

**November 19, 2019**



## **BOARD OF DIRECTORS MEETING**

**The Davenport Grand Hotel  
Spokane, WA  
Spokane, Washington**

Count	ByLaws Ref	Population	Executive Board Seat	Title	First Name	Last Name	County
13.5	< Quorum						
<b>Executive Committee</b>							
1	3.4a		President	Commissioner	Scott	Hutsell	Lincoln
2	3.4a		1st Vice-President	Commissioner	Robert	Gelder	Kitsap
3	3.4a		2nd Vice-President	Commissioner	Michael	Largent	Whitman
4	3.4b, 3.17.2		IP-President	Councilmember	Stephanie	Wright	Snohomish
<b>Board of Directors</b>							
			<b>Board Seat</b>	<b>Title</b>	<b>First Name</b>	<b>Last Name</b>	<b>County</b>
5	3.4b		P-President	Commissioner	Dave	Sauter	Klickitat
6	3.4b		P-President	Commissioner	Helen	Price Johnson	Island
7	3.4f	2,226,300	King County Executive	Executive	Dow	Constantine	King
8	3.4e 1	2,226,300	King County Council	Councilmember	Joe	McDermott	King
9	3.4e 2	888,300	Pierce County	Councilmember	Jim	McCune	Pierce
10	3.4e 3	818,700	Snohomish County	Councilmember	Nate	Nehring	Snohomish
11	3.4e 4	515,250	Spokane County	Commissioner	Mary	Kuney	Spokane
12	3.4e 5	488,500	Clark County	Councilor	Eileen	Quiring	Clark
13	3.4e 6	285,800	Thurston County	Commissioner	John	Hutchings	Thurston
14	3.4e 7	270,100	Kitsap County	Commissioner	Charlotte	Garrido	Kitsap
15	3.4e 8	255,950	Yakima County	Commissioner	Ron	Anderson	Yakima
16	3.4e 9	225,300	Whatcom	Executive	Jack	Louws	Whatcom
17	3.4e 10	201,800	Benton	Commissioner	James	Beaver	Benton
18	3.4d 1		Eastern Region	Commissioner	Chris	Branch	Okanogan
19	3.4d 2		Eastern Region	Commissioner	Wes	McCart	Stevens
20	3.4d 3		Eastern Region	Commissioner	Jim	Johnson	Walla Walla
21	3.4d 4		Eastern Region	Commissioner	Karen	Skoog	Pend Oreille
22	3.4c 1		Western Region	Commissioner	Kenneth	Dahlstedt	Skagit
23	3.4c 2		Western Region	Commissioner	Edna	Fund	Lewis
24	3.4c 3		Western Region	Commissioner	Vickie	Raines	Grays Harbor
25	3.4c 4		Western Region	Commissioner	Dennis	Weber	Cowlitz
			<b>Board Alternate Seat</b>	<b>Title</b>	<b>First Name</b>	<b>Last Name</b>	<b>County</b>
1	3.4f	2,226,300	King County Executive	Councilmember	Reagan	Dunn	King
2	3.4e 1	2,226,300	King County Council	Councilmember	Kathy	Lambert	King
3	3.4e 2	888,300	Pierce County	Councilmember	Derek	Young	Pierce
4	3.4e 3	818,700	Snohomish County	Councilmember	Terry	Ryan	Snohomish
5	3.4e 4	515,250	Spokane County	Commissioner	Josh	Kerns	Spokane
6	3.4e 5	488,500	Clark County	Councilor	Gary	Medvigy	Clark
7	3.4e 6	285,800	Thurston County	Commissioner	Gary	Edwards	Thurston
8	3.4e 7	270,100	Kitsap County	Commissioner	Ed	Wolfe	Kitsap
9	3.4e 8	255,950	Yakima County	Commissioner	Norm	Childress	Yakima
10	3.4e 9	225,300	Whatcom	Councilmember	Rud	Browne	Whatcom
11	3.4e 10	201,800	Benton	Commissioner	Jerome	Delvin	Benton
12	3.4d 1		Eastern Region	Commissioner	Brad	Peck	Franklin
13	3.4d 2		Eastern Region	Commissioner	Rich	Stevens	Grant
14	3.4c 1		Western Region	Commissioner	Robert	Jackson	Lewis
15	3.4c 2		Western Region	Commissioner	Mark	Ozias	Clallam
<b>Affiliate Presidents</b>							
			<b>Board Affiliates (Non-voting Mbrs)</b>		<b>First Name</b>	<b>Last Name</b>	<b>County</b>
			ACCIS		Eddy	Sherman	Kitsap
			ACHS		Doug	Washburn	Kitsap
			WACCCs		Debbie	Thompson	Island
			WCAA		John	Dickson	Spokane
			WSACE		Eric	Pierson	Chelan
			WSACRPD		Erik	Johansen	Stevens
			WSALPHO		Theresa	Adkinson	Grant-Grant Health
			WSEMA		Sandi	Duffey	Grant
			WSUEXT		Andrew	McGuire	Grant
			WACSWM	Co-Chair	Brenda	Blanchfield	Chelan
				Co-Chair	Matthew	Zybas	Snohomish



## MEETING AGENDA - WSAC BOARD OF DIRECTORS

Tuesday, November 19, 2019  
 WSAC Board of Directors  
 Noon - 3:00 p.m., Lunch provided for Board

Spokane County  
 The Davenport Grand - Cedar Meeting Room  
 Spokane, Washington

\*Call in Information: 1-800-356-8278 or 206-858-8066; Conference Code 818671

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
Noon		President Hutsell	CALL TO ORDER and Introductions; Establish Quorum	
	√	President Hutsell	1. APPROVE Agenda	Action
	√	President Hutsell	2. APPROVE MINUTES: September 20, 2019	Action
		President Hutsell	3. President's Report	Report
<b>WSAC BUSINESS</b>				
12:15 p.m.	√	Eric Johnson Mellani McAleenan Paul Lawrence	4. Litigation Program Update Regarding Current and Pending Litigation – Possible Executive Session  - Spokane County - Unfunded Mandate - Indigent Defense - Amicus Brief Update	Update  Possible Action
1:30 p.m.	√	Eric Johnson	5. Proposed 2020 WSAC Board of Directors Meeting Schedule <i>Actions: Consider Adopting 2020 WSAC Board of Directors Meeting Schedule</i> <b>Resolution 2019-17</b>	Action
1:45 p.m.	√	Derek Anderson	6. Boards and Commissions (Nominations and Appointments) <i>Actions: Consider Adopting Nominations and Appointments</i> <b>Resolutions 2019-18 through 2019-25</b>	Action
2:00 p.m.		Derek Anderson	7. Business Development Opportunities	Presentation /Discussion
<b>STAFF REPORTS – SUBMITTED IN WRITING</b>				
	√	Eric Johnson	8. Executive Director	Report
	√	Bridget Lockling	9. Business and Finance	Report
	√	Derek Anderson	10. Communications and Member Services	Report
	√	Mellani McAleenan	11. Policy and Legislative Relations	Report

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
<b>MEMBER REPORTS</b>				
2:45 p.m.	√	Commissioner Dahlstedt Councilmember Wright Commissioner McCart Others	12. NACo Reports	Report
		President Hutsell Board Members	13. WSAC Board of Director Reports from activities on Statewide Boards and Commissions <i>Presentation by WSAC Board Members on Current Issues relating to Statewide Boards and Commissions they serve/represent WSAC on</i>	Report
<b>OTHER BUSINESS</b>				
		President Hutsell	Board Member Roundtable	Discussion
3:00 p.m.		President Hutsell	Adjourn	

\*ALL times are approximate only

**NEXT MEETING of the WSAC Board of Directors - TENTATIVE DATE and TIME:  
TENTATIVE – Wednesday, February 5, 2020, 1:00 p.m. – 5:00 p.m.  
Washington Counties Building, Thurston County, Olympia**

**Washington State Association of Counties**  
**MINUTES OF MEETING OF THE BOARD OF DIRECTORS**  
**September 20, 2019**

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**Opening**

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A regularly scheduled meeting of the Board of Directors of the Washington State Association of Counties (WSAC) was held on Friday, September 20, 2019 starting at approximately 8:30 a.m. at the Hal Holmes Community Center, Kittitas County, Ellensburg, Washington. All directors had been previously notified of the meeting pursuant to the Association Bylaws.

**Board Members/Alternates Present:** President Scott Hutsell, 1<sup>st</sup> Vice President Robert Gelder, 2<sup>nd</sup> Vice President Michael Largent, Immediate Past President Stephanie Wright, Past President David Sauter, Past President Helen Price Johnson, Ron Anderson, Chris Branch, Ken Dahlstedt, Al French, Edna Fund, John Hutchings, Bobby Jackson, Mary Kuney, Wes McCart, Jim McCune, Nate Nehring, Mark Ozias, Brad Peck, Derek Young, Vickie Raines, Karen Skoog, and Dennis Weber. A quorum was present.

**WSAC Members:** Bob Johnson, Chris Seubert, Jamie Stephens and Dan Sutton.

**Staff and others present:** Eric Johnson, Mellani McAleenan, Derek Anderson, Jaime Bodden, Lynn Fiorillo-Lowe, Mike Hoover, Paul Jewell, Paul Lawrence, Bridget Lockling, April Putney, Mac Nicholson, Juliana Roe, Annika Vaughn and Jane Wall.

**Call to Order and Approval of Agenda:** The meeting was called to order at 8:30 a.m. It was moved by David Sauter, seconded by Helen Price Johnson to approve the agenda as drafted. The motion passed.

**Approval of minutes of previous meeting:** A motion was made by Chris Branch and seconded by John Hutchings to approve the minutes with corrections. The motion carried to adopt the minutes of the May 9th and May 10th meetings with revisions. The motion was passed.

**President's Report:** President Hutsell reported that he and Eric had visited several counties recently for their Courthouse Briefings, as well as his trip to Washington, DC.

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**WSAC Business Actions**

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**Litigation Program Update**

The Board announced an **EXECUTIVE SESSION**, in compliance with RCW 42.30. 110(1)(i), to discuss current and potential litigation at 8:45 a.m. for one hour. The session ended at 9:45 a.m. The Board **EXTENDED** the **EXECUTIVE SESSION** for an additional 15 minutes at 9:45 a.m. WSAC's outside legal counsel, Paul Lawrence provided the updates. No decisions were made. **EXECUTIVE SESSION** concluded at 10:00 a.m.

A motion was made by Dennis Weber, seconded by Mary Kuney to have WSAC file an appeal for the Spokane County litigation. In addition, join both Snohomish and Whitman counties as co-plaintiffs in filing a complaint regarding the unfunded mandate (Senate Bill 5472 – Ballot Drop Box Bill). The motion carried.

Mellani McAleenan updated the members on the current Amicus Brief requests that WSAC is involved in. Members were provided with handouts.

**2020 Proposed WSAC Budgets:** President Hutsell, Vice President Gelder, Second Vice President Michael Largent, Eric Johnson and Bridget Lockling presented the Proposed 2020 WSAC Budgets which includes the Proposed 2020 Special Fund Budget, Proposed 2020 Operating Budget; Proposed 2020 WSAC Strategic Litigation and Communication Program Budget; Proposed 2020 General, Transportation, Public Lands, Human Services, and Strategic Litigation and Communication Dues Assessment Schedules.

**Resolution #2019-10:** A motion was made by Wes McCart, seconded by Chris Branch to approve Resolution #2019-10 which adopts the proposed 2020 Special Fund Budget and recommends that

**Washington State Association of Counties**  
**MINUTES OF MEETING OF THE BOARD OF DIRECTORS**  
**September 20, 2019**

the proposed 2020 Operating Budget, proposed 2020 WSAC Strategic Litigation and Communication Program Budget to include 2020 general, transportation, public lands, human services, and strategic litigation and communications program dues assessment schedules be recommended to the WSAC Membership for their consideration and approval at the November 21, 2019 annual meeting. The motion passed.

