

PA's Update

March 5, 2019

2:01 p.m.

Present: Commissioner Jackson, Commissioner Stamper, Commissioner Fund, Becky Butler, Cullen Gatten, Janelle Kambich, Amber Caulfield, Eric Eisenberg, Wayne Whiton, Becky Butler, County Manager Erik Martin (2:21 p.m.)

Guests: Linda Williams, Dr. Lindsey Pollock, Katie Hayes, Delina Cline, Lynnette Hoffman, Anne Randt, Maria Lauster, Alex Brown

Recorder: Rieva Lester

Jonathan Meyer said he has met with the Winlock city attorney regarding concerns brought forward regarding the OPMA and PRA in response to a Winlock whistleblower complaint. He said his office put in about 100 hours into the investigation. He said he also discussed with Winlock's attorney concerns regarding swearing-in procedures. He said it appears a recent appointment was done incorrectly. He noted that the city does not agree with his analysis regarding the appointment in question. He said it appears the city has now lost the ability to appoint to the position because more than 90 days has passed. He noted that the city disagrees.

Jonathan said trial costs already appear to be high for 2019. He said most witnesses are local, so those costs may not be as high as they could be. He said indigent defense and jury costs likely will be high.

Delina Cline, Anne Randt, Lynnette Hoffman and Maria Lauster left at 2:06 p.m.

Eric Eisenberg said Water District 5's two commissioners have signed a resolution indicating they would like to explore a county takeover of the water system. Eric noted that this may be a piece of a larger service of taking over multiple water systems in the county. Eric said the county may want to explore an interim agreement through which the county manages the District 5's system until a finalized plan is in place.

Amber Caulfield said the recall hearing for Water District 5 Commissioner Hilliard was held over until March 25. Eric discussed what takes place during a recall process.

Eric said he met with the Great Rivers Behavioral Health Organization (GRBHO) to discuss the county's staffing struggles regarding ITAs. Eric noted that the county has been under-billing Great Rivers and ultimately is short one position. He said the PA's Office is drafting a request for additional funding to pay for additional support in the PA's Office.

Cullen Gatten said the two Fire District 17 commissioners resigned. He recommended the BOCC accept applications and then appoint one member to Fire 17.

County Manager Erik Martin joined at 2:21 p.m.

Commissioner Fund made a motion to move forward with steps to accept applications for Fire 17.

Commissioner Stamper seconded.

Motion passed 3-0.

Cullen Gatten said he has asked Gary Fredricks for a supervisory plan. He said he has not heard back regarding the MOA.

Becky Butler noted that the PFD had changed the .09 language in the resolution it passed regarding repayment of .09 funds.

Becky said the county's resolution (Resolution 18-211) says, "The District agrees in the resolution authorizing the Bonds or in a separate agreement that the District will repay the loan the County made to the District in 2010 and that is currently outstanding in the amount of \$366,667 as follows: (1) \$122,222 to be paid from Bond proceeds and (2) three annual payments of \$61,111 each in 2021-2023 and a fourth payment of \$61,112 in 2024."

Becky said the PFD passed a resolution (Resolution 2018-03) that had the following language (in Section 25): "The District agrees that it will repay the loan the County made to the District in 2010 and that is currently outstanding in the amount of \$366,667 as follows: (1) \$122,222, or such other amount determined by the Designated Representative, to be paid from Bond proceeds and (2) four annual payments of \$61,111 each in 2021-2024." She noted that the verbiage did not match, specifically singling out the "or such other amount determined by the Designated Representative" language that had been added.

Jonathan said he would reach out to PFD Chair Todd Chaput.

Commissioner Fund asked for a progress report regarding Tacoma Power. Erik said the BOCC has talked to the PA's Office about looking to outside counsel regarding the Tacoma Power CPI payments and other items in the county's agreement with Tacoma Power as well as positioning for upcoming FERC relicensing. The commissioners asked the PA's Office to work with Erik to reach out to potential outside counsel.

Dr. Lindsey Pollock left at 2:32 p.m.

At 2:34 p.m., Commissioner Jackson announced that the Board was going into Executive Session under RCW 42.30.110(1)(i) until 2:50 p.m. to discuss pending and potential litigation.

At 2:50 p.m., the Board extended Executive Session for 3 minutes.

Executive Session ended at 2:53 p.m.

Meeting ended at 2:54 p.m.