



BOARD of CLALLAM COUNTY COMMISSIONERS MINUTES for the week of July 26 - 30, 2021

1C
8/3/21

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, July 26, 2021. Present were Commissioners Ozias, Johnson, and Peach and Administrator Sill.

Items of discussion per the agenda published July 22 were:

- Calendar/Correspondence
- Notice of call for bids to be received no later than 10 a.m., Tuesday, August 31, 2021 for Clallam County VAV Replacement Project
- Request for proposals/qualifications to be received no later than 10 a.m., Tuesday, August 24, 2021 for JPSF Architecture/Engineering Services
- Letter of understanding with AFSCME 1619-CS for collective bargaining
- Agreement with the Washington State Council of County and City Employees, Local 1619-S for contract extension
- Agreement with the Washington State Council of County and City Employees, Local 1619-CS for contract extension
- Agreement amendment 9 with Shannon & Wilson, Inc. for Lower Dungeness River Floodplain Project
- Agreement amendment 10 with Shannon & Wilson, Inc. for Lower Dungeness River Floodplain Project
- Agreement with Washington State Recreation and Conservation Office for North Olympic Lead Entity for salmon
- Resolution reappointing William "Bill" Hughes to the Park and Recreation Board
- Agreement with Clallam County PUD for ARPA Funding

Meeting adjourned at 10:24 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Ozias called the meeting to order at 10 a.m., Tuesday, July 27, 2021. Also present were Commissioners Johnson and Peach, and Administrator Sill.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

- 2g Postponed - Letter of understanding with AFSCME 1619-CS for collective bargaining
- 2i Postponed - Agreement with the Washington State Council of County and City Employees, Local 1619-CS for contract extension

ACTION TAKEN: CRJm to adopt the agenda as modified, CBPs, mc

PUBLIC COMMENT

- David Jenson, Sequim, commented on code enforcement issue.
- Janet Carlisle, Sequim, commented on Public Records request (see attached).

CONSENT AGENDA

- 1a Approval of vouchers for the week of July 19
- 1b Approval of minutes for the week of July 19

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

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of July 26 - 30, 2021
Page 2

REPORTS AND PRESENTATIONS

- CBP commented on Economic Development Council.
- CRJ commented on Audubon Center, Affordable Housing Task Force, beach life.
- CMO commented on Olympic Coast National Marine Sanctuary Advisory Committee, Sanctuary Superintendent Carol Bernthal.

CONTRACTS AND AGREEMENTS

- 2a Contract renewal with Washington State Military Department for reimbursement of PenCom dispatch center costs associated with staffing and training

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2b Agreement amendment 1 with Washington State Military Department for funding to reimburse Clallam County Emergency Operations Center costs associated with emergency management projects

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2c Agreement renewal with Washington State Department of Ecology for Solid Waste Management Community Litter Cleanup Program

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2d Agreement amendment with Washington State Recreation and Conservation Office for Dungeness Floodplain Restoration – Kinkade Phase Project

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2e Agreement amendment 1 with Public Works for Olympic Discovery Trail Improvement Project

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2f Agreement with Clallam County PUD for ARPA Funding

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2g Letter of understanding with AFSCME 1619-CS for collective bargaining

ACTION TAKEN: Item postponed

- 2h Agreement with the Washington State Council of County and City Employees, Local 1619-S for contract extension

ACTION TAKEN: CRJm to approve, CBPs, mc

- 2i Agreement with the Washington State Council of County and City Employees, Local 1619-CS for contract extension

ACTION TAKEN: Item postponed

BIDS AND AWARDS

- 3a Bid opening – Lower Dungeness River Floodplain Restoration and Levee / Road Realignment Project – Phase 1 Earthwork

<u>Contractor</u>	<u>Amount</u>
Seton Construction	\$6,490,282.95
Scarsella Brothers, Inc.	\$5,529,123.55
Delhur Industries, Inc.	\$7,931,275.97

ACTION TAKEN: CRJm to forward proposals to the Public Works for review and recommendation, CBPs, mc