**Proposed 2019-2020 Legislative Steering Committee Membership:** President Hutsell and Eric Johnson presented the Board with a revised roster for the 2019-2020 Legislative Steering Committee.

**Resolution #2019-11:** A motion was made by Wes McCart and seconded by David Sauter to approve Resolution #2019-11 to confirm the 2019-2020 Legislative Steering Committee Roster, as proposed by the President, as presented to include the names of 24 representatives and alternates and also authorizes President Hutsell or the incoming WSAC President, with confirmation from the Executive Committee, to fill remaining roster vacancies. The motion passed.

**Federal Issues and Relations Committee Roster Confirmation:** President Hutsell and Eric Johnson presented the membership composition criteria, as well as the nominees for consideration by the Board.

**Resolution #2019-12:** David Sauter made a motion and was seconded by Helen Price Johnson to approve Resolution #2019-12 which approves the slate of nominees as recommended in the resolution and also authorizes President Hutsell or the incoming WSAC President, with confirmation from the Executive Committee, to fill roster vacancies. The motion carried.

**Statewide Boards and Commissions:** Derek Anderson presented the State Boards and Commission positions up for approval.

**Resolution #2019-13:** Helen Price Johnson made a motion, seconded by John Hutchings to approve Resolution #2019-13 to nominate Mary Kuney for the vacancy on the Domestic Violence Workgroup. The motion passed.

**Resolution #2019-14:** Dennis Weber made a motion, Wes McCart seconded to approve Resolution #2019-14 to nominate Kathy Lambert to the Forensic Investigations Council. The motion passed.

**Resolution #2019-15:** Wes McCart made a motion, David Sauter seconded to approve Resolution #2019-14 which approves the slate of nominees to include Keith Johnson and Brenda Sherman to fill the vacancy on the Local Government Advisory Committee. The motion passed.

**Resolution #2019-16:** Edna Fund made a motion, Bobby Jackson seconded to approve Resolution #2019-16 to nominate Tim Fife to fill the vacancy on the Local Bridge Program. The motion passed.

***Two open positions that were filled at the September 20<sup>th</sup> Board Meeting were:***

**Criminal Justice Training Commission:** Chris Branch made a motion, which was seconded by Ken Dahlstedt to nominate John Hutchings to fill the vacancy. Motion passed.

**Shorelines Hearings Board – Alternate:** Helen Price Johnson made a motion, Chris Branch seconded to nominate Dennis Weber as an alternate to the Shorelines Hearings Board. The motion was carried.

**Comprehensive Policy Manual Review:** Eric Johnson spoke about WSAC's Comprehensive Policy Manual. The last comprehensive review of the WSAC Comprehensive Policy Manual occurred in 2010. Since that time, the WSAC Board of Directors has approved 24 additions or amendments.

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WSAC staff continues to identify the need for new and revised policies as well as assuring existing policies are consistent with state law and regulation. WSAC staff proposes a comprehensive review to include oversight by a select number of interested members of the Board of Directors. Volunteers were requested in assisting staff in reviewing proposed amendments and revisions, please contact President Hutsell or myself. All meetings to review the Comprehensive Policy Manual will be conducted electronically with the goal of having proposed revisions to the WSAC Comprehensive Policy Manual ready for review in early 2020.

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**Reports**

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**Member Reports & Staff Reports:** Member and staff reports were made available in the board packet.

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**Closing**

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**Next Meeting:** The next meeting of the Board of Directors will be on Tuesday, November 19, 2019 at the Davenport Grand Hotel, Spokane County, Spokane, Washington.

**Adjourn:** There being no further business; President Scott Hutsell adjourned the meeting at 12:20 p.m.

**Respectfully submitted:**

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President

**November 19, 2019**



## **BUSINESS ACTION AND REPORTS**



## Litigation Update, November 14, 2019

### **Spokane County - Spokane County v. State of Washington 19-2-00934-32**

This case challenges the constitutionality of Senate House Bill 2887 (2018) requiring Spokane County to elect a five member, by district, Board of County Commissioners. This legislation violates the uniformity clauses of Article XI of the Washington State Constitution and creates a precedent for the legislature to impose different requirements on different counties.

- Legal action authorized by WSAC Board of Directors, November 13, 2018.
- Attorney General Ferguson declined our request to “Investigate and Institute Legal Proceedings on the Unconstitutionality of Senate House Bill 2887”.
- WSAC filed complaint for Summary Judgment in Spokane County Superior Court on February 26, 2019, that the imposition of differing systems of government violates the Constitution’s uniformity requirements. Const. art. XI, §§ 4, 5; art. II, § 28.
- Plaintiffs are Washington State Association of Counties, Spokane County, Al French, and John Roskelley (former Spokane County Commissioner).
- Communication activities:
  - Spokane County contract lobbyist Mike Burgess and Eric Johnson met with most Spokane area Legislators;
  - Eric Johnson, President Hutsell, and Spokane County Commissioner Kuney met with local media;
  - Communicated to WSAC Members.
- State’s Answer, received March 11<sup>th</sup>.
- WSAC Motion for Summary Judgment submitted April 26, 2019
- State Response Submitted May 13, 2019.
- WSAC Response Submitted May 20, 2019.
- Hearing and oral arguments heard by Spokane County Superior Court Judge Maryann Moreno on Friday, May 31, 2019.
- Judge Moreno’s ruled on August 16, 2019, in favor of the State, stating that she is “*not convinced that SHB 2887 violates the Washington State Constitution. I am not satisfied that the County has met the burden of proof beyond a reasonable doubt.*”
- WSAC and Co-Plaintiffs have 30 days to appeal.
- WSAC Board of Directors authorized direct appeal to the Washington Supreme Court, September 20, 2019.
- Spokane County, WSAC and Co-Plaintiffs filed Notice of Appeal to the Washington Supreme Court on September 26, 2019.
- State concurred with direct appeal to the Supreme Court.

### **Unfunded Mandate**

This case will challenge that Senate Bill 5472 (Ballot Drop Box Bill) is a violation of RCW 43.135.060, Prohibition of new or extended programs without full reimbursement.

- Legal action authorized by WSAC Board of Directors, November 13, 2018.
- Gary Rowe (WSAC Contractor) worked with County Auditors/Election Managers from all 39 counties regarding Ballot Drop Box installation costs, operation costs, claims filed. Cross checked with data from the Secretary of State’s Office.
- Facilitated meeting with WSAC leadership and Washington State Association of County Auditors leadership to discuss pending litigation. Briefed WSACA members during legislative session.
- WSAC Board/LSC briefed on May 8, 2019.
- Finalizing Draft Complaint – Seeking Co-Plaintiffs.

Litigation Update, November 14, 2019

- Briefed WSACA on June 10, 2019. October 2, 2019.
- Briefed WAPA on June 19 2019. October 2, 2019.
- Complaint has been reviewed by selected County Auditors and Prosecuting Attorneys.
- Snohomish County and Whitman County will join WSAC as co-plaintiff(s).
- One additional County is considering joining as a co-plaintiff
- Will included the claims made by 11 other counties for unfunded mandate/ballot drop box expenses and denied by the state. Association will attempt to secure payment on behalf of those counties through standing in the case.
- Complaint expected to be filed before December 15, 2019.
- Working on communication plan/outreach.

### Indigent Defense

Potential legal action regarding the State's constitutional duty to provide trial court indigent defense funding.

- Pacifica Law Group has initiated the preliminary research and analysis regarding potential and likely claims – statutory and constitutional.
- WSAC will Amicus on a pending case that asks if the State of Washington or the Washington State Office of Public Defense has an actionable duty to cure claimed systemic and significant deficiencies in a county's provision of indigent defense services to juveniles charged with criminal offenses. (Davison v. State of Washington and Washington State Office of Public Defense Supreme Court, No. 96766-1)
  - In 2017, plaintiff, supported by the ACLU, sued the state alleging that Grays Harbor County systemically failed to provide constitutionally adequate indigent juvenile defense. Grays Harbor County was not named as a party to the suit. Davison asked the Thurston County Superior Court to declare that the State and OPD have a duty to act when they become aware of a systemic failure by a county to provide constitutionally adequate indigent juvenile defense.
  - The trial court ruled that the State has a duty to act if it knows of a county's systemic failure to provide constitutionally adequate indigent juvenile defense, without regard to whether the county could more appropriately remedy the problem itself.
  - The State filed a motion for direct review to the Supreme Court on January 28, 2019, and the Court accepted review.
  - Formal request by the Grays Harbor Board of County Commissioners for WSAC to submit an Amicus Curiae Brief.
  - The WSAC Executive Committee approved amicus involvement on April 7, 2019.
  - The Pacific Law Group, on behalf of WSAC, submitted Amicus Curiae Brief on September 27, 2019:
    - State of Washington has an *Affirmative Constitutional Duty* to assure adequacy of Indigent Defense.
    - Who (State or County) has the responsibility to fund indigent defense is not properly before the court and should not be ruled upon.
  - Oral arguments occurred November 12, 2019 before the Washington Supreme Court.
- Reviewing potential concurrent or subsequent legal actions.
- WSAC initiated work on data gathering associated with indigent defense and county expenditures, systems of delivery, etc.
- WSAC staff will be reaching out to secure points of contact for each County regarding this potential litigation.
- WSAC staff established data/information steering committee with county budget and policy staff.

## **Attorney General Opinion – Appointment to Vacant State Legislative Position**

- Pacifica Law Group developed analysis of AGO Opinion 1985-01 (as well as other AGOs spanning a period of 1965-1987) which opines that a sitting county commissioner (council member) cannot be appointed to a vacancy in the legislature.
- Pacifica Law Group analysis found that, “under the Washington State Constitution and state law, a sitting county commissioner or councilmember should be eligible to be appointed to a vacant state legislative position.”
- February 22<sup>nd</sup> – WSAC Legal Committee reviewed the Pacifica Law Group legal analysis and agreed to reach out to Skagit County Prosecuting Attorney Rich Wyrich asking him to seek a new AGO on the issue.
- Both San Juan County Prosecuting Attorney Randy Gaylord and Whatcom County Prosecuting Attorney Eric Richey sought an AGO.
- AGO accepted Prosecutor Richey’s request - <https://www.atg.wa.gov/pending-attorney-generals-opinions#richey>.
- Pacifica updated original analysis and provided to the Office of the Attorney General on behalf of WSAC.



## AMICUS UPDATE – Cases pending or decided in 2019 November 4, 2019

### 1) **Kittitas County v. WA State Department of Transportation**

- Div. II, Court of Appeals, No. 52329-9-II

#### Issue

Whether the state Department of Transportation must pay its share of a county's noxious weed program's costs.

#### Background

As required by state law, Kittitas County provides noxious weed services to all landowners in the county, including DOT. Kittitas County is appealing a superior court summary judgment order exempting DOT from paying for noxious weed services to DOT owned land.

The case has been appealed to the Court of Appeals. Kittitas County's brief, as petitioner, has been filed; and DOT's brief was due at the end of November; however, DOT was granted a continuance to December 21, 2018. Any amicus brief would be due 45 days after DOT's brief, approximately January 12, 2019. Kittitas County requested an amicus brief from WSAC.

#### Status

WSAC's amicus brief, drafted by Pacifica Law Group, was filed with the Court of Appeals on March 1, 2019 upon leave from the court to file late. Oral argument was heard on October 24, 2019.

### 2) **Davison v. State of Washington and Washington State Office of Public Defense**

- Supreme Court, No. 96766-1

#### Issue

Whether the State of Washington or the Washington State Office of Public Defense has an actionable duty to cure claimed systemic and significant deficiencies in a county's provision of indigent defense services to juveniles charged with criminal offenses.

#### Background

In 2017, plaintiff, supported by the ACLU, sued the state alleging that Grays Harbor County systemically failed to provide constitutionally adequate indigent juvenile defense. Grays Harbor County was not named as a party to the suit. Davison asked the Thurston County Superior Court to declare that the State and OPD have a duty to act when they become aware of a systemic failure by a county to provide constitutionally adequate indigent juvenile defense.

