers were estimated to have low household income, with 13 percent in high-risk households.¹⁰² The low pay of many essential workers makes them less able to cope with the financial consequences of the pandemic or their work-related health risks, including working hours lost due to sickness or disruptions to childcare and other daily routines, or the likelihood of COVID-19 spread in their households or communities. Thus, the threats and costs involved with maintaining the ongoing operation of vital facilities and services have been, and continue to be, borne by those that are often the most vulnerable to the pandemic. The added health risk to essential workers is one prominent way in which the pandemic has amplified pre-existing socioeconomic inequities.

The Fiscal Recovery Funds will help respond to the needs of essential workers by allowing recipients to remunerate essential workers for the elevated health risks they have faced and continue to face during the public health emergency. To ensure that premium pay is targeted to workers that faced or face heightened risks due to the character of their work, the interim final rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would not be engaged in essential work and, accordingly may not receive premium pay, for telework performed from a residence.

Sections 602(g)(2) and 603(g)(2) define eligible worker to mean “those workers needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as each Governor of a State or territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, territory, or Tribal government.”¹⁰³ The rule incorporates this definition and provides a list of industries recognized as essential critical infrastructure sectors.¹⁰⁴ These sectors include healthcare, public health and safety, childcare, education, sanitation, transportation, and food production and services, among others

as noted above. As provided under sections 602(g)(2) and 603(g)(2), the chief executive of each recipient has discretion to add additional sectors to this list, so long as additional sectors are deemed critical to protect the health and well-being of residents.

In providing premium pay to essential workers or grants to eligible employers, a recipient must consider whether the pay or grant would “respond to” to the worker or workers performing essential work. Premium pay or grants provided under this section respond to workers performing essential work if it addresses the heightened risk to workers who must be physically present at a jobsite and, for many of whom, the costs associated with illness were hardest to bear financially. Many of the workers performing critical essential services are low- or moderate-income workers, such as those described above. The ARPA recognizes this by defining premium pay to mean an amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed \$25,000 per eligible worker. To ensure the provision is implemented in a manner that compensates these workers, the interim final rule provides that any premium pay or grants provided using the Fiscal Recovery Funds should prioritize compensation of those lower income eligible workers that perform essential work.

As such, providing premium pay to eligible workers responds to such workers by helping address the disparity between the critical services and risks taken by essential workers and the relatively low compensation they tend to receive in exchange. If premium pay would increase a worker's total pay above 150 percent of their residing state's average annual wage for all occupations, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, or their residing county's average annual wage, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, whichever is higher, on an annual basis, the State, local, or Tribal government must provide Treasury and make publicly available, whether for themselves or on behalf of a grantee, a written justification of how the premium pay or grant is responsive to workers performing essential worker during the public health emergency.¹⁰⁵

The threshold of 150 percent for requiring additional written justification is based on an analysis of the distribution of labor income for a sample of 20 occupations that generally correspond to the essential workers as defined in the interim final rule.¹⁰⁶ For these occupations, labor income for the vast majority of workers was under 150 percent of average annual labor income across all occupations. Treasury anticipates that the threshold of 150 percent of the annual average wage will be greater than the annual average wage of the vast majority of eligible workers performing essential work. These enhanced reporting requirements help to ensure grants are directed to essential workers in critical infrastructure sectors and responsive to the impacts of the pandemic observed among essential workers, namely the mis-alignment between health risks and compensation. Enhanced reporting also provides transparency to the public. Finally, using a localized measure reflects differences in wages and cost of living across the country, making this standard administrable and reflective of essential worker incomes across a diverse range of geographic areas.

Furthermore, because premium pay is intended to compensate essential workers for heightened risk due to COVID-19, it must be entirely additive to a worker's regular rate of wages and other remuneration and may not be used to reduce or substitute for a worker's normal earnings. The definition of premium pay also clarifies that premium pay may be provided retrospectively for work performed at any time since the start of the COVID-19 public health emergency, where those workers have yet to be compensated adequately for work previously performed.¹⁰⁷ Treasury encourages recipients to prioritize providing retrospective premium pay where possible, recognizing that many essential workers have not yet received additional compensation for work conducted over the course of many

of Labor Statistics, May 2020 Metropolitan and Nonmetropolitan Area Estimates listed by county or town, https://www.bls.gov/oes/current/county_links.htm (last visited May 1, 2021).