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of July 26 - 30, 2021
Page 3

ADMINISTRATION

4a Resolution appointing Candace Kathol to the Park and Recreation Advisory Board

ACTION TAKEN: CRJm to adopt, CBPs, mc

4b Resolution appointing Rachel Anderson, Jim Weatherly and Paul Cunningham to the Homelessness Task Force

ACTION TAKEN: CRJm to adopt, CBPs, mc

BUDGET

5a Resolution adopting the following Budget Revisions:

Public Works – Roads – Transferring funds to pay for payroll and benefits for Trail Maintenance Coordinator position/\$73,414

ACTION TAKEN: CRJm to adopt, CBPs, mc

5b Resolution adopting the following Supplemental Appropriations:

Health and Human Services – Homeless Task Force – Additional funding from Department of Commerce for needs assessment for homes services/\$30,000

Health and Human Services – Operations

- Funding from Department of Health Local Health Jurisdiction CARES contract for salaries and wages of employees reassigned to COVID-19 pandemic activities/\$853,065
- Funding from Department of Health Local Health Jurisdiction CARES contract for salaries and wages of employees performing contact tracing for COVID-19 pandemic/\$90,289
- Funding from Department of Commerce to build an addition at Serenity House to house and provide services/\$402,894

Health and Human Services - Administration – Funding from Department of Health Consolidated Contract for services related to COVID-19 response activities/\$44,586

Health and Human Services – Environmental Health

- Funding from Department of Health to provide services in the onsite septic system program/\$86,000
 - Funding from Department of Health Local Health Jurisdiction CARES contract for salaries and wages of employees reassigned to COVID-19 pandemic activities/\$108,647
 - Funding from Department of Ecology for Pollution Identification and Control Project/\$65,593
- Auditor – Additional funding for unbudgeted February Election/\$124,000

ACTION TAKEN: CRJm to adopt, CBPs, mc

PUBLIC WORKS

6a Resolution adopting the 2021 Solid Waste Management Plan

ACTION TAKEN: CRJm to adopt, CBPs, mc

6b Joint Resolution with the City of Sequim for termination of a 1993 interlocal agreement regarding septage treatment and disposal

ACTION TAKEN: CRJm to adopt, CBPs, mc

HEARING(S)

H1 Consideration of resolution adopting the following Debatable Emergencies:

HHS Operations – Additional funding received from the Olympic Community of Health for costs associated with COVID-19/\$42,950

Non Departmental – Additional funding for professional services for broadband projects/\$11,000

Non Departmental – Additional funding for salary and benefits for additional hours of Veterans Program Coordinator/\$25,406

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of July 26 - 30, 2021
Page 4

Human Resources – Workers compensation Claims – Additional funding for Workers Compensation Medical and Lost Time Compensation claims for 2021/\$135,000

Parks and Facilities – REET

- Additional funding for Jail Control Board project/\$250,000
- Additional funding for purchase and installation of exhaust system for Sheriff's Office property and evidence storage room/\$10,400

Parks and Facilities – Additional funding for expenses related to COVID-19 for goods and services expenditures incurred in June, 2021 expected to be reimbursed through FEMA/\$8,723

- ARS read the agenda item summary into the record.

ACTION TAKEN: CRJm to open the public hearing, CBPs, mc

- The following made comments:
 - Ed Bowen, Clallam Bay

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

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on Shoreline Master Plan Update and COVID- 19 Briefing at BOCC meetings.

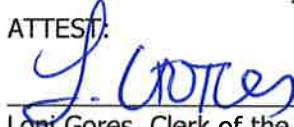
Meeting concluded at 10:46 a.m. and continued to 9 a.m., Monday, August 2.

There are no Zoom chat logs for the week of July 26.

The Board of Commissioners attended WSAC Virtual Assembly – COVID 19 update, High Resolution Oblique Imagery for Counties Training, William Shore Memorial Pool District Meeting during the week of July 26.