The trial court ruled that the State has a duty to act if it knows of a county's systemic failure to provide constitutionally adequate indigent juvenile defense, without regard to whether the county could more appropriately remedy the problem itself.

The State filed a motion for direct review to the Supreme Court on January 28, 2019, and the Court accepted review.

#### Status

The WSAC Executive Committee approved amicus involvement in March. The Pacific Law Group

submitted a brief for WSAC at the end of September. Oral arguments have been scheduled for November 12, 2019.

### 3) **Tulalip Tribes v. Smith**

- US Court of Appeals, 9<sup>th</sup> Circuit, Nos. 18-36062, 18-36075

#### Issue

Does federal law preempt the State and County's imposition of taxes on non-Indian businesses in transactions with non-Indian customers?

Do the taxes interfere with Tulalip's sovereign right to make and be governed by its own laws by depriving the Tribes of funds for education and social welfare of tribal members and those living on the reservation?

Does the Indian Commerce Clause carve out a zone of economic interests—including taxation—in which only the federal government, not state and local governments, may regulate?

#### Background

The Tribes, joined by the United States as a Plaintiff-Intervenor, sought a declaration and injunction prohibiting the State of Washington and Snohomish County from collecting retail sales and use taxes, business and occupation taxes, and personal property taxes within a part of the Tulalip Reservation known as Quil Ceda Village. The Plaintiffs argue that these taxes should not be imposed because they are preempted by federal law, violate the Indian Commerce Clause, and infringe on Tulalip's tribal sovereignty.

The US district court first granted summary judgment on one count, holding that the Plaintiffs did not state a viable claim of relief under the Indian Commerce Clause. The district court then concluded that the State and County's taxes were not preempted under that test because there is no pervasive or comprehensive federal regulatory scheme governing *retail sales* activity in the Village, and Tulalip could not demonstrate more than a basic financial interest implicated by the State and County taxation. The court also held that the taxes do not infringe on Tulalip's tribal sovereignty.

Both the Tribes and the United States have appealed to the 9<sup>th</sup> Circuit Court of Appeals. Their opening briefs on appeal are currently due on April 1, 2019. The State and County's answering briefs will be due May 1, 2019, although we anticipate seeking a 30-day extension to May 31, 2019. The earliest an amicus brief in support of the State and County would be due is therefore seven days later, June 7, 2019. If the Plaintiffs seek an extension on their briefs, the due date will be even later.

#### Status

The WSAC Executive Committee approved amicus involvement. WSAC is exploring the option of filing a joint brief with WSAMA. However, the parties reopened settlement negotiations in late April, and the briefing schedule was vacated. A new schedule will be adopted if the case is not settled.

### 4) **The Judges of the Benton and Franklin Counties Superior Court et al. v. Michael Killian, Franklin County Clerk, Superior Court of WA for Franklin County**

- Supreme Court, No. 96821-7

#### Issue

Whether courts may compel a board of county commissioners to fund expenditures absent clear, cogent, and convincing evidence that the expenditures are necessary to hold court, conduct the administration of justice efficiently, or fulfill its constitutional duties.

#### Background

Benton and Franklin County Superior Courts adopted a court rule to order the Franklin County Board of Commissioners to appropriate additional funds for the Franklin County Clerk to maintain paper records after the electronic Odyssey record system was operational.

This case was heard by Kittitas County Superior Court Judge Scott Sparks. Plaintiff's motion for

11/4/2019

summary judgment seeking writ of mandamus was scheduled for hearing on December 7, 2018. The Kitsap County Board of Commissioners requested, and the Kitsap County Prosecuting Attorney agreed, to appear for WSAC as amicus in the case. The Kitsap County Prosecuting Attorney, by and through Chief Deputy Jacquelyn Aufderheide and Senior DPA Lisa Nickel, prepared and submitted the necessary briefing.

On December 10, 2018, Judge Scott Sparks ruled in favor of the judges, holding that it is the judges and not the clerk who decides when the timing of going paperless should occur. The Franklin County Superior Court Clerk is not authorized to disregard the authority of the court.

A petition for review was filed by the Franklin County Clerk to the Supreme Court, and WSAC was asked to continue its amicus support. Former WA Supreme Court Justice Phil Talmadge will be filing a brief on behalf of the Washington State Association of County Clerks.

### Status

On July 26, 2019, Chief Civil Deputy Aufderheide prepared and submitted a new amicus brief similar to the one filed with the trial court, except that it responded to argument/contentions made in the Franklin County Superior Court's answer to WSAC's amicus brief and expanded WSAC's brief to describe the numerous functions county governments perform that may be impacted when judges demand extra-budget expenditures for judicial projects. Supreme Court oral arguments are scheduled for November 12, 2019.

## **5) Bednarczyk, et al. v. King County**

- Supreme Court, No. 96990-6

### Issue

Whether jurors are entitled to minimum wage as employees under the Washington Minimum Wage Act.

### Background

Washington's counties, including King County, pay jurors within a \$10 to \$25 range pursuant to state law. Plaintiffs are hourly wage earners whose employers do not pay for jury service. They filed a claim in Pierce County Superior Court claiming that jurors should be paid minimum wage under the Washington Minimum Wage Act. They also sought a declaratory judgment on the grounds that insufficient juror pay necessitating economic hardship excusals effectively excludes jurors from services on the basis of economic status. They also included a racial disparity class and claim, but voluntarily dismissed it. While they aimed for a class action, no class was ever certified.

King County moved for and prevailed on summary judgment. Plaintiffs sought direct review, which was denied. The Court of Appeals affirmed the grant of summary judgement in favor of King County by a vote of 2-1, holding that (1) economic status is not a protected class under the Washington Law Against Discrimination, (2) an implied cause of action and remedy of increased juror pay is inconsistent with the legislative intent of the underlying statute, and (3) rejecting the argument that jurors are employees for purposes of the Minimum Wage Act.

### Status

Plaintiffs sought review in the Washington Supreme Court, which was granted on July 29, 2019. Oral argument is set for October 29, 2019. Pam Loginsky, of the Washington Association of Prosecuting Attorneys, drafted a joint brief for WSAC and the County Clerks, which was filed at the end of September.

## **6) Teamsters Local 839 v. Benton County**

- Div. III, Court of Appeals, No. 36974-9-III

### Issue

Does RCW 41.56 (public employees' collective bargaining) trump RCW 49.48.200 and .210 (collection of overpayment of wages) such that public employers must collectively bargain the collection of overpayments?

### Background

In November 2016, the Benton County Auditor's Office discovered the accidental overpayment of wages to corrections officers and patrol deputies in the Sheriff's Office. The Auditor's Office notified the Sheriff's Office who communicated with the affected employees. The Teamsters filed a preemptive grievance, which was withdrawn, and no until members timely challenged the occurrence or amounts of the overpayments.

In lieu of litigation to recover undisputed debt owed the county, and pursuant to express statutory authority in RCW 49.48.200 and .210, the Auditor's Office had the employees served with notice and deducted the overpayments in subsequent pay periods per the statutory requirements. The Teamsters filed two Unfair Labor Practice complaints against the county alleging that they should not have dealt directly with represented employees and not providing the Teamsters with the opportunity to bargain a repayment plan.

The Teamsters and the County filed simultaneous, pre-hearing cross-motions for summary judgment. Without a full evidentiary hearing, the examiner ruled that the county committed the unfair labor practices. The county was ordered to return the overpaid funds, including interest if requested, to the employees and bargain and negotiate a payment plan with the Teamsters. PERC affirmed the examiner's decision. The county filed a petition for review of PERC's administrative decision in superior court, which affirmed the decision.

### Status

Benton County requested, and was granted, an extension of time for filing. WSAC's brief will likely be due in early 2020. Christopher Anderson, Spokane County Deputy Prosecuting Attorney, has volunteered to draft a brief on WSAC's behalf.

### **7) King County v. King County Water Districts Nos. 20, 45, 49, 90, 111, 119, 125, et al and Ames Lake Water Association, Dockton Water Association, Foothills Water Association, Sallal Water Association, Tanner Electric Cooperative, and Union Hill Water Association**

- Supreme Court, No. 96360-6

### Issue

May a county enact an ordinance that requires reasonable rental compensation for use of a county right-of-way, and may a county require minimum terms and conditions government the use of the right-of-way in its franchise agreements?

### Background

King County Ordinance 1803 requires water, sewer, gas, and electric utilities to pay reasonable rental compensation through a negotiated franchise agreement for their use of county rights-of-way (ROW). To date, public and private utilities have largely used county ROW for free. Shortly following passage of the ordinance, several district utilities declared their opposition and stated their intent to sue King County.

King County then filed an action for declaratory judgment seeking a ruling to confirm its legal authority to enact the ordinance. King County names the district utilities as defendants, and the private utilities subsequently interviewed. The utilities argued that King County lacked authority to charge reasonable rental compensation and imposed an illegal tax.

On cross-motions for summary judgment, the trial court ruled that King County did not have the authority to enact the ordinance, invalidating not only the franchise rental compensation but also ruling that the county could not require any minimum terms and conditions governing use of the ROW in its franchise agreements.

King County sought direct review by the Supreme Court and filed its opening brief on March 1, 2019.

### Status

Having found no DPA to volunteer to draft an amicus brief, WSAC engaged Arete Law Group to draft the brief, which focused largely on the issue of minimum terms and conditions, because Pacific Law Group represented King County. WSAC's brief was filed on August 9, 2019. The utilities objected to the filing,

necessitating a reply by WSAC. The Court accepted the brief over the objections of the utilities on August 16, 2019. Oral argument was heard on September 17, 2019.

**8) Sandra Ehrhart et al v. King County et al**

- Supreme Court No. 96464-5

**Issue**

Does WAC 246-101-505, which directs a county to “[r]eview and determine appropriate action” when it receives notice of a “notifiable condition” such as a Hantavirus infection creates a duty upon which tort liability can be imposed or does the public duty doctrine bar tort liability as a matter of law?

**Background**

In December 2016, a commercial diagnostic lab notified King County that a resident of rural Redmond had tested positive for Hantavirus. Consistent with Department of Health (DOH) guidelines, King County sent a Public Health Nurse Investigator to review the case.

Health Departments send information to the public on a variety of health topics, including certain “notifiable conditions,” i.e., diseases or conditions of public health importance. To that end, the Health Department’s Communications office, in consultation with its Local Health Officer and condition-specific guidance from the Washington State Department of Health (“DOH”), determines when health notifications should be issued.

Due to the noncontagious nature of Hantavirus and the isolated nature of the resident, King County’s Local Health Officer determined that issuing a public notice was not necessary.

In February 2017, King County was notified of Brian Erhart’s unexplained death. He had been treated for flu-like symptoms at Swedish Hospital and discharged. The next day, his condition worsened, and he went to Overlake Hospital, where he later died. King County launched an investigation to determine the cause of death, which revealed he died of acute Hantavirus infection.

Mr. Erhart’s estate has sued his treating physician, Swedish Health Services, and King County for negligence and wrongful death. The estate claims that the Health Department should have sent a health advisory to area healthcare providers after being notified of the December 2016 case of Hantavirus.

The trial court refused to grant King County’s motion for summary judgment and instead “conditionally” granting the Estate’s motion for summary judgment on the public duty doctrine dependent on the jury’s factual findings at trial. The Supreme Court accepted the case on a motion for direct discretionary review.

**Status**

This case has been set for oral argument on November 12, 2019. Having not found a volunteer DPA to draft this brief, WSAC general counsel, Mellani McAleenan, submitted a brief for WSAC on September 27, 2019. Oral argument is scheduled for November 12, 2019.

**9) Edward Kilduff v. San Juan County**

- Supreme Court, No. 95937-4

**Issue**

Must a public records requestor exhaust administrative remedies prior to filing a claim in superior court?

**Background**

If a requestor of public records in San Juan County is not satisfied with the response they receive, the county code has a procedure requiring the requestor to submit a written request for review to the prosecuting attorney and allow two days for a response prior to initiating a public records lawsuit. The plaintiff in this case did not follow that procedure and filed the case without first requesting review from the prosecuting attorney.