¹⁰⁶ Treasury performed this analysis with data from the U.S. Census Bureau's 2019 Annual Social and Economic Supplement. In determining which occupations to include in this analysis, Treasury excluded management and supervisory positions, as such positions may not necessarily involve regular in-person interactions or physical handling of items to the same extent as non-managerial positions.

¹⁰⁷ However, such compensation must be “in addition to” remuneration or wages already received. That is, employers may not reduce such workers' current pay and use Fiscal Recovery Funds to compensate themselves for premium pay previously provided to the worker.

¹⁰¹ McCormack, *supra* note 37.

¹⁰² *Id.*

¹⁰³ Sections 602(g)(2), 603(g)(2) of the Act.

¹⁰⁴ The list of critical infrastructure sectors provided in the interim final rule is based on the list of essential workers under The Heroes Act, H.R. 6800, 116th Cong. (2020).

¹⁰⁵ County median annual wage is taken to be that of the metropolitan or nonmetropolitan area that includes the county. See U.S. Bureau of Labor Statistics, State Occupational Employment and Wage Estimates, <https://www.bls.gov/oes/current/oesrcst.htm> (last visited May 1, 2021); U.S. Bureau

months. Essential workers who have already earned premium pay for essential work performed during the COVID-19 public health emergency remain eligible for additional payments, and an essential worker may receive both retrospective premium pay for prior work as well as prospective premium pay for current or ongoing work.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided. See Section VIII of this **SUPPLEMENTARY INFORMATION**, discussing reporting requirements. In responding to the needs of essential workers, a grant to an employer may provide premium pay to eligible workers performing essential work, as these terms are defined in the interim final rule and discussed above. A grant provided to an employer may also be for essential work performed by eligible workers pursuant to a contract. For example, if a municipality contracts with a third party to perform sanitation work, the third-party contractor could be eligible to receive a grant to provide premium pay for these eligible workers.

Question 10: Are there additional sectors beyond those listed in the interim final rule that should be considered essential critical infrastructure sectors?

Question 11: What, if any, additional criteria should Treasury consider to ensure that premium pay responds to essential workers?

Question 12: What consideration, if any, should be given to the criteria on salary threshold, including measure and level, for requiring written justification?

C. Revenue Loss

Recipients may use payments from the Fiscal Recovery Funds for the provision of government services to the extent of the reduction in revenue experienced due to the COVID-19 public health emergency.¹⁰⁸ Pursuant to sections 602(c)(1)(C) and 603(c)(1)(C) of the Act, a recipient's reduction in revenue is measured relative to the revenue collected in the most recent full fiscal year prior to the emergency.

Many State, local, and Tribal governments are experiencing significant budget shortfalls, which can have a devastating impact on communities. State government tax revenue from major sources were down 4.3 percent in the six months ended September 2020, relative to the same

period 2019.¹⁰⁹ At the local level, nearly 90 percent of cities have reported being less able to meet the fiscal needs of their communities and, on average, cities expect a double-digit decline in general fund revenues in their fiscal year 2021.¹¹⁰ Similarly, surveys of Tribal governments and Tribal enterprises found majorities of respondents reporting substantial cost increases and revenue decreases, with Tribal governments reporting reductions in healthcare, housing, social services, and economic development activities as a result of reduced revenues.¹¹¹ These budget shortfalls are particularly problematic in the current environment, as State, local, and Tribal governments work to mitigate and contain the COVID-19 pandemic and help citizens weather the economic downturn.

Further, State, local, and Tribal government budgets affect the broader economic recovery. During the period following the 2007–2009 recession, State and local government budget pressures led to fiscal austerity that was a significant drag on the overall economic recovery.¹¹² Inflation-adjusted State and local government revenue did not return to the previous peak until 2013,¹¹³ while State, local, and Tribal government employment did not recover to its prior peak for over a decade, until August 2019—just a few months before the COVID-19 public health emergency began.¹¹⁴

¹⁰⁹ Major sources include personal income tax, corporate income tax, sales tax, and property tax. See Lucy Dadayan, States Reported Revenue Growth in July–September Quarter, Reflecting Revenue Shifts from the Prior Quarter, State Tax and Econ. Rev. (Q. 3, 2020), available at https://www.urban.org/sites/default/files/publication/103938/state-tax-and-economic-review-2020-q3_0.pdf.