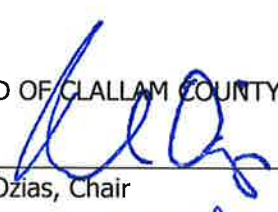
PASSED AND ADOPTED this third day of August 2021

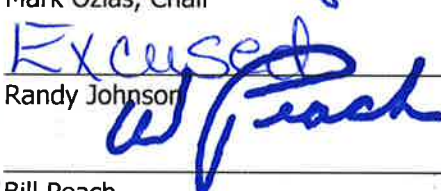
ATTEST:


Loni Gores, Clerk of the Board



BOARD OF CLALLAM COUNTY COMMISSIONERS


Mark Ozias, Chair


Randy Johnson


Bill Peach

KEY TO ABBREVIATIONS:

ARS Administrator Rich Sill
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CBP Commissioner Bill Peach

m moved
mc motion carried
s seconded

Find messages, documents, photos or people

Janet Carlisle
Public Comment 7/27/21

Fw: Public Records Re

New Subject

Public records request

Compose

← Back ↩️ ⏪ ⏩ 📁 Archive 📁 Move 🗑️ Delete 🛡️ Spam ⋮ ⌵ ✕

Public records request 12110-52621

Yahoo/Sent



Janet Carlisle <donjansequim@yahoo.com>
To: estanley@co.clallam.wa.us



Mon, Jul 26 at 11:30 AM

Dear Ms Stanley,

I will refer you to WAC 44-14-03001 Public Records Defined. I again request that the public record request I made previously and rejected by your letter dated July 6 claiming client privilege be released to me immediately.

Janet Carlisle

461 E Anderson Rd

Sequim WA 98382



Reply, Reply All or Forward

Send



Inbox

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

^ Less

Views

Hide

📷 Photos

📄 Documents

📧 Subscriptions

🛒 Groceries

✂️ Deals

📄 Receipts

➔ Travel

Folders

Hide

+ New Folder

Bond Issue S...

CLALLAM COUNTY PROSECUTING ATTORNEY

MARK B. NICHOLS

PROSECUTING ATTORNEY

223 EAST 4TH STREET, SUITE 11
PORT ANGELES, WA 98362
PHONE: 360-417-2301 FAX: 360-417-2469
TOLL FREE FROM PORKS: 360-374-5324

July 6, 2021

Dear Janet Carlisle,

Upon your request, the response to Public Records Request No. 12110-52621 was forwarded to the Prosecuting Attorney's Office for review. I have reviewed the responsive records you received and have found that all redactions were appropriately applied.

All redactions to the responsive records were labeled "1a" because all redactions were based on the attorney-client privilege. Attorney-client privileged communications are exempt under RCW 5.60.060(2)(a), which is considered an "other statute" which exempts or prohibits disclosure under RCW 42.56.070(1).¹ RCW 5.60.060(2)(a) states as follows: *An attorney or counselor shall not, without the consent of his or her client, be examined as to any communication made by the client to him or her, or his or her advice given thereon in the course of professional employment.*

In Clallam County government, the Civil Division of the Prosecuting Attorney's Office is the legal advisor for the County and its departments. An attorney-client relationship exists between the Prosecuting Attorney's Office and county employees and agents who are seeking advice related to the conduct of county government.

The headers on the January 28, 2010 emails that were partially redacted show that the communication was between Douglas Jensen, the county's Chief Civil Deputy at the time, and individuals that were seeking legal advice on behalf of county departments. The attorney-client privilege is clearly applicable in this instance. While the attorney-client privilege can be waived if a communication is disclosed to an outside third party, the County is unaware of any prior disclosure of these documents.

As the attorney-client privilege was properly applied. No changes will be made to the redactions on the records you received. This concludes the review of this request.

Regards,

Elizabeth Stanley
Chief Civil Deputy Prosecuting Attorney

¹ *Hangartner v. City of Seattle*, 151 Wn2d 439, 90 P3d 26(2004).