In this case, the plaintiff filed a broad public records request with the county for a file of the prosecuting attorney. The prosecuting attorney spoke with the requestor to clarify his request and understood that the requestor/plaintiff wanted the final report issued by the prosecutor which had listed other documents the prosecutor had reviewed. If the other documents were wanted, then a follow up would occur. The public records clerk sent a follow up letter to the requestor/plaintiff stating this understanding, providing the final report and closing the request. The letter ended by saying "if you have any questions related to this request or believe we should have provided additional documents please let me know."

The requestor/plaintiff received the final report and letter but did not contact the public records clerk nor did he notify the prosecuting attorney in writing as required by the county code. Instead, he waited almost a full year following the County's response to his public records request and then went straight to court asserting he never intended to narrow his request during his telephone conversation and claiming damages. Had plaintiff followed administrative remedies and contacted the prosecuting attorney, the alleged miscommunication could have been identified and the records he sought promptly provided.

The superior court dismissed the plaintiff's claim for failure to exhaust his administrative remedies as required by the San Juan County Code.

### Status

The Supreme Court accepted review on July 11, and oral argument was heard on October 29, 2019. Having no DPA volunteers, WSAC engaged Pacifica Law Group to draft the brief. The Association of Washington Cities, the AWC Risk Management Service Agency, and the Washington State Transit Risk Pool joined the brief.

### **10) Ron Gipson v. Snohomish County**

- Supreme Court, No. 96164-6

### Issue

Did the County properly claim investigative records exempt under RCW 42.56.250(6) when the investigation into discrimination was active and on-going as of the date of the request?

### Background

This case involves a question of first impression: does an agency determine the applicability of an exemption on the date the request is received or on the date responsive records are produced? In this case, the request was received on December 1, 2014. On that date, the EEOC investigation sought was active and on-going. The investigation closed on February 2, 2015. In response to the December request, the County produced five installments of responsive records. Four were provided after the investigation was closed. The County applied the exemption found at RCW 42.6.250(6) as of the date the request was received and continued to apply it throughout the production of installments. Mr. Gipson challenged the continued use of the exemption after February 2, 2017, arguing that the exemption no longer applied once the investigation had closed and that the County violated the PRA by applying the exemption as of the date the request was received.

The trial court ruled in the County's favor, and the Court of Appeals affirmed the trial court's decision.

The Supreme Court granted review on November 27, 2018, and oral argument will be set for late February. Snohomish County requested WSAC file an amicus brief. WSAC joined the brief from the Washington State Association of Municipal Attorneys, prepared and submitted by Charlotte Archer of Inslee Best.

### Status

The brief was filed on January 11, 2019, and the case was heard on February 26, 2019.

- The Supreme Court found in favor of Snohomish County, holding that they had properly applied the "active and ongoing investigation" exemption. Installments are not new stand-alone requests but are part of the single request and should be treated as such, with the determination regarding

whether any exemption applies made at the time of the request and not at the time of the installment.

#### 11) **Thurston County ex rel Snaza v. City of Olympia**

- Supreme Court, No. 95586-7

##### Issue

Whether counties may seek reimbursement from cities for a felon's pretrial medical expenses if the felon was initially arrested by law enforcement officers of the city.

##### Background

Thurston County brought suit against the cities who refused to pay (Olympia, Lacey, Tumwater, Yelm). Tenino intervened. Mason County Superior Court ruled in favor of the cities. Found that the statute (RCW 70.480.130(6)) does not require cities to pay.

Thurston County petitioned for direct review to the Supreme Court. Cities agree that direct review is appropriate.

WSAC Board approved amicus involvement in January 2018.

##### Status

The Supreme Court accepted direct review, and the case may be set for the winter docket. Rick Peters, Thurston County DPA is the lead attorney. John Purves, Kitsap County Deputy Prosecuting Attorney, prepared and submitted the brief for WSAC in January.

- The Supreme Court ruled against Thurston County in May, holding that the county could not seek reimbursement from the cities for the cost of medical services provided to inmates that the county held in its jail on felony charges brought by its own prosecutors because, in the absence of a prior interlocal agreement, a county is not entitled to seek reimbursement from cities for the cost of medical services provided to jail inmates who are arrested by city officers and held in the county jail in felony charges

#### 12) **Kittitas County v. WSLCB**

- Div. III, Court of Appeals, No. 35874-7-III

##### Issue

Challenging LSCB's determination that it does not need to consider local development regulations when reviewing applications for cannabis licenses.

##### Background

Kittitas County Sup. Court ruled in favor of Kittitas County. The LCB appealed to the Court of Appeals in February 2018.

##### Status

WSAMA will be filing an amicus brief and agreed to allow WSAC to join. Lead attorney is Milt Rowland with Foster Pepper and Dan Lloyd with the City of Vancouver. However, due to the transition in staffing, WSAMA filed the brief without WSAC in early September.

- The Court of Appeals ruled against Kittitas County in April, holding that the county's zoning code did not provide grounds for the WSLCB to deny the applicant a marijuana/processor license because neither the Growth Management Act, nor Washington's marijuana licensing laws requires that licenses be issued in conformity with local zoning laws.

**November 19, 2019**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, Executive Director

**SUBJECT:** 2020 WSAC Board of Directors Meeting Schedule

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## **BACKGROUND**

The Washington State Association of Counties' Board of Directors historically schedules four Regular Meetings per year:

- One during the legislative session in conjunction with a Legislative Steering Committee Meeting;
- One in the spring in conjunction with Legislative Steering Committee or Board of Director's biennial planning session;
- One in the fall to review and approve the proposed annual operations and special fund budgets;
- One in November in conjunction with WSAC Annual County Leaders Conference.

With the implementation of the Strategic Litigation and Communications Program, it may be necessary to have Special Meetings to address issues that need timely attention and decision making.

The WSAC Bylaws provide the following guidance on meetings of the Board of Directors:

### **3.7 Meetings**

Meetings of the Board shall be open to all members of the Association, except for personnel matters or consideration of an emergency, which requires otherwise.

#### **3.7.1 Regular Meetings**

By resolution, the Board may specify the date, time and place for the holding of regular meetings without other notice than such resolution.

#### **3.7.2 Special Meetings**

Special meetings of the Board or any committee designated and appointed by the Board may be called by or at the written request of the President or two-thirds of the Directors in office, or, in the case of a committee meeting, by the chairperson of the committee. The person or persons authorized to call special meetings may fix any place as the place for holding any special Board or committee meeting called by them.

## **RECOMMENDATION**

1. The February 2020 WSAC Board of Directors' meeting shall be held in conjunction with a WSAC LSC meeting in Olympia.
2. The May 2020 WSAC Board of Directors' meeting shall be held in conjunction with the Legislative Steering Committee's Biennial Planning Meeting, during the second week of May, as previously approved by the WSAC Board of Directors.
3. The September 2020 WSAC Board of Directors' meeting will be held to recommend the 2021 Budgets.
4. The November 2020 WSAC Board of Directors' meeting will be done in conjunction with the WSAC Annual County Leaders Conference in King County.

The following dates are recommended for 2020 Regular Meetings of the WSAC Board of Directors:

<b>Date</b>	<b>Day</b>	<b>Tentative Time(s)</b>	<b>Location</b>
February 5, 2020	Wednesday	1:00 p.m. – 5:00 p.m.	Washington Counties Building Thurston County Olympia
May 6, 2020	Wednesday	5:00 p.m. – 8:00 p.m.	Alderbrook Inn Mason County Union, Washington
Planning Meeting May 7, 2020	Thursday	9:00 a.m. – 5:00 p.m.	Union, Washington
May 8, 2020	Friday	8:00 a.m. – Noon	
September 17, 2020	Thursday	8:30 a.m. – Noon	<b>TBD</b>
November 16, 2020	Monday	Noon – 3:00 p.m.	WSAC Annual County Leaders Conference Hyatt Regency King County Renton, Washington

In advance of our Board meeting on Tuesday, November 19, 2019, please check your calendars, other organization events and activities to assure we have avoided potential conflicts

Approve the attached Resolution to establish the 2020 WSAC Board of Directors' Regular Meeting Schedule and distribute and publish the Regular Meeting Schedule to WSAC Members and the public.



**Resolution # 2019-17**

**WHEREAS**, the Washington State Association of Counties' Board of Directors desires to provide notice to WSAC members and the public of the 2020 Regular Meetings of the Washington State Association of Counties Board of Directors, and

**WHEREAS**, the WSAC Bylaws permits the Board of Directors to specify the date, time, and place for holding regular meetings, and

**WHEREAS**, the following dates are proposed for 2020 Regular Meetings of the WSAC Board of Directors:

<b>Date</b>	<b>Day</b>	<b>Tentative Time(s)</b>	<b>Location</b>
February 5, 2020	Wednesday	1:00 p.m. – 5:00 p.m.	Washington Counties Building Thurston County Olympia
May 6, 2020	Wednesday	5:00 p.m. – 8:00 p.m.	Alderbrook Inn Mason County Union, Washington
Planning Meeting May 7, 2020 May 8, 2020	Thursday Friday	9:00 a.m. – 5:00 p.m. 8:00 a.m. – Noon	
September 17, 2020	Thursday	8:30 a.m. – Noon	<b>TBD</b>
November 16, 2020	Monday	Noon – 3:00 p.m.	WSAC Annual County Leaders Conference Hyatt Regency King County Renton, Washington

**NOW THEREFORE BE IT RESOLVED** that the WSAC Board of Directors establishes the following 2020 regular meeting schedule as provided for in Article 3.7.1 of the WSAC Bylaws:

<b>Date</b>	<b>Day</b>	<b>Tentative Time(s)</b>	<b>Location</b>
February 5, 2020	Wednesday	1:00 p.m. – 5:00 p.m.	Washington Counties Building Thurston County Olympia
May 6, 2020	Wednesday	5:00 p.m. – 8:00 p.m.	Alderbrook Inn Mason County Union, Washington
Planning Meeting May 7, 2020 May 8, 2020	Thursday Friday	9:00 a.m. – 5:00 p.m. 8:00 a.m. – Noon	

September 17, 2020	Thursday	8:30 a.m. – Noon	<b>TBD</b>
November 16, 2020	Monday	Noon – 3:00 p.m.	WSAC Annual County Leaders Conference Hyatt Regency King County Renton, Washington

**BE IT FURTHER RESOLVED** that WSAC staff is directed to publish and advise WSAC members and affiliates of the 2020 Regular Meeting schedule.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC 2<sup>nd</sup> Vice President

**November 19, 2019**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, Executive Director

**PREPARED BY:** Derek Anderson, Director, Member Services and Communications

**SUBJECT:** Appointments and Nominations to Statewide Boards & Commissions

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The following nominations were received for open county represented positions on statewide boards and commissions. Attached are applications and statement of interests from each candidate.

**Appointments by the WSAC Board of Director**

**County Design Standard Committee**

Eligibility: County Engineer – Eastern WA

Number of Positions: Two

Number of Applications Received: Two

Craig Erdman, Franklin County Engineer

Eric Pierson, Chelan County Engineer

**Tax Structure Work Group**

Eligibility: WSAC Member/County Elected

Number of Positions: One

Number of Applications Received: Two

Dow Constantine, King County Executive

Jill Johnson, Island County Commissioner

**Washington Community Forestry Council**

Eligibility: WSAC Member

Number of Positions: One

Number of Applications Received: One

Gary Stamper, Lewis County Commissioner

**Nominations to the Governor**

**Building Code Council**

Eligibility: WSAC Member – Eastern WA

Number of Positions: One

Number of Applications Received: One

Al French, Spokane County Commissioner

**State Advisory Council on Homelessness**

Eligibility: WSAC Member

Number of Positions: One

Number of Applications Received: Two

Rud Browne, Whatcom County Councilmember

Pam Roach, Pierce County Councilmember

## **Nominations to the Governor (cont'd)**

### **Technology Services Board**

Eligibility: Local Government Employee

Number of Positions: One

Number of Applications Received: One

Viggo Forde, Snohomish County CIO & Director of IT

## **Nominations to the State Auditor**

### **Local Government Advisory Committee**

Eligibility: County Representative

Number of Positions: One

Number of Applications Received: Two

Keith Johnson, Franklin County Administrator

Brenda Sherman, Grays Harbor County Budget Director

## **Nominations to the Secretary of Transportation**

### **Local Bridge Program**

Eligibility: County Engineer – Eastern Washington

Number of Positions: Two

Number of Applications Received: Four

Craig Erdman, Franklin County Engineer

Chad Coles, Spokane County Engineer

Wayne Cornwall, Stevens County Engineer

Charles Eaton, Columbia County Engineer

## **Openings Receiving No Nominations**

### **Transportation Improvement Board – County Elected – 125k pop or greater, Western WA.**

*WSAC Nominates, Appointed by Governor*

*Positions available – 1*

### **Ecosystem Coordination Board (Alternate)**

*WSAC Nominates, Leadership Committee Appoints*

*Positions available – 1*

WSAC will continue to recruit for these positions acknowledging that the Executive Board may make appointments prior to the February Board of Director's meeting if nominations/applications are received.