¹¹⁰ National League of Cities, City Fiscal Conditions (2020), available at https://www.nlc.org/wp-content/uploads/2020/08/City_Fiscal_Conditions_2020_FINAL.pdf.

¹¹¹ Surveys conducted by the Center for Indian Country Development at the Federal Reserve Bank of Minneapolis in March, April, and September 2020. See Moreno & Sobrepenna, *supra* note 73.

¹¹² See, e.g., Fitzpatrick, Haughwout & Setren, Fiscal Drag from the State and Local Sector?, Liberty Street Economics Blog, Federal Reserve Bank of New York (June 27, 2012), <https://www.libertystreeteconomics.newyorkfed.org/2012/06/fiscal-drag-from-the-state-and-local-sector.html>; Jiri Jonas, Great Recession and Fiscal Squeeze at U.S. Subnational Government Level, IMF Working Paper 12/184, (July 2012), available at <https://www.imf.org/external/pubs/ft/wp/2012/wp12184.pdf>; Gordon, *supra* note 9.

¹¹³ State and local government general revenue from own sources, adjusted for inflation using the GDP price index. U.S. Census Bureau, Annual Survey of State Government Finances and U.S. Bureau of Economic Analysis, National Income and Product Accounts.

¹¹⁴ U.S. Bureau of Labor Statistics, All Employees, State Government [CES9092000001] and All Employees, Local Government [CES9093000001],

Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act allow recipients facing budget shortfalls to use payments from the Fiscal Recovery Funds to avoid cuts to government services and, thus, enable State, local, and Tribal governments to continue to provide valuable services and ensure that fiscal austerity measures do not hamper the broader economic recovery. The interim final rule implements these provisions by establishing a definition of “general revenue” for purposes of calculating a loss in revenue and by providing a methodology for calculating revenue lost due to the COVID-19 public health emergency.

General Revenue. The interim final rule adopts a definition of “general revenue” based largely on the components reported under “General Revenue from Own Sources” in the Census Bureau’s Annual Survey of State and Local Government Finances, and for purposes of this interim final rule, helps to ensure that the components of general revenue would be calculated in a consistent manner.¹¹⁵ By relying on a methodology that is both familiar and comprehensive, this approach minimizes burden to recipients and provides consistency in the measurement of general revenue across a diverse set of recipients.

The interim final rule defines the term “general revenue” to include revenues collected by a recipient and generated from its underlying economy and would capture a range of different types of tax revenues, as well as other types of revenue that are available to support government services.¹¹⁶ In calculating revenue, recipients should sum across all revenue streams covered as general revenue. This approach minimizes the administrative burden for recipients, provides for greater consistency across recipients, and presents a more accurate representation of the overall impact of

retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/CES9092000001> and <https://fred.stlouisfed.org/series/CES9093000001> (last visited Apr. 27, 2021).

¹¹⁵ U.S. Census Bureau, Annual Survey of State and Local Government Finances, <https://www.census.gov/programs-surveys/gov-finances.html> (last visited Apr. 30, 2021).

¹¹⁶ The interim final rule would define tax revenue in a manner consistent with the Census Bureau’s definition of tax revenue, with certain changes (i.e., inclusion of revenue from liquor stores and certain intergovernmental transfers). Current charges are defined as “charges imposed for providing current services or for the sale of products in connection with general government activities.” It includes revenues such as public education institution, public hospital, and toll revenues. Miscellaneous general revenue comprises of all other general revenue of governments from their own sources (i.e., other than liquor store, utility, and insurance trust revenue), including rents, royalties, lottery proceeds, and fines.

¹⁰⁸ ARPA, *supra* note 16.

CLALLAM COUNTY
COUNTY NEEDS REQUEST--AMERICAN RESCUE PLAN ACT--CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
2021