HTML has links - PDF has Authentication**PDF WAC 44-14-03001****"Public record" defined.**

For most public records, the act uses a three-part test to determine if a record is a "public record." The document must be: A "writing," containing information "relating to the conduct of government" or the performance of any governmental or proprietary function, "prepared, owned, used, or retained" by an agency. Effective July 23, 2017, records of certain volunteers are excluded from the definition. RCW 42.56.010(3) (chapter 303, Laws of 2017).

(1) **Writing.** A "public record" can be any writing "regardless of physical form or characteristics." RCW 42.56.010(3). "Writing" is defined very broadly as: "... handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated." RCW 42.56.010(4). An email, text, social media posting and database are therefore also "writings."

(2) **Relating to the conduct of government.** To be a "public record," a document must relate to the "conduct of government or the performance of any governmental or proprietary function." RCW 42.56.010(3).¹ Almost all records held by an agency relate to the conduct of government; however, some do not. A purely personal record having absolutely no relation to the conduct of government is not a "public record." Even though a purely personal record might not be a "public record," a record of its existence might be if its existence was used for a governmental purpose.² For example, a record showing the existence of a purely personal email sent by an agency employee on an agency computer would probably be a "public record," even if the contents of the email itself were not.³

(3) **"Prepared, owned, used, or retained."** A "public record" is a record "prepared, owned, used, or retained" by an agency. RCW 42.56.010(3).

A record can be "used" by an agency even if the agency does not actually possess the record. If an agency uses a record in its decision-making process it is a "public record."⁴ For example, if an agency considered technical specifications of a public works project and returned the specifications to the contractor in another state, the specifications would be a "public record" because the agency "used" the document in its decision-making process.⁵ The agency could be required to obtain the public record, unless doing so would be impossible. An agency cannot send its only copy of a public record to a third party for the sole purpose of avoiding disclosure.⁶

Sometimes agency employees or officials may work on agency business from home computers or on other personal devices, or from nonagency accounts (such as a nonagency email account), creating and storing agency records on those devices or in those accounts. When the records are prepared, owned, used or retained within the scope of the employee's or official's employment, those records (including emails, texts and other records) were "used" by the agency and relate to the "conduct of government" so they are "public records."⁷ RCW 42.56.010(3). However, the act does not authorize unbridled searches of agency property.⁸ If agency property is not subject to unbridled searches, then neither is the home computer, or personal device or personal account of an agency employee or official. Yet, because the records relating to agency business are "public records," they are subject to disclosure (unless exempt). Agencies should instruct employees and officials that all public records, regardless of where they were created, should eventually be stored on agency computers. Agencies should ask employees and officials to keep agency-related documents with any retention requirements on home computers or personal devices in separate folders temporarily, until they are provided to the agency. An agency could also require an employee or official to routinely blind carbon copy ("bcc") work emails in a personal account back to an agency email account. If the agency receives a request for records that are located solely on employees' or officials' home computers or personal devices, or in personal accounts, the agency should direct the individual to search for and provide any responsive documents to the agency, and the agency should process the request as it would if the records were on the agency's computers or in agency-owned devices or accounts. The agency employee or official may be required by the agency to sign an affidavit describing the nature and extent of his or her search for and production of responsive public records located on a home computer or personal device, or in a nonagency account, and a description of personal records not provided with sufficient facts to show the records are not public records.⁹

Agencies could provide employees and officials with an agency-issued device that the agency retains a right to access. Or an agency could limit or prohibit employees' and officials' use of home computers, personal devices or personal accounts for agency business. Agencies should have policies describing permitted uses, if any, of home computers, personal devices or personal accounts for agency business. The policies should also describe the

obligations of employees and officials for retaining, searching for and producing the agency's public records.¹⁰

Notes: ¹*Confederated Tribes of the Chehalis Reservation v. Johnson*, 135 Wn.2d 734, 748, 958 P.2d 280 (1998) (broadly interpreting the provision concerning governmental function).

²See *Mechling v. Monroe*, 152 Wn. App. 830, 867, 222 P.3d 808 (2009) ("Purely personal emails of those government officials are not public records."); *Nissen v. Pierce County*, 183 Wn.2d 863, 357 P.3d 45 (2015) (describing that an employee or official must provide the agency responsive "public records" but is not required to provide "personal records").