## King County

**Dow Constantine**

King County Executive

401 Fifth Avenue, Suite 800  
Seattle, WA 98104

November 12, 2019

Eric Johnson  
Executive Director  
Washington State Association of Counties  
206 10th Ave. SE  
Olympia, WA 98501-1311

Dear Mr. Johnson:

I am writing to express my interest in serving as the WSAC representative on the Washington State Tax Structure Work Group. As King County Executive, I have seen firsthand the ill effects on many state residents caused by our unbalanced and unfair tax system and have spoken out for reform on many occasions. In my role on the committee.

I have been a strong supporter of tax reform in Washington state since my service in the state Legislature in the late 1990s. There, as a member of the House of Representatives, I sponsored bills to exempt the first \$50,000 of assessed value of owner-occupied residential property from property taxes (HB 3116; 1998), and as a Senator, I proposed the formation of an 11-member expert committee to study the elasticity, equity, and adequacy of Washington's state tax system (SSB 6098; 2001).

I would be assisted in my role on the Tax Structure Work Group by Dwight Dively, King County's Director of Performance, Strategy and Budget since 2009. Dwight led the effort to move King County to biennial budgeting and worked to decrease annual budget growth in King County from the existing 5-6 percent to just 3 percent – roughly the rate of inflation, plus population growth. Dwight previously worked for the City of Seattle for 22 years, the last 16 as Director of Finance, serving under several mayoral administrations.

I am very pleased to learn that WSAC is interested in discussing necessary reforms to our tax system and would very much like a seat at the table.

Thank you for your consideration.

Sincerely,

Dow Constantine  
King County Executive

<b>First Name:</b>	Viggo	<b>Last Name:</b>	Forde	<b>Middle Name:</b>	
Board or commission for which you would like to be considered.					
<b>Technology Services Board</b>					
<b>Contact Information - Home</b>			<b>Contact Information - Work</b>		
<b>Street Address:</b>	3000 Rockefeller Ave MS 709		<b>Street Address:</b>	3000 Rockefeller Ave MS 709	
<b>City:</b>	Everett		<b>City:</b>	Everett	
<b>State:</b>			<b>State:</b>	Washington	
<b>Zip:</b>	98201		<b>Zip:</b>	98201	
<b>County:</b>			<b>Work Phone:</b>	(425) 388-3739	
<b>Primary Phone:</b>	(425) 388-3739		<b>Email:</b>	viggo.forde@co.snohomish.wa.us	
<b>Email:</b>	viggo.forde@co.snohomish.wa.us		<b>Current Employment</b>		
<b>Birth date:</b>	8/12/1963		<b>Job Title:</b>	CIO and Director of IT	
<b>Legislative district in which you reside:</b>	Legislative District-38		<b>Employer:</b>	Snohomish County	
<b>Congressional district in which you reside:</b>	2 District				
<b>Why do you want to serve on this board or commission?</b>					
As a technology leader in Snohomish County (CIO and director of Information Technology) I partner closely with the State Technology office (WA Tech). The ability to help influence the technology direction for the state by contributing to standards and policies, as well as the broader direction of technology solutions at the state level. This will also provide a front-seat opportunity to help inform the direction of Snohomish County IT. This will also be a great opportunity to help influence the way that government agencies cooperate to get better results with a more common approach to better serve residents and government stakeholders.					
<b>Board and commission meetings are held during the day. Are you able to come prepared and actively participate in day meetings?</b>					
Yes					
<b>Have you been a registered lobbyist or have you employed a lobbyist at any time during the past five years?</b>					
No					
<b>If yes, did you receive any compensation?</b>					
No					
<b>Could you or any member of your family be affected financially by decisions made by the board or commission for which you are applying?</b>					
No					
<b>If yes, please explain:</b>					

<b>Professional Licenses held (if applicable)</b>			
<b>Professional References</b>			
<b>Name:</b>	Ken Klein	<b>Name:</b>	Dave Somers
<b>Title:</b>	Executive Director	<b>Title:</b>	County Executive
<b>Organization:</b>	Snohomish County	<b>Organization:</b>	Snohomish County
<b>Relationship:</b>	Manager	<b>Relationship:</b>	Manager's Manager
<b>Phone Number:</b>	(425) 388-3298	<b>Phone Number:</b>	(425) -3883 x3797
<b>Personal References</b>			
<b>Name:</b>	Eric Nelson	<b>Name:</b>	Birger Steen
<b>Title:</b>	CEO	<b>Title:</b>	CEO/Boardmember/Investor
<b>Organization:</b>	National Nordic Museum	<b>Organization:</b>	Misc
<b>Relationship:</b>	Colleague in Nordic environment in Seattle	<b>Relationship:</b>	Colleague in Nordic environment
<b>Phone Number:</b>	(206) 789-5707	<b>Phone Number:</b>	(425) 829-3285
<b>Previous employment or experience</b>			

Short Summary below supported by linkedin profile: <https://www.linkedin.com/in/viggoforde/>  
22 years at Microsoft across multiple leadership roles (Senior Director/Director/Principal level)  
2 years at Amazon in Global leadership role  
6 years at Boeing in various engineering roles

My passion is to help lead transformation projects that make teams and businesses more successful.

As a certified Prosci Change Management leader I can successfully step into transformation projects large and small. My work has shaped how teams look and operate and the outcomes have resulted in measurable customer and business impacts. This experience spans multiple lines of business and companies.

My leadership experience spans three multinational companies with deep subject matter expertise in global information and content management, program management, and technical / customer support strategies. This is supported by an ability to lead effective change management in a highly matrixed and distributed stakeholder environment.

Using insights gained from data and analysis I have successfully managed complex businesses and organizations. Data-driven decision making helps me achieve higher impact.

I have a collaborative leadership style and as a manager and leader have demonstrated the ability to hire and create successful teams that drive impacts in global organizational structures.

Specific skills and experiences include:

- Program & Portfolio Management
- Strategic Planning & Execution
- Cross-team Collaboration
- Information and Knowledge Management
- Change Management
- Process Improvement
- Support Strategy and Planning
- Engineering Team Leadership
- Learning/User Education
- Localization & Globalization
- Global Vendor Management
- Machine Translation
- Operational Leadership
- International Team Management
- Profit & Loss (P&L) Management
- Policy & Procedure Development

**Memberships in professional, civic organizations or government boards or commissions(please include offices held and dates of terms) and community service/volunteer activities**

**Gender:** Male

**US Armed Forces:** No

**Race:** White

**Branch:**

	Type of Discharge:
	Campaigns:
Do you have a permanent physical, sensory, or mental condition that limits your major life functions, such as working, caring for yourself, walking, doing things with your hands, seeing, hearing, speaking and learning?	
No	
If yes, please explain:	
I hereby certify that the information provided in this application is true, correct, and complete to the best of my knowledge.	
Date:	10/10/2019

## Boards and Commissions

<b>Submission Date</b>	11-13-2019 10:50:46
<b>Position of Interest:</b>	State Advisory Council on Homelessness
<b>Name</b>	Pam Roach
<b>Title</b>	Councilwoman
<b>County:</b>	Pierce County
<b>Phone Number</b>	(253) 7982222
<b>E-mail</b>	pam.roach@piercecounitywa.gov
<b>If elected official, your current term ends?</b>	December 31 2020
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	No
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	<p>I am currently working on development of projects designed to meet the needs of those who are homeless, living on the streets, to bring safe and secure shelters and serve the care for those who are unsheltered. This includes bringing answers to a wider need of basic services for survival, safety, recovery and rehabilitation with objectives of encouraging productivity, livelihood and self-sustaining living standards.</p> <p>Note: I looked for an established calendar for the State Advisory Council on Homelessness, but could not find that schedule on the WSAC website. Please furnish what is known about that calendar. Thank you.</p>

## Boards and Commissions

<b>Submission Date</b>	11-12-2019 21:41:34
<b>Position of Interest:</b>	Tax Structure Work Group
<b>Name</b>	Dow Constantine
<b>Title</b>	Executive
<b>County:</b>	King County
<b>Phone Number</b>	(206) 263-9600
<b>E-mail</b>	dow.constantine@kingcounty.gov
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	Letter submitted.

## Boards and Commissions

<b>Submission Date</b>	11-08-2019 11:35:21
<b>Position of Interest:</b>	Washington Community Forestry Council
<b>Name</b>	Gary Stamper
<b>Title</b>	County Commissioner District 3 3
<b>County:</b>	Lewis County
<b>Phone Number</b>	(360) 7401120
<b>E-mail</b>	gary.stamper@lewiscountywa.gov
<b>If elected official, your current term ends?</b>	December 31 2022
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	<p>I have served as a Lewis County Commissioner for the past five years focusing on timber issues because timber revenues are vital to every timber county's budget, As a former fire commissioner and school principal and now as a county commissioner serving the most remote reaches of a rural county, I understand the importance of timber dollars. Junior taxing districts (school, fire, library and cemetery) rely on timber dollars to maintain essential services for the health and welfare of the county.</p> <p>Serving on this board would allow me to work with other timber county officials in a collaborative effort to take back control of our timber revenues. Under the Endangered Species Act, it appears that US Fish and Wildlife and other environmental groups have control of the direction on timber harvest. We need a strong effort to move our agenda forward while working together with all stakeholders for the future of our counties.</p>



## Boards and Commissions

<b>Submission Date</b>	11-07-2019 13:34:27
<b>Position of Interest:</b>	Bridge Advisory Committee - Eastern
<b>Name</b>	Wayne Cornwall
<b>Title</b>	County Engineer
<b>County:</b>	Stevens County
<b>Phone Number</b>	(509) 684-4548
<b>E-mail</b>	wcornwall@stevenscountywa.gov

**Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?**

Yes

**As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?**

Yes

**Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?**

My interest in serving on the Bridge Advisory Committee is founded in the belief that I can bring a new perspective if selected. I have been involved in bridge and structure design for my entire 18 year engineering career, but unlike other professional engineers, my experience has ranged from low volume forest road bridges to a very minor review role with the new 520 bridge. I would also bring experience in the review of stream habitat project proposals as a member of a technical review committee. Currently, I am a County Engineer and Certified Bridge Inspection Team Leader.

Thank you for your consideration and please contact me for any additional information I can provide about my qualifications.