							AMOUNT REQUESTED BY YEAR					ARPA REQUEST JUSTIFICATION/COMMENTS (include a brief description describing the request/project, why it is needed, for how long, how the expenditure is an ARPA-eligible cost, whether there are any other funding sources besides ARPA to fund the request, and what the consequences are if ARPA funding for this request is not approved. Please also indicate how amount was estimated if no quote was obtained.)
REQUESTING DEPARTMENT	REQUEST NAME/DESCRIPTION		TOTAL REQUESTED AMOUNT	COST TYPE	IS COST ONE-TIME OR RECURRING?	ARPA ELIGIBLE COST CATEGORY FOR REQUEST	2021	2022	2023	2024	TOTAL	
Auditor	Office Renovation	(1,4)	\$ 100,000	Capital Outlays	One-Time	1-COVID-19 Public Health and Economic Impacts--Mitigation and Prevention	\$ 100,000	\$-	\$-	\$-	100,000	Overcrowding in the Auditor's office makes required social distancing difficult if not impossible. Currently we are not able to bring two of our employees back from remote work full time until we have a permanent social distancing solution. Renovation funds are needed to accomplish the following: (1) incorporate the basement breakroom into the Election Annex and move the Auditor's election staff downstairs (2) Complete the records scanning project that will convert paper records to electronic record (which can be paid for with Document Preservation Funds) and move the mail machine BACK to the treasurers office. This will free up enough space in the Vault for two work areas (AP and Payroll personnel) (3) Move our DOL staff to the larger, newly vacated, south side of the office to provide better distancing between staff and clients. (4) move our recording staff to the north Side of the office where DOL is currently located. Relocation of these divisions will require modification of existing work areas. There was no one available in PFF to provide an estimate for this project so this is a best guess. BOCC ANALYST COMMENTS - Estimate of required funds only - Additional research required - - Rick McFarlen of Facilities was consulted on this project and provided the estimate as a qualified guess. He suggested an update to the "County Space Assessment" be conducted as a first step.
BOCC	Staff support for COVID-19 Recovery Efforts 1) LIERLY, Chelsea 2) Meier, Richard (7,1)		\$ 279,248	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Public Health and Safety Staff	\$ 115,845	\$ 163,403	\$ -	\$ -	\$ 279,248	Significant staff time has been used, and will continue to be used, in the identification of COVID-19 related needs, the identification of subrecipients, drafting and processing of agreements, verification of expenditures, disbursement of funds, monitoring and auditing subrecipients, submitting claims for reimbursement, and meeting federal reporting requirements. To avoid penalties and potential repayment of funds, research and adherence to multiple sets of guidelines, rules and law in the administration of ARPA and FEMA funds is required. These tasks have been accomplished through the reassignment of staff from their traditional responsibilities to a significant portion of their time being, "primarily dedicated" to responding to the COVID-19 public health emergency.
BOCC	COVID-19 related expenses incurring after CARES Funding ended that are not eligible under FEMA Grant (1.7)		\$ 1,520,000	Supplies	Recurring	1-COVID-19 Public Health and Economic Impacts--Public Health and Safety Staff	\$ 200,000	\$ 440,000	\$ 440,000	\$ 440,000	\$ 1,520,000	These costs are for County expenses for purchases related to protection of the public and employees to lessen the spread of COVID-19. These are expenses we have been incurring on a regular bases since March of 2020 that have been reimbursed from CARES Act funding and a FEMA Grant. Cares Act funding ended in November of 23020 and the FEMA Grant is scheduled to end in December of 2021, increasing the unfunded County Expense. These estimates were based on our historical burn rate (average of 40,000 a month - \$20,000 current covered by FEMA) throughout the pandemic and may vary.

CLALLAM COUNTY
COUNTY NEEDS REQUEST--AMERICAN RESCUE PLAN ACT--CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
2021