³*Tiberino v. Spokane County Prosecutor*, 103 Wn. App. 680, 691, 13 P.3d 1104 (2000) (record of volume of personal emails used for governmental purpose).

⁴*Concerned Ratepayers v. Public Utility Dist. No. 1*, 138 Wn.2d 950, 958-61, 983 P.2d 635 (1999); *Nissen*, 183 Wn.2d at 882. (For a record to be "used" it must bear a nexus with the agency's decision-making process; a record held by a third party, without more, is not a public record unless an agency "uses" it.)

⁵*Concerned Ratepayers*, 138 Wn.2d 950.

⁶See Op. Atty Gen. 11 (1988), at 4, n.2 ("We do not wish to encourage agencies to avoid the provisions of the public disclosure act by transferring public records to private parties. If a record otherwise meeting the statutory definition were transferred into private hands solely to prevent its public disclosure, we expect courts would take appropriate steps to require the agency to make disclosure or to sanction the responsible public officers.")

⁷*Nissen*, 183 Wn.2d at 882; *West v. Vermillion*, 196 Wn. App. 627, 384 P.3d 634 (2016). In *Nissen* the State Supreme Court held that a communication is "within the scope of employment" when the job requires it, the employer directs it, or it furthers the employer's interests. This inquiry is always case- and record-specific.

⁸See *Hangartner v. City of Seattle*, 151 Wn.2d 439, 448, 90 P.3d 28 (2004).

⁹*Nissen*, 183 Wn.2d at 886-887.

¹⁰*Id.* at 877, 886-887.

[Statutory Authority: RCW 42.56.570. WSR 18-06-051, § 44-14-03001, filed 3/2/18, effective 4/2/18. Statutory Authority: 2005 c 483 § 4, RCW 42.17.348. WSR 06-04-079, § 44-14-03001, filed 1/31/06, effective 3/3/06.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.

Susan:
It does explain why in Thurston County the annual operations permit is collected via the tax statement in the shellfish protection district, but is collected by a billing, sent by the Health Department to the homeowner, outside the district. I'll check with Thurston County to verify -

Andy

-----Original Message-----

From: Susan Gulick [mailto:soundres@earthlink.net]
Sent: Thursday, January 28, 2010 3:55 PM

To: Brastad, Andy
Subject: RE: Collecting fees through the property tax mechanism

It's kind of an odd reply. Is he aware of the WAC authority you have to collect permit fees? The County clearly has authority to collect that fee. He implies that you don't have clear authority to collect this assessment, which is puzzling. He doesn't address why the property tax collection mechanism is inappropriate; it seems that if you have the authority to collect it (which is granted in the WAC) then you could collect it w/ the tax assessment.

Perhaps he is making a distinction between WAC and RCW but it was drilled into us as legislative staff that WACs have the full force of law. (basically WACs ARE law).

Let's talk next week.

Have a good weekend,

Susan

-----Original Message-----

From: Brastad, Andy [mailto:A.Brastad@co.clallam.wa.us]
Sent: Thursday, January 28, 2010 3:14 PM

To: Maier, Elizabeth; Reed, Janine; Susan Gulick
Subject: FW: Collecting fees through the property tax mechanism

Back to the drawing board for other ideas -

AB

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 2:04 PM

To: Scott, Judy

Cc: Brastad, Andy; Nichols, Mark

Subject: RE: Collecting fees through the property tax mechanism

refer to meeting summary 2/22/2010

paid consultant

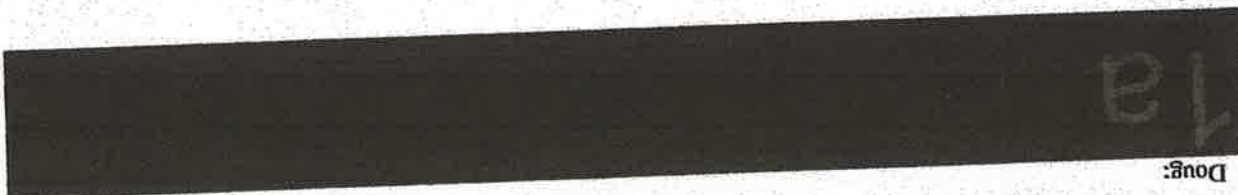
on 1-28-2010

[Signature]