## Boards and Commissions

<b>Submission Date</b>	11-05-2019 17:05:16
<b>Position of Interest:</b>	County Design Standard Committee
<b>Name</b>	Eric Pierson
<b>Title</b>	Director/County Engineer
<b>County:</b>	Chelan County
<b>Phone Number</b>	(509) 6676482
<b>E-mail</b>	eric.pierson@co.chelan.wa.us
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	<p>As County Engineer I am tasked with overseeing and implementing my county's design standards. The standards are the blueprint and the ultimate configuration of our system and the impacts of those standards are not only immediate but in many cases last indefinitely. For this reason I am interested to represent not only my county's but all counties' interests.</p> <p>As stated I oversee capitol projects my department designs and constructs and also all developments to ensure compliance regardless if private or public. Within the development oversight, I also directly review any site specific deviation requests. My County has both urban and rural roadways.</p> <p>In my previous employment before coming to Chelan County in 2011, I worked for WSDOT. There I oversaw design of WSDOT projects under my direct control, designed projects, but also held positions where I reviewed the design standards implemented on other projects for the Region. Included in that review were WSDOT internal design deviations, where, like development deviations, are site specific and based on implementation of standards such as AASHTO, MUTCD, etc and engineering judgement.</p>

## Boards and Commissions

<b>Submission Date</b>	11-05-2019 12:16:46
<b>Position of Interest:</b>	Tax Structure Work Group
<b>Name</b>	Jil Johnson
<b>Title</b>	Island County Commissioner
<b>County:</b>	Island County
<b>Phone Number</b>	(360) 679-7355
<b>E-mail</b>	jill.johnson@co.island.wa.us
<b>If elected official, your current term ends?</b>	December 31 2020
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	<p>To be clear, I am moderately interested in this committee and would happily be uninterested if there is someone with more passion around this area. However, I am willing to step-up because I feel that it is important that these conversations have a strong local voice that can speak to the impacts that any proposed changes would have on local government including; small communities with fragile economies, counties with a high population of lower-income individuals, counties that are supported by an employer that is currently receiving a tax-benefit as an incentive for their in-state operations, etc.</p> <p>I am interested in knowing what is being considered, the values that are driving the discussions, the lines in the sand we as locally-elected officials may want to draw and defend, etc.</p> <p>Additionally my ability to serve through 2024 depends on voters liking me again in 2020...and as things stand...well...I'm sitting solidly at 50/50!</p>

## Boards and Commissions

<b>Submission Date</b>	11-05-2019 11:50:40
<b>Position of Interest:</b>	County Design Standard Committee
<b>Name</b>	Craig Erdman
<b>Name</b>	Craig Erdman
<b>Title</b>	County Engineer
<b>County:</b>	Franklin County
<b>Phone Number</b>	(509) 545-3514
<b>E-mail</b>	cerdman@co.franklin.wa.us
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	I currently serve as the County Engineer for Franklin County. I have been in the transportation industry for over 35 years, the last 5 as a registered professional engineer and county engineer. I spent 24 years in the design of county roads and infrastructure projects and have extensive experience with county design standards and specifications.

## Boards and Commissions

<b>Submission Date</b>	11-05-2019 10:56:18
<b>Position of Interest:</b>	Bridge Advisory Committee - Eastern
<b>Name</b>	Craig Erdman
<b>Name</b>	Craig Erdman
<b>Title</b>	County Engineer
<b>County:</b>	Franklin County
<b>Phone Number</b>	(509) 545-3514
<b>E-mail</b>	cerdman@co.franklin.wa.us
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	I currently serve as the County Engineer for Franklin County. As part of duties, I manage 85 inventory bridges and 19 short span structures. I have been in the transportation industry for over 35 years, the last 5 as a registered professional engineer and county engineer, all on the east side of the state. I have been involved in the design and construction of several structures, as well as the inspection of the county bridges. As the manager of an aging bridge system, I feel I bring an understanding of the problems Eastern Washington counties face with their bridges systems.

## Boards and Commissions

<b>Submission Date</b>	11-04-2019 13:22:18
<b>Position of Interest:</b>	Building Code Council - Eastern
<b>Name</b>	Al French
<b>Title</b>	Commissioner District 3
<b>County:</b>	Spokane County
<b>Phone Number</b>	(509) 998-7469
<b>E-mail</b>	afrench@spokanecounty.org
<b>If elected official, your current term ends?</b>	December 31 2022
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	I am a licensed architect in the state of Washington and have served on this committee for the last 3 years and am interested in serving another term as we work to complete the revisions for the next code cycle. As an architect I work with the code on a regular basis and as a commissioner understand how regulations impact our ability to meet the needs of our citizens and communities.

## Boards and Commissions

<b>Submission Date</b>	10-28-2019 18:44:43
<b>Position of Interest:</b>	State Advisory Council on Homelessness
<b>Name</b>	Rud Browne
<b>Title</b>	Councilmember
<b>County:</b>	Whatcom County
<b>Phone Number</b>	(360) 8209494
<b>E-mail</b>	RBrowne@co.whatcom.wa.us
<b>If elected official, your current term ends?</b>	January 14 2022
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	I am currently focused on helping homeless regain their ID documents I have 30 years experience building and operating a multiple national business

## Boards and Commissions

<b>Submission Date</b>	09-13-2019 11:59:00
<b>Position of Interest:</b>	Local Government Advisory Committee
<b>Name</b>	Keith Johnson
<b>Title</b>	County Administrator
<b>County:</b>	Franklin County
<b>Phone Number</b>	(509) 545-3578
<b>E-mail</b>	kjohnson@co.franklin.wa.us
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	30 years experience in state and local government operations and management, including serving as an elected official. I am interested in helping to ensure cities and counties work together on issues of importance to local governments throughout Washington, particularly eastern Washington.



## Boards and Commissions

**Submission Date** 09-13-2019 10:53:34

**Position of Interest:** Local Bridge Program

**Name** Charles Eaton

**Title** County Engineer

**County:** Columbia County

**Phone Number** (509) 3822534

**E-mail** charles\_eaton@co.columbia.wa.us

**Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?**

Yes

**As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?**

Yes

**Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?**

Having recently moved to Washington, I feel this would be a good way for me to get engaged at an appropriate commitment level given my current responsibilities. I have been involved in bridge construction my entire career of 39 years and am always drawn to anything related to bridges. I feel this passion combined with my desire to get involved would be a perfect fit for me.

My experiences include chair of the joint APWA/ODOT committee that developed the standard specifications for construction of structures; Member of the APWA Standard Specification Committee for over 20 years; In responsible charge for the design and construction of numerous local agency bridges throughout my career; Construction inspector for numerous bridges while at ODOT including the I-205/I-84 Interchange, Sucker Creek Bridge in Lake Oswego, OR-18 Interchange in Pendleton and numerous other single span bridges.

## Boards and Commissions

<b>Submission Date</b>	09-13-2019 11:14:26
<b>Position of Interest:</b>	Local Bridge Program
<b>Name</b>	Chad Coles
<b>Title</b>	County Engineer
<b>County:</b>	Spokane County
<b>Phone Number</b>	(509) 477-7450
<b>E-mail</b>	ccoles@spokanecounty.org
<b>Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?</b>	Yes
<b>As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?</b>	Yes
<b>Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?</b>	Spokane County is responsible for an inventory of 166 bridges of sizes and types. In my career I have been involved in bridge maintenance, design, evaluation, and programming. This committee plays an extremely important role in the health of the bridges in the State. I hope to bring my experience and perspective to help fulfill that role.

## Boards and Commissions

<b>Submission Date</b>	09-04-2019 16:49:17
<b>Position of Interest:</b>	Local Government Advisory Committee
<b>Name</b>	Brenda Sherman
<b>Title</b>	Budget Director
<b>County:</b>	Grays Harbor County
<b>Phone Number</b>	(360) 9641514
<b>E-mail</b>	bsherman@co.grays-harbor.wa.us

**Have you contacted the Board or Commission of interest or visited their website to review the meeting schedule and to determine if you are able to meet their requirements?**

Yes

**As an appointee or nominee of WSAC, you will represent the interests and positions of the Association and act in the best interests of all counties. You may be required to report back to the WSAC Board verbally or in writing, upon request, about activities and decisions of the Board or Commission on which you serve. Do you agree to these responsibilities?**

Yes

**Statement of Interest - Why are you interested in serving on this Board or Commission? What specific expertise do you bring to the subject area(s)?**

I have been on this committee before and enjoyed it. I am a CPA and have been working with BARS for the last 30 years.



### Resolution 2019-18

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the County Design Standard Committee; and

**WHEREAS**, the following County Engineers have sought nomination for this vacancy:

Craig Erdman, Franklin County Engineer  
Eric Pierson, Chelan County Engineer

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors appoints the following County Engineer to the County Design Standard Committee:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the appointee's name to the Washington State Department of Transportation; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the appointee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



### **Resolution 2019-19**

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Tax Structure Work Group; and

**WHEREAS**, the following commissioners, councilmembers, councilors, and executives have sought nomination for this vacancy:

Dow Constantine, King County Executive  
Jill Johnson, Island County Commissioner

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors appoints the following WSAC member to the Tax Structure Work Group:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the appointee's name to the Tax Structure Work Group; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the appointee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



### Resolution 2019-20

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Washington Community Forestry Council; and

**WHEREAS**, the following commissioners, councilmembers, councilors, and executives have sought nomination for this vacancy:

Gary Stamper, Lewis County Commissioner

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors appoints the following WSAC member to the Washington Community Forestry Council:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the appointee's name to the Washington Community Forestry Council; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the appointee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



### Resolution 2019-21

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Building Code Council; and

**WHEREAS**, the following County Commissioners, Councilmembers, and Councilors have sought appointment for this vacancy:

Al French, Spokane County Commissioner

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors nominates the following member(s) to the Building Code Council:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the nominee's name(s) to Governor of the State of Washington; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the nominee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



## Resolution 2019-22

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the State Advisory Council on Homelessness; and

**WHEREAS**, the following County Commissioners, Councilmembers, and Councilors have sought appointment for this vacancy:

Rud Browne, Whatcom County Councilmember  
Pam Roach, Pierce County Councilmember

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors nominates the following member(s) to the State Advisory Council on Homelessness:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the nominee's name(s) to Governor of the State of Washington; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the nominee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President





### Resolution 2019-23

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Technology Services Board; and

**WHEREAS**, the following County Commissioners, Councilmembers, and Councilors have sought appointment for this vacancy:

Viggo Forde, Snohomish County CIO & Director of IT

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors nominates the following member(s) to the Technology Services Board:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the nominee's name(s) to Governor of the State of Washington; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the nominee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



### **Resolution 2019-24**

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Local Government Advisory Committee; and

**WHEREAS**, the following County Representatives have sought appointment for this vacancy:

Keith Johnson, Franklin County Administrator  
Brenda Sherman, Grays Harbor County Budget Director

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors nominates the following representative(s) to the Local Government Advisory Committee:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the nominee's name(s) to Washington State Auditor; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the nominee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President



### **Resolution 2019-25**

**WHEREAS**, the Washington State Association of Counties' Board of Directors is charged with making recommendations and/or appointments to numerous Washington State boards, commissions, and committees, and

**WHEREAS**, it is vital that county governments' interests are fully represented on statewide boards, commissions and committees; and

**WHEREAS**, there is a vacancy on the Local Bridge Program; and

**WHEREAS**, the following County Engineers have sought appointment for this vacancy:

Craig Erdman, Franklin County Engineer  
Chad Coles, Spokane County Engineer  
Wayne Cornwall, Stevens County Engineer  
Charles Eaton, Columbia County Engineer

**NOW THEREFORE, BE IT RESOLVED**, that the Washington State Association of Counties' Board of Directors nominates the following applicant(s) to the Local Bridge Program:

**BE IT FURTHER RESOLVED**, that WSAC staff be directed to immediately transmit the nominee's name(s) to Washington State Secretary of Transportation; and

**BE IT FURTHER RESOLVED**, that WSAC staff is directed to contact the nominee(s) of their selection; and

**BE IT FURTHER RESOLVED**, that applicants not selected be notified and thanked for their commitment and interest in representing county government.

Approved by the Board of Directors of the Washington State Association of Counties on November 19, 2019.

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Scott Hutsell, WSAC President

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Michael Largent, WSAC Second Vice President

**November 19, 2019**



## **STAFF REPORTS**



**November 19, 2019**

**TO:** WSAC Board of Directors and Alternates

**FROM:** Eric Johnson, Executive Director

**SUBJECT:** Executive Director Report

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### **WSAC Officers and Board of Directors Election**

On Thursday, November 7, 2019, an email was sent to our 139 Active Members containing voting information and online ballot instructions.