						AMOUNT REQUESTED BY YEAR					ARPA REQUEST JUSTIFICATION/COMMENTS (include a brief description describing the request/project, why it is needed, for how long, how the expenditure is an ARPA-eligible cost, whether there are any other funding sources besides ARPA to fund the request, and what the consequences are if ARPA funding for this request is not approved. Please also indicate how amount was estimated if no quote was obtained.)
REQUESTING DEPARTMENT	REQUEST NAME/DESCRIPTION	TOTAL REQUESTED AMOUNT	COST TYPE	IS COST ONE-TIME OR RECURRING?	ARPA ELIGIBLE COST CATEGORY FOR REQUEST	2021	2022	2023	2024	TOTAL	
HHS	Bullman Beach - Bag Filtration (5.10)	\$ 100,000	Salaries and Wages	One-Time	1-COVID-19 Public Health and Economic Impacts--Other	\$ 100,000				\$ 100,000	Request to utilize ARPA funds to install new water system infrastructure for Bullman Beach water users. Clallam County was ordered by Superior Court "Receivership" of the Bullman Beach water system. Per the Court findings, the county is required to have a health approved filtration and disinfection system because it supplies drinking water from surface water and groundwater under the influence of surface water sources. Based on the engineering analysis, the associated cost for a bag filtration system would be approximately \$100,000
Information Technology	Expanded Broadband Internet for Forks Sherriff's detachment and Roads Facility (5.16)	\$ 69,681	Capital Outlays	One-Time	4-Infrastructure Investments--Broadband	\$ 69,681		\$ -	\$ -	\$ 69,681	ARPA Funds needed to improve speed and reliability of broadband connections for remote public safety facilities for which no other grant funding source is available. Costs are expected to be incurred through December 2021 and are one-time capital build costs. The new broadband circuit will provide future growth to gigbit internet speed and provide an immediate increase in access speed and reliability to centralized county resources.
Information Technology	Licensing and implementation of a SAAS-based permit planning solution (1.7)	\$ 649,380	Capital Outlays	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	\$ 302,310	\$ 115,690	\$ 115,690	\$ 115,690	\$ 649,380	COVID-19 has demonstrated the need for constituents to interact with government services remotely. Deploying a solution that provides a contact-less permit application process will benefit citizens, businesses, and the county by encouraging the timely filing of building and environmental permits. There is no other source of grant funding for this project. There will be an initial capital cost for deployment of the new system in 2021, then annual operational licensing costs. Failure to implement a contactless permit planning solution may result in lost revenues if construction projects are postponed or cancelled, and will result in negative health impacts if constituents and businesses fail to file required environmental health permits. The additional benefit to the community will be the ability to complete all DCD permitting functions remotely and paperless, reducing the risk of COVID-19 infection for the public and staff by eliminating the need to enter the confined courthouse and generate high touch surface items while completing required government business.
Information Technology	Teleworking technology infrastructure enhancements (1.7)	\$ 142,084	Capital Outlays	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Businesses	\$ 71,042	\$ 71,042	\$ -	\$ -	\$ 142,084	Significant investments were made in teleworking capabilities to support remote county employees and ensure continuity of government services. Without these investments, citizens would have incurred significant delays in government services. The costs incurred for expanded video conferencing and SAAS-based file repositories were necessitated by office closures, and there are no other grants or funding sources to cover these expenses.
Information Technology	Laptops and Tablets for remote work (1.7)	\$ 62,340	Capital Outlays	One-Time	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Businesses	\$ 62,340	\$ -	\$ -	\$ -	\$ 62,340	Laptops and tablets were purchased for essential employees to work remotely and ensure continuity of government services. There are no other grants or funding sources for these expenditures. Without these investments, citizens would have incurred significant delays in government services.

CLALLAM COUNTY
COUNTY NEEDS REQUEST--AMERICAN RESCUE PLAN ACT--CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
2021