Date:

Thursday, January 28, 2010 1:06 PM

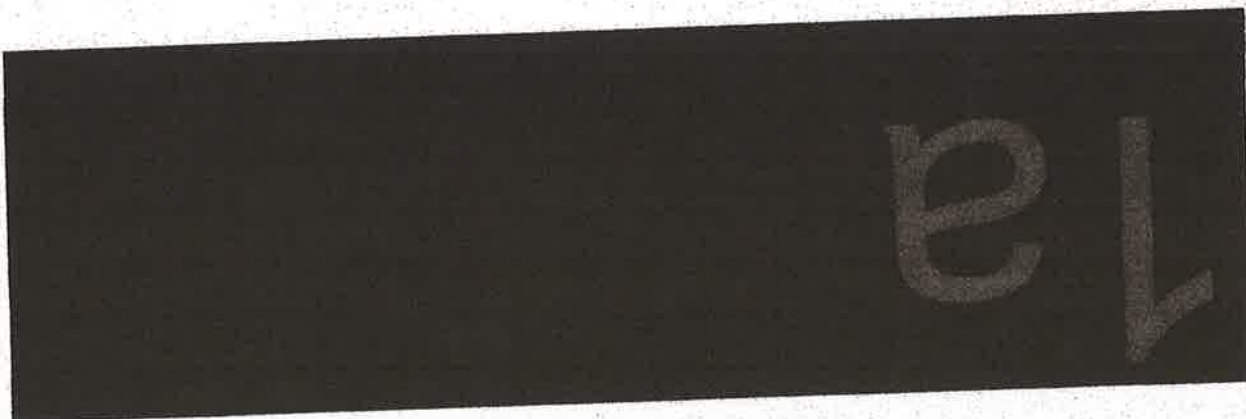
Doug:



Andy

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 2:04 PM
To: Scott, Judy
Cc: Brastad, Andy; Nichols, Mark
Subject: RE: Collecting fees through the property tax mechanism



Best,

Douglas E. Jensen

Chief Civil Deputy

Clallam County Prosecuting Atty.

Reply to: djensen@co.clallam.wa.us

360.565.2720

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-----Original Message-----

From: Scott, Judy
Sent: Thursday, January 28, 2010 1:06 PM

To: Jensen, Douglas

Subject: FW: Collecting fees through the property tax mechanism

Doug

This is additional information on the legal question I posed to you a couple days ago.

PRR 12110-0020

4/4-14-03001
WAC
paula.morris
deja

From: Brastad, Andy
To: "Susan Gulick"
Subject: RE: Collecting fees through the property tax mechanism
Date: Thursday, January 28, 2010 4:19:16 PM

Susan:

It does explain why in Thurston County the annual operations permit is collected via the tax statement in the shellfish protection district, but is collected by a billing, sent by the Health Department to the homeowner, outside the district. I'll check with Thurston County to verify -
Andy

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Subject: RE: Collecting fees through the property tax mechanism

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Perhaps he is making a distinction between WAC and RCW but it was drilled into us as legislative staff that WACs have the full force of law. (basically WACs ARE law).

Let's talk next week.