As of November 12<sup>th</sup>, 35% of Eastern District WSAC Members, and 29% of Western District WSAC Members, have voted. Polling remains open until 1 p.m., Thursday, November 21<sup>st</sup>. An onsite electronic polling station is available at the County Leaders Conference.

### **Changes – WSAC Members by the Numbers**

WSAC is comprised of 135 County Commissioners/Councilors and 4 County Executives. Since, and including the November 2008 election, there is just shy of 90% turnover in the membership of the Washington State Association of Counties. This year we are thanking two WSAC members that are leaving office:

- King County Councilmember Larry Gossett
- Whatcom County Executive Jack Louws

Please see the attach report for additional county election results.

### **Activities**

Since the September WSAC Board of Directors Meeting, my primary activities have focused on:

- Courthouse Briefings
- County Legislative Workshops
- Preparations for the 2019 County Leaders Conference
- Strategic Litigation and Communication Program Implementation
- Preparation for the November WSAC Board of Directors Meeting
- Preparation for the WSAC Annual General Membership Meeting
- Prepared, under the guidance of the Federal Issues and Relations Committee, a draft 2020 WSAC Federal Issues Agenda and Priorities for consideration by the WSAC Membership
- National Association of Counties:
  - Attended the Western Interstate Region Board of Directors Meeting with Commissioner Wright
  - Supported county officials attending the White House Briefing/PILT Fly In
- Attended the National Council of County Association Executives (NCCAE) Annual Meeting. I completed another year as Immediate Past President of NCCAE.
- Continued participating in Foundational Public Health Services Committee
- Meeting with staff of Washington Department of Fish and Wildlife on a number of program and policy issues
- Partnership Meetings
  - Washington State Auditor's Office
  - Washington Association of Prosecuting Attorneys

- Association of Washington Cities – Joint Officers Meeting
- Washington Association of County Officials Annual Conference
- Association of Washington Business
- Washington State Department of Health
- Washington Department of Fish and Wildlife
- Washington Public Ports Association
- Washington Department of Natural Resources
- Office of the Governor, Meeting with Chief of Staff
- Washington Counties Risk Pool
- Washington Counties Insurance Fund
- Office of the Secretary of State
- Sponsor and Participant, “Ahead of the Curve” Secretary of State Legacy Project
- Ruckelshaus Center Advisory Board
- Washington Complete Count Committee
- Washington Forest Protection Association
- Conservation Commission, Voluntary Stewardship Program
- Puget Sound Partnership, Ecosystem Coordination Board
- Washington State Association of County Auditors
- Washington State Farm Bureau
- Office of Financial Management
- Law Seminar International, Road Map to the Future

### **WSAC Staff**

WSAC Staff continues to excel and grow into their roles. There are fifteen budgeted WSAC staff positions, with fourteen of these positions filled. Twelve of these positions are held by staff members with approximately 3 years of tenure with the Association or less. During 2020, we will be working with staff and a facilitator on the “5 Behaviors of a Cohesive Team”. Please join me in thanking your WSAC staff and contractors.

Eric Johnson, Executive Director  
Vacant, Research Director

Bridget Lockling, Finance and Administration Director  
Maxx Couch, Finance Assistant  
Lynn Fiorillo-Lowe, Operations and Support Assistant

Derek Anderson, Communications and Members Services Director  
Paige DeChambeau, External Communications Manager  
Tyler Melhart, Web/Graphics Design Manager  
Jason Bergquist, Affiliate Services Manager  
Melissa Archulta, Senior Conference Planner

Mellani McAleenan, Director of Government Relations  
Juliana Roe, Policy Director  
Paul Jewell, Policy Director  
Jaime Bodden, Managing Director, Washington State Association of Local Public Health Officials  
Jane Wall, Managing Director, Washington State Association of County Engineers

### **Contractors**

Mike Hoover, Policy Consultant, Legislative Affairs  
Neil Aaland, Policy Consultant, Columbia River Caucus  
Brynn Brady, Policy Consultant, Coastal Counties Caucus  
Scott Swanson, Policy Consultant, Timber Counties, Timber, Fish and Wildlife Policy  
Brad Banks, Policy Consultant, Behavioral Health Organizations/Policy  
Gary Rowe, Data and Information Consultant  
Pacifica Law Group, Outside Legal Counsel  
Spry Communication

# 2019 General Results



Updated 11.14.19

County	Office	Candidate	Party	Results
Asotin County				
	Local Proposition No. 1 - Sales Tax for New Jail	Yes		67.84%
		No		32.16%
Clallam - Charter County				
Incumbent	County Commissioner Dist. #1	Mark Ozias	D	54.44%
	County Commissioner Dist. #1	Brandon Janisse	R	45.34%
Clark - Charter County				
	County Councilor Dist #4	Adrian Cortes	D	38.21%
Incumbent	County Councilor Dist #4	Gary Medvigy	R	61.57%
Columbia				
	County Commissioner Dist. 1	Ryan R Rundell	R	97.10%
	Prop 2019-035 - Flood Control Operation & Maintenance	Yes	NP	34.64%
		No	NP	65.36%
Ferry				
	Local Ferry County Sales Tax - Criminal Justice & Public Safety	Yes		59.44%
		No		40.56%
Grant				
	Prop 1 - Law and Justice Sales Tax (0.3%)	Approved		62.60%
		Rejected		37.40%
Grays Harbor				
	Prop 1 - E-911 Communications Systems	Yes		63.19%
		No		36.81%
King				
Incumbent	County Assessor	John Wilson	NP	98.28%
	County Councilmember Dist #2	Girmay Zahilay	NP	60.22%
Incumbent	County Councilmember Dist #2	Larry Gosset	NP	39.38%
	County Councilmember Dist #4	Abigail Doerr	NP	25.44%
Incumbent	County Councilmember Dist #4	Jeanne Kohl-Welles	NP	73.96%
	County Councilmember Dist #6	Caludia Balducci	NP	78.82%
Incumbent	County Councilmember Dist #6	Bill Hurt	NP	20.85%
	County Councilmember Dist #8	Joe McDermott	NP	83.69%
Incumbent	County Councilmember Dist #8	Michael Neher	NP	15.83%
	Director of Elections	Mark (Clifford) Greene	NP	19.25%
Incumbent	Director of Elections	Julie Wise	NP	80.41%
	Local Proposition No. 1 - EMS Levy	Yes		80.80%
		No		19.20%
Okanogan				
	Local Proposition No. 2 - County Sales Tax for Emergency Services	Yes		68.81%
		No		31.19%
San Juan				
	Local Proposition No. 1 - Biennial Budget Authorization	Yes		80.92%
		No		19.08%
	Local Proposition No. 2 - Property Tax Lid Lift	Yes		51.08%
		No		48.92%
Snohomish				
Incumbent	County Assessor	Linda Hjelle	NP	97.26%
Open	County Auditor	Garth Fell	NP	51.03%

<i>Open</i>	County Auditor	Cindy Gobel	NP	48.47%
<i>Open</i>	<b>County Clerk</b>	<b>Heidi Percy</b>	<b>NP</b>	<b>98.08%</b>
<i>Open</i>	<b>County Councilmember #2</b>	<b>Megan Dunn</b>	<b>D</b>	<b>54.75%</b>
<i>Open</i>	County Councilmember #2	Anna Rohrbough	R	45.02%
<i>Incumbent</i>	<b>County Councilmember #3</b>	<b>Stephanie Wright</b>	<b>D</b>	<b>81.57%</b>
	County Councilmember #3	Willie Russell	No Party	17.50%
<i>Incumbent</i>	<b>County Executive</b>	<b>Dave Somers</b>	<b>D</b>	<b>93.57%</b>
	<b>County Sheriff</b>	<b>Adam Fortney</b>	<b>NP</b>	<b>55.39%</b>
<i>Incumbent</i>	County Sheriff	Robert (Ty) Trenary	NP	44.21%
<i>Open</i>	County Treasurer	Brian Sullivan	NP	49.42%
<i>Open</i>	<b>County Treasurer</b>	<b>Rob Toyer</b>	<b>NP</b>	<b>50.13%</b>
<b>Thurston</b>				
	<b>Prop. 1 - Sales &amp; Use Tax - Emergency Communication</b>	<b>Yes</b>		<b>73.20%</b>
		No		26.80%
<b>Walla Walla</b>				
<i>Incumbent</i>	<b>County Commissioner Dist #3</b>	<b>Gregory Tompkins</b>	<b>R</b>	<b>96.63%</b>
<b>Whatcom - Charter County</b>				
<i>Open</i>	<b>County Assessor</b>	<b>John Romaker</b>	<b>NP</b>	<b>50.85%</b>
<i>Open</i>	County Assessor	Rebecca Xczar	NP	48.95%
<i>Open</i>	<b>County Auditor</b>	<b>Diana Bradrick</b>	<b>NP</b>	<b>98.82%</b>
<i>Open</i>	<b>County Councilmember #4</b>	<b>Kathy Kershner</b>	<b>NP</b>	<b>75.40%</b>
<i>Open</i>	County Councilmember #4	Brian A. Estes	NP	24.52%
<i>Open</i>	County Councilmember #5	Natalie McClendon	NP	41.28%
<i>Open</i>	<b>County Councilmember #5</b>	<b>Ben Elenbaas</b>	<b>NP</b>	<b>58.62%</b>
<i>Incumbent</i>	<b>County Councilmember - At Large Pos B</b>	<b>Carol Frazey</b>	<b>NP</b>	<b>60.84%</b>
	County Councilmember - At Large Pos B	David Ramirez	NP	39.00%
<i>Open</i>	County Executive	Tony Larson	NP	48.80%
<i>Open</i>	<b>County Executive</b>	<b>Satpal Sidhu</b>	<b>NP</b>	<b>51.07%</b>
<i>Incumbent</i>	<b>County Sheriff</b>	<b>William (Bill) Elfo</b>	<b>NP</b>	<b>68.94%</b>
	County Sheriff	Joy Gilfilen	NP	30.90%
<i>Incumbent</i>	<b>County Treasurer</b>	<b>Steven N. Oliver</b>	<b>NP</b>	<b>99.00%</b>



**November 19, 2019**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, Executive Director

**PREPARED BY:** Bridget Lockling, Finance and Administration Director

**SUBJECT:** September 30, 2019 Finance Report

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### **Cash**

We ended the 3rd quarter of 2019 with a total cash position of \$1,320,510. Cash flow is highest during the first quarter when dues are paid and will fluctuate throughout the year as expenses come in and conference registrations payments are received. The reduction from second quarter by \$335,818 is due to lower revenues earned.

### **Liabilities**

The current liabilities balance reduced by \$396k from previous quarter, mostly due to booking deferred revenue for annual dues billed in January and not “earned” until the year progresses. Dues revenue is allocated out at approximately \$513,000 per quarter. The Current Liabilities balance of \$954,511 is made up of \$504,361 in deferred dues revenue, \$121,550 in accrued leave, \$15,426 in payroll taxes payable and the rest in general accounts payable.

### **Budget to Actual Activity**

The combined All Funds Actual vs. Budget Summary 2019 report shows a negative (\$143,968) bottom line. The negative balance is more than projected in the quarterly budget. While expenses are lower than projected, it is the lower revenue contributing the most to the overall reduction in net assets. The following variances highlight the reason for the negative bottom line in the financial report:

#### **Revenue**

- Affiliate Assessments-lower staff expenses translate into showing less reimbursed revenue. Some of this is picked up in Contract Services as some staff time can be reimbursed through those projects.
- Contract Services – The Department of Transportation grant was not fully utilized for the contract ending 6/30/19, less revenue but also less contract expenses. Also, the revenue from the BHO project budgeted will not be continued as projected.
- Marketing & Royalties – Less revenue from Omnia (US Communities) due to reduced use from members.