							AMOUNT REQUESTED BY YEAR					ARPA REQUEST JUSTIFICATION/COMMENTS (include a brief description describing the request/project, why it is needed, for how long, how the expenditure is an ARPA-eligible cost, whether there are any other funding sources besides ARPA to fund the request, and what the consequences are if ARPA funding for this request is not approved. Please also indicate how amount was estimated if no quote was obtained.)
REQUESTING DEPARTMENT	REQUEST NAME/DESCRIPTION	TOTAL REQUESTED AMOUNT	COST TYPE	IS COST ONE-TIME OR RECURRING?	ARPA ELIGIBLE COST CATEGORY FOR REQUEST		2021	2022	2023	2024	TOTAL	
Juvenile Services	Premium Pay to Eligible Workers (4.1)	\$ 52,000	Salaries and Wages	One-Time	3-Premium Pay--Essential Workers	\$	52,000	\$ -	\$ -	\$ -	\$ 52,000	With Court and Behavioral Health Staff deemed essential service providers at the beginning of the pandemic, our office has maintained regular staffing and hours of service while following all social distancing and sanitization protocols. All staff have been providing regular, in-person work daily, with no loss of critical services to the public.. Approximately 14 Juvenile Corrections Officers began receiving hazard pay last summer, having direct contact with juvenile inmates. If the county is soliciting input regarding other employees who may be eligible for premium pay due to performing essential work during the pandemic, we estimate an additional 25 employees have been on site daily providing essential services. - BOCC ANALYST COMMENTS -The 25 employees to be covered are Probation and clerical staff who are the remaining Juvenile Services employees not receiving Premium Pay. There will be a need to evaluate each employee's work salary to ensure all work has been conducted from the workplace and that any premium pay will not cause total pay to exceed 150% of the WA State Average (\$104,423).
Parks & Facilities	Bipolar Ionization Air Purification System (1.7)	\$ 250,000	Capital Outlays	One-Time	2-Revenue Loss--Provision of Government Services--Building or Maintenance of Infrastructure (exclud	\$	-	\$ 250,000	\$ -	\$ -	\$ 250,000	ARPA Funds needed to support the purchase and installation cost of a bipolar ionization air purification system to sanitize particles in the air in the Courthouse main HVAC system, Jail main HVAC system, Juvenile Center HVAC- Admin and Detention areas, Veterans' Center HVAC system, Elections Center HVAC system, Third Street Building HVAC system, and Fairgrounds office and house HVAC system. Independent laboratory testing results in a reduction of Human Coronavirus of up to 99%.
Parks & Facilities	COVID-19 Response Team Custodians (1.8)	\$ 308,000	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Mitigation and Prevention	\$	101,000	\$ 103,000	\$ 104,000	\$ 308,000	ARPA Funds needed to support the cost of employing two Covid Response Custodians to disinfect community touch points in the Courthouse and Third Street Building facilities to slow spread of covid 19. Costs are expected to be incurred through December2024 and are based up on hourly wage being paid to current Covid Response Custodians. These costs are currently reimbursed through FEMA.	
Parks & Facilities	Cleaning and Sanitation Supplies (1.8)	\$ 60,000	Supplies	Recurring	1-COVID-19 Public Health and Economic Impacts--Mitigation and Prevention	\$	20,000	\$ 20,000	\$ 20,000	\$ 60,000	ARPA funds needed to support the cost of purchasing cleaning and sanitation supplies above and beyond normal usage at county facilities, fairgrounds, and campgrounds in an effort to slow the spread of Covid 19. These costs are in direct relation to the Covid Response Custodians, and are also currently reimbursed through FEMA	
Prosecuting Attorney	Additional Deputy Prosecuting Attorney to address pandemic-related backlog (2.13)	\$ 360,800	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	\$	176,000	\$ 184,800	\$ -	\$ -	\$ 360,800	ARPA funds needed to address the case backlog that has developed as a result of pandemic-related temporary changes to court processes. These funds would be used to cover salary costs for two fulltime Deputy Prosecuting Attorneys for two years.
Prosecuting Attorney	Additional Deputy Prosecuting Attorney to address pandemic-related backlog (2.13)	\$ 131,200	Benefits	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	\$	64,000	\$ 67,200	\$ -	\$ -	\$ 131,200	ARPA funds needed to address the case backlog that has developed as a result of pandemic-related temporary changes to court processes. These funds would be used to cover benefit costs for two fulltime Deputy Prosecuting Attorneys for two years.
Prosecuting Attorney	Additional Legal Assistant to address pandemic-related backlog (2.13)	\$ 200,900	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	\$	98,000	\$ 102,900	\$ -	\$ -	\$ 200,900	ARPA funds needed to address the case backlog that has developed as a result of pandemic-related temporary changes to court processes. These funds would be used to cover salary costs for two fulltime Legal Assistants for two years.

CLALLAM COUNTY
COUNTY NEEDS REQUEST--AMERICAN RESCUE PLAN ACT--CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
2021