Have a good weekend,

Susan

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From: Brastad, Andy [mailto:ABrastad@co.clallam.wa.us]
Sent: Thursday, January 28, 2010 3:14 PM
To: Maier, Elizabeth; Reed, Janine; Susan Gulick
Subject: FW: Collecting fees through the property tax mechanism

* Back to the drawing board for other ideas -
AB

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 2:04 PM
To: Scott, Judy
Cc: Brastad, Andy; Nichols, Mark
Subject: RE: Collecting fees through the property tax mechanism

1a

paid consultant

From: Brastad, Andy
To: Jensen, Douglas
Subject: RE: Collecting fees through the property tax mechanism
Date: Thursday, January 28, 2010 4:12:59 PM

Thanks Doug -

1a

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 3:51 PM
To: Brastad, Andy
Subject: RE: Collecting fees through the property tax mechanism

Andy:

1a

Douglas E. Jensen
Chief Civil Deputy
Clallam County Prosecuting Atty.
Reply to: djensen@co.clallam.wa.us
360.565.2720

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-----Original Message-----

From: Brastad, Andy
Sent: Thursday, January 28, 2010 3:25 PM
To: Jensen, Douglas
Subject: RE: Collecting fees through the property tax mechanism

Doug:

PRR 12110-0016

From: Jensen, Douglas
To: Brastad, Andy
Subject: RE: Collecting fees through the property tax mechanism
Date: Thursday, January 28, 2010 3:50:38 PM

Andy:

1a

Douglas E. Jensen
Chief Civil Deputy
Clallam County Prosecuting Atty.
Reply to: djensen@co.clallam.wa.us
360.565.2720

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-----Original Message-----

From: Brastad, Andy
Sent: Thursday, January 28, 2010 3:25 PM
To: Jensen, Douglas
Subject: RE: Collecting fees through the property tax mechanism

Doug:

1a

Andy

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 2:04 PM
To: Scott, Judy

PRR 12110-0029

From: Brastad, Andy
To: Maler, Elizabeth; Reed, Janine; "Susan Gullick"
Subject: FW: Collecting fees through the property tax mechanism
Date: Thursday, January 28, 2010 3:14:18 PM

Back to the drawing board for other ideas -
AB

-----Original Message-----

From: Jensen, Douglas
Sent: Thursday, January 28, 2010 2:04 PM
To: Scott, Judy
Cc: Brastad, Andy; Nichols, Mark
Subject: RE: Collecting fees through the property tax mechanism



Best,

Douglas E. Jensen
Chief Civil Deputy
Clallam County Prosecuting Atty.
Reply to: djensen@co.clallam.wa.us
360.565.2720

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-----Original Message-----

From: Scott, Judy
Sent: Thursday, January 28, 2010 1:06 PM
To: Jensen, Douglas
Subject: FW: Collecting fees through the property tax mechanism

Doug
This is additional information on the legal question I posed to you a couple days ago.
Thanks, Judy

-----Original Message-----

From: Brastad, Andy
Sent: Thursday, January 28, 2010 1:00 PM

PRR 12110-0005

1a
Best,

Douglas E. Jensen
Chief Civil Deputy
Clallam County Prosecuting Atty.
Reply to: djensen@co.clallam.wa.us
360.565.2720

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-----Original Message-----

From: Scott, Judy
Sent: Thursday, January 28, 2010 1:06 PM
To: Jensen, Douglas
Subject: FW: Collecting fees through the property tax mechanism

Doug
This is additional information on the legal question I posed to you a couple days ago.
Thanks, Judy

-----Original Message-----

From: Brastad, Andy
Sent: Thursday, January 28, 2010 1:00 PM
To: Scott, Judy
Subject: RE: Collecting fees through the property tax mechanism

Judy:
We would propose a flat fee (somewhere between \$10 to \$30) that would be reviewed and updated (increased or decreased) every two to five years as necessary.
There could be a penalty if the fee were not paid each year. Our on-site septic system ordinance gives a penalty of \$300 per year. We are not sure what the mechanism is to collect the penalty fee.

We estimate the number of parcels in the county with septic systems to be about 20,000.

Let me know as soon as you can what the Prosecutor says since the method of collecting this fee is extremely important and I need to report back to our On-site work group in mid February.

Thanks for all your help and help me know if you need more information.

Andy

Cc: Brastad, Andy; Nichols, Mark
Subject: RE: Collecting fees through the property tax mechanism

1a

Best,

Douglas E. Jensen
Chief Civil Deputy
Clallam County Prosecuting Atty.
Reply to: djensen@co.clallam.wa.us
360.565.2720

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PRR 12110-0030