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Prosecuting Attorney	Additional Legal Assistant to address pandemic-related backlog (2.13)	\$ 106,600	Benefits	Recurring	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	\$	52,000	\$ 54,600	\$ -	\$ -	\$ 106,600	ARPA funds needed to address the case backlog that has developed as a result of pandemic-related temporary changes to court processes. These funds would be used to cover benefit costs for two fulltime Legal Assistants for two years.
NonDepartmental	Clallam County Public Defender staff for Backlogged court filings (2.13)	\$ 400,000	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Public Health and Safety Staff	\$	150,000	\$ 250,000	\$ -	\$ -	\$ 400,000	BOCC ANALYST COMMENTS - BOCC ANALYST COMMENTS -During the review of the Prosecutor's request to add staff to assist in clearing the backlog of cases created by the COVID-19 pandemic, Harry Gasnick, Director of Clallam Public Defender was contacted. He confirmed that if there were to be significant increase in court cases created by additions to the prosecutors' staff, he may need an amendment to his existing contract to allow for like trial defense. Mr. Gasnick chooses to wait until he has a clearer picture the actual impact before determining his needs. He conservatively believes his staffing requirements may be less than the Prosecuting Attorney. Mr. Gasnick simply wanted to alert the BOCC that he may need to seek an contract amendment in the future to assist in clearing the backlogged court cases. Although Mr. Gasnick did not provide an estimate of his potential costs, a \$400,000 placeholder was established by the County CFO based on the Prosecutor's needs viewed conservatively.
Public Works--Carlsborg S	Build-out of Southeast Service Area of Carlsborg Sewer System - Gupster Road. Involves installing Gravity Sewer Mains, a Sewer Pump Station and a Force Main (5.2)	\$ 1,806,000	Capital Outlays	One-Time	4-Infrastructure Investments--Sewer	\$	\$ -	\$ 100,000	\$ 826,000	\$ 880,000	\$ 1,806,000	ARPA Funds needed to build out the Service Area bounded by Gupster Road, Gilbert Road, Highway 101 and Mill Road. Work involves obtaining easements and design/construction of gravity sewer lines, a pump station and a force main. This work will reduce the number of parcels that will be eligible to receive septic system waivers. The use of ARPA funding allows the return of \$250,000 of obligated REET funding
Public Works--Carlsborg S	Gravity Sewer Line Extension in the Northwest Service Area of Carlsborg Sewer System - Village Lane (5.2)	\$ 233,000	Capital Outlays	One-Time	4-Infrastructure Investments--Sewer	\$	233,000	\$ -	\$ -	\$ -	\$ 233,000	ARPA Funds needed to construct a sewer line extension south from the Olympic Discovery Trail approximately 700 feet to the intersection of Savanah Lane. This work will reduce the number of parcels that will be eligible to receive septic system waivers. The use of ARPA funding allows the return of \$90,000 of obligated Opportunity funds.
Public Works--Clallam Bay	One Additional Public Works Staff (5.2)	\$ 325,000	Salaries and Wages	Recurring	4-Infrastructure Investments--Sewer	\$	25,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 325,000	ARPA Funds needed to support the hiring of one additional full-time Public Works staff member to facilitate delivery of the ARPA requested sewer projects. Costs are expected to be incurred through December 2024 and are based on a Range 60, Step 5 hourly wage.
Public Works--Clallam Bay	Rehabilitate Five Sewer Pump Stations in Clallam Bay Sekiu Sewer System (5.2)	\$ 2,350,000	Capital Outlays	One-Time	4-Infrastructure Investments--Sewer	\$	\$ -	\$ 940,000	\$ 940,000	\$ 470,000	\$ 2,350,000	ARPA Funds needed to Rebuild/Rehabilitate five, 48 year old Sewer Pump Stations in Clallam Bay/Sekiu. Some form of County funding will need to be committed to these pump station in the near future.
Public Works--Clallam Bay	Replace new driveshaft bearings for Four Rotating Biological Contactors in Clallam Bay Sekiu Sewer System (5.1)	\$ 80,000	Capital Outlays	One-Time	4-Infrastructure Investments--Sewer	\$	80,000	\$ -	\$ -	\$ -	\$ 80,000	ARPA Funds needed to Replace all driveshaft bearings on four Rotating Biological Contactors in the Clallam Bay/Sekiu Sewer System. These will need replacement immediately. Some form of County funding will need to be committed to these bearing replacements in the very near future.

CLALLAM COUNTY
COUNTY NEEDS REQUEST--AMERICAN RESCUE PLAN ACT--CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
2021

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Sheriff	Full Body Scanner (1.4)	\$ 183,872	Capital Outlays	One-Time	1-COVID-19 Public Health and Economic Impacts--Mitigation and Prevention	\$ 183,872	\$ -	\$ -	\$ -	183,872	Purchase of a full body scanner to screen incoming inmates to the County Correctional Facility. Use of a body scanner would allow corrections staff to quickly and accurately screen inmates for temperature and contraband from a distance, instead of in direct proximity. This distance also creates a higher level of privacy for the inmate, leading to more cooperative responses and higher likelihood they will respect PPE requirements for themselves and the deputies. The price is calculated using a quote (5/20/21), warranty, and local use tax rate.
TOTALS		\$ 9,770,105				\$ 2,035,090	\$ 3,060,635	\$ 2,544,690	\$ 2,129,690	\$ 9,770,105	

Other Requests Received that were Deemed Ineligible

Assessor	Eagleview Hight resolution Oblique imagery	-	Capital Outlays	Recurring	1-COVID-19 Public Health and Economic Impacts--Other	-	-	-	-	-	BOCC ANALYST COMMENTS - Lost Revenue Funds Eligible ONLY - Total requested \$310,200 - Discussed this request with Assessor Rushton who agreed this was not a request that would be ARPA Eligible High-resolution oblique imagery for the whole county not just for the use of the Assessors office. The law is changing in July to allow oblique imagery to be used if properties are dangerous or locked up for our physical inspections, this imagery is 3D and a very close visual of the property. This software will also have a benifit of change finder for comparing one flight to the next. Covid has impacted our ability to physical inspections with many people working from home we are encountering more resistance and the field work is getting more and more dangerous in many areas for our team. This software would also be beneficial for many other departments in the county ie; sheriff, emergency management, DCD, HHS, Roads, public works ect. I have set up a demo for July 26th. These numbers are estimated for a 6 year contract with a flight every two years. We also have the ability to split our payments over a 2 year payment plan.
Information Technology	Project Completion Hours	-	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Other	-	-	\$ -	\$ -	-	BOCC ANALYST COMMENTS -Lost Revenue Funds Eligible ONLY - Original Request \$15,615 - Extensive technical support for COVID-19 vaccine clinics has resulted in a backlog of unfinished technology projects and helpdesk tickets. An additional 8 hours per week will be needed through 2022 to address these backlogs for which there is no other funding source. Failure to address delayed projects and tickets will impact deadlines for critical project and support requests.
Prosecuting Attorney	Victim Penalty Assessment Revenue Decrease (District and Superior Court / 2020-2021)	-	Other Services and Charg	One-Time	2-Revenue Loss--Provision of Government Services--Law & Justice	-	\$ -	\$ -	\$ -	-	Total Not Equal Request BOCC ANALYST COMMENTS - Lost Revenue Funds Eligible ONLY - Original Request \$17,248 - ARPA Funds needed to recoup the lost Victim Penalty Assessment revenue that partially funds our two Victim Witness Coordinator positions. The revenue decrease was directly related to temporary pandemic-related changes to court processes. These funds would be used to pay a portion of the Victim Witness Coordinator positions.

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REQUESTING DEPARTMENT	REQUEST NAME/DESCRIPTION	TOTAL REQUESTED AMOUNT	COST TYPE	IS COST ONE-TIME OR RECURRING?	ARPA ELIGIBLE COST CATEGORY FOR REQUEST									
Prosecuting Attorney	Workstation set-up for additional employees to include desk, chair, computer, Legal Files License, phone, etc	-	Supplies	One-Time	1-COVID-19 Public Health and Economic Impacts--Economic Impacts on Local and Tribal Government	-	\$	-	\$	-	\$	-	Total Not Equal Request	BOCC ANALYST COMMENTS - Budget Shortfall Funds Eligible ONLY - Original request \$26,000 - ARPA funds needed to address the case backlog that has developed as a result of pandemic-related temporary changes to court processes. These funds would be used to cover office workstation costs for two fulltime Deputy Prosecuting Attorneys and two fulltime Legal Assistants.

Request Submitted and Withdrawn

HHS	Contact Tracer #1	-	Salaries and Wages	Recurring	1-COVID-19 Public Health and Economic Impacts--Public Health and Safety Staff		\$ -	\$ -	\$ -	\$ -	-	BOCC ANALYST COMMENTS -REQUEST REMOVED These positions were included in the 2022 budget request and will likely be funded by other HHS grants Original Request \$1,040,177- ARPA Funds needed to support the hiring of additional COVID-19 2 additional part-time contact tracers for which no other grant funding source is available. Costs are expected to be incurred through December 2022 and are based up on hourly wage being paid to current contact tracer staff.
	Contact Tracer #2	-				\$ -	\$ -	\$ -	\$ -	\$ -	-	
	Public Health Nurse	-				\$ -	\$ -	\$ -	\$ -	\$ -	-	
	Health Officer (increase of 20 hours/week	-				\$ -	\$ -	\$ -	\$ -	\$ -	-	