#### **Expenses**

- Payroll and Benefits – The positive variance of \$131k in payroll and benefits is due to the unfilled Research Director position and partial leave of an affiliate staff
- Conference expenses YTD appear much higher than normal, this is from the NaCo WIR conference in which we handled the finances; has offsetting revenue.
- Contract Services – The negative contract service revenue reflects primarily the slow start of the new Department of Transportation contract. In addition, the Research Director position had been partially paid out of this contract and with the position currently empty those funds are no longer billed.
- Professional Services – Variance mostly in SLAC, legal and communication project expenses higher year to date as anticipated.

## **990 Tax Return**

The annual 990 tax returns for WSAC, WSALPHO, WSACE and WCB have been completed and filed. This was the first year working with the Doty Group to complete these returns. They filed the necessary extensions in May so filing was not due until November 15, 2019. The report reflects revenues for 2018 in excess of \$3.47 million, expenses of \$3.31 million, increase of net assets for the year of \$158,600 for a combined ending net asset balance of \$1.138 million. Copies of these filings are available upon request.

## **L&I Audit**

In July 2019, Labor & Industries conducted an audit of our payroll and employees to verify we were correctly paying our insurance premiums and reporting hours. They also reviewed all payments to vendors, contractors and members to test for exemption or eligibility as a covered worker. The auditor found 9 contractors did not meet eligibility as an independent contractor and requested back owed premiums for the hours worked (\$1800). We sought legal advice as we did not agree with 8 of the 9 decisions. We have filed a Request for Reconsideration to further review of our case and have developed a package of information refuting the results, including signed declarations from each of the 8 contractors stating they are independent of control and direction from WSAC. The request is pending with the L&I legal department.

## **2020 Medical Insurance**

Insurance premiums for the medical plans that WSAC provides to staff did not increase in 2020 due to a reevaluation of plans and premiums through WCIF and the carriers. This allowed us to avoid any major changes to the benefit packages we offer to staff. Staff have through November to make any changes during our open enrollment period. We are looking at making changes for 2021 in order to reduce overall insurance expenses and will work with staff throughout the year to prepare for any changes.

## **Six Month Progress Report**

The new Finance Director, Bridget Lockling, has been on board full time for six months. During this time, she has completed the 2018 closeouts of WSAC, WSACE, and WSALPHO, making necessary corrections and adjustments for the year. During this process, she setup the necessary coding and cross walking of all GL accounts to the 990 report in our MIP accounting system, in order to generate system reports for more efficient tax reporting. This will require some adjustments to how some expenses have been categorized and can be fully implemented in 2020. She has also setup new tracking and processes for ongoing transactions in the accounting department to ensure timeliness and accuracy. Bridget has enhanced some HR activities by providing training and materials for benefits and forms staff need. Her focus on the next 6 months will include revising administration and fiscal policies, creating a new reporting format for financials, preparing for the 2018/2019 audit and surviving her first legislative session.

## **2019 Outstanding Dues**

Current tracking information is as follows:

### Dues

General Dues – 98% collected (1 county remaining)  
Transportation Dues – 98% collected (1 county remaining)  
Public Lands Dues – 100% collected  
Human Services Dues – 100% collected  
Litigation & Communication Dues – 100% collected  
Solid Waste Dues – 95% collected (2 counties remaining)

### Special Assessments

Coastal Counties Special Assessment – 93% collected (1 county remaining)

**Statement of Financial Position, by Fund  
For the Current Ending Period and 3 Years Prior**

	Operating Fund	Special Fund	Litigation Fund	Total 9/30/2019	12/31/2018	12/31/2017	12/31/2016
<b>Assets</b>							
Cash & Cash Equivalents	\$ 378,567	\$ 542,760	\$ 399,182	\$ 1,320,510	\$ 749,560	\$ 851,197	\$ 646,280
Receivables & Other Current Assets	270,269	37,150	41,181	348,600	644,039	301,786	500,294
Property & Equipment, Net	86,944	-	-	86,944	86,944	71,125	55,850
Long-Term and Other Assets							
Counties Building Partnership	178,686	-	-	178,686	178,686	178,686	185,879
NACo RMA LLC Partnership	(744)	-	-	(744)	(744)	(744)	(743)
<b>Total Assets</b>	<b>\$ 913,723</b>	<b>\$ 661,910</b>	<b>\$ 358,363</b>	<b>\$ 1,933,996</b>	<b>\$ 1,658,486</b>	<b>\$ 1,402,050</b>	<b>\$ 1,387,560</b>
<b>Liabilities &amp; Unrestricted Equity</b>							
Current Liabilities	\$ 688,640	\$ 4,037	\$ 261,834	\$ 954,511	\$ 510,105	\$ 422,212	\$ 444,440
Net Assets							
Undesignated	225,091	455,874	178,521	859,485	946,381	777,838	741,120
Board Designated	-	120,000	-	120,000	202,000	202,000	202,000
<b>Total Net Assets</b>	<b>\$ 225,091</b>	<b>\$ 657,874</b>	<b>\$ 96,521</b>	<b>\$ 979,485</b>	<b>\$ 1,148,381</b>	<b>\$ 979,838</b>	<b>\$ 943,120</b>
<b>Total Liabilities &amp; Unrestricted Equity</b>	<b>\$ 913,731</b>	<b>\$ 661,910</b>	<b>\$ 358,355</b>	<b>\$ 1,933,996</b>	<b>\$ 1,658,486</b>	<b>\$ 1,402,050</b>	<b>\$ 1,387,560</b>

\*This financial statement is produced directly from WSAC's MIP Fund Accounting Software through DrillPoint Reports.

**Key factors for changes in WSAC's Assets and Equity between 2016 and 2019:**

- Litigation Fund - a new fund based on the 2018 budget adopted by the members at the November 2017 General Board Member Meeting.
- Cash – The increase in cash from year end reflects the timing of annual dues submitted. Cash flow is higher in the beginning of the year and is reduced as it is used throughout the year on general expenses.
- Receivables & Other Current Assets - The receivables at the end of the 3rd quarter in 2019 is related to WSAC's annual dues billing process and quarterly billing of affiliates.
- Deferred Revenues - the larger balance in "Current Liabilities" from 2018 year-end is due to booking deferred revenue for annual dues billed in January but not "earned" until the year progresses.

## Actual vs. Budget in Summary For the Current Ending Period and 3 Years Prior

Operating Fund	Total Budget	Budget 9/30/2019	Actual 9/30/2019	Variance (unfavorable)	12/31/2018	12/31/2017	12/31/2016
Revenue							
Dues	\$ 1,525,195	\$ 1,143,896	\$ 1,143,894	\$ (2)	\$ 1,491,284	\$ 1,268,294	\$ 1,327,860
Business Partner Fees	-	-	-	-	-	300	-
Special Assessments	35,000	26,250	26,250	-	35,000	216,750	73,300
Affiliate Assessments	628,204	471,153	424,808	(46,345)	591,153	636,061	434,773
Contract Services	724,099	543,074	261,394	(281,680)	625,293	600,567	575,949
Conferences and Events	159,000	19,000	137,780	118,780	136,438	228,431	142,460
Other Miscellaneous Revenues	500	-	-	-	4	-	14
<b>Total Revenue</b>	<b>\$ 3,071,998</b>	<b>\$ 2,203,374</b>	<b>\$ 1,994,126</b>	<b>\$ (209,247)</b>	<b>\$ 2,879,172</b>	<b>\$ 2,950,403</b>	<b>\$ 2,554,356</b>
Operating Expense							
Payroll and Benefits	\$ 1,937,893	\$ 1,418,776	\$ 1,309,747	\$ 109,029	\$ 1,500,345	\$ 1,568,421	\$ 1,401,401
Meetings, Travel and Hosting	144,100	115,975	128,489	(12,514)	149,894	141,609	156,916
Conferences and Events	139,000	9,000	95,375	(86,375)	140,191	168,577	123,918
Contract Services	638,634	478,976	336,348	142,627	737,132	639,420	522,544
Professional Services Other	138,000	104,500	103,220	1,280	150,420	235,869	135,932
Technology and Telecom	51,630	41,273	49,076	(7,803)	46,865	44,477	45,582
General Operating	160,550	128,000	139,943	(11,943)	156,666	139,951	157,821
<b>Total Operating Expense</b>	<b>\$ 3,209,807</b>	<b>\$ 2,296,499</b>	<b>\$ 2,162,199</b>	<b>\$ 134,300</b>	<b>\$ 2,881,513</b>	<b>\$ 2,938,326</b>	<b>\$ 2,544,114</b>
<b>Changes in Net Assets</b>	<b>\$ (137,809)</b>	<b>\$ (93,126)</b>	<b>\$ (168,072)</b>	<b>\$ (74,947)</b>	<b>\$ (2,341)</b>	<b>\$ 12,077</b>	<b>\$ 10,242</b>
Dues as a % of Total Revenue	49.6%		57.4%		51.8%	43.0%	52.0%
# of Permanent Staff	15		14		14	12	12
Payroll Exp as % of Total Exp	60%		61%		52%	53%	55%
Net Income as % of Revenue	-4%		-8%		0%	0%	0%

\*This financial statement is produced directly from WSAC's MIP Fund Accounting Software through DrillPoint Reports.

**Actual vs. Budget in Summary**  
 For the Current Ending Period and 3 Years Prior

Special Fund	Total Budget	Budget 9/30/2019	Actual 9/30/2019	Variance (unfavorable)	12/31/2018	12/31/2017	12/31/2016
Revenue							
Business Partner Fees	-	-	650	650	650	-	-
Marketing and Royalties	229,500	172,750	130,077	(42,673)	194,096	209,651	197,787
Other Miscellaneous Revenues	500	375	-	(375)	-	-	1,040
Interest Earnings	5,000	3,750	14,202	10,452	6,116	3,350	512
<b>Total Revenue</b>	<b>\$ 235,000</b>	<b>\$ 176,875</b>	<b>\$ 144,928</b>	<b>\$ (31,947)</b>	<b>\$ 200,862</b>	<b>\$ 213,002</b>	<b>\$ 199,339</b>
Operating Expense							
Meetings, Travel and Hosting	50,000	32,500	37,154	(4,654)	54,302	64,191	62,975
Conferences and Events	20,000	-	-	-	27,140	30,000	13,030
Professional Services Other	7,500	7,500	18,873	(11,373)	7,500	7,500	7,500
Technology and Telecom	3,700	3,700	4,308	(608)	4,224	842	3,282
General Operating	8,650	6,625	8,213	(1,588)	9,404	16,316	16,676
<b>Total Operating Expense</b>	<b>\$ 89,850</b>	<b>\$ 50,325</b>	<b>\$ 68,548</b>	<b>\$ (18,223)</b>	<b>\$ 102,569</b>	<b>\$ 118,848</b>	<b>\$ 103,463</b>
<b>Changes in Net Assets</b>	<b>\$ 145,150</b>	<b>\$ 126,550</b>	<b>\$ 76,381</b>	<b>\$ (50,169)</b>	<b>\$ 98,293</b>	<b>\$ 94,153</b>	<b>\$ 95,875</b>
Dues as a % of Total Revenue	0.0%		0.0%		0.0%	0.0%	0.0%
# of Permanent Staff	15		14		14	12	12
Payroll Exp as % of Total Exp	0%		0%		0%	0%	0%
Net Income as % of Revenue	62%		53%		49%	44%	48%

\*This financial statement is produced directly from WSAC's MIP Fund Accounting Software through DrillPoint Reports.

**Actual vs. Budget in Summary**  
 For the Current Ending Period and 3 Years Prior

Litigation Fund	Total	Budget	Actual	Variance	12/31/2018	12/31/2017	12/31/2016
	Budget	9/30/2019	9/30/2019	(unfavorable)			
Revenue							
Dues	\$ 400,000	\$ 300,000	\$ 300,003	\$ 3	\$ 399,997	\$ -	\$ -
<b>Total Revenue</b>	<b>\$ 400,000</b>	<b>\$ 300,000</b>	<b>\$ 300,003</b>	<b>\$ 3</b>	<b>\$ 399,997</b>	<b>\$ -</b>	<b>\$ -</b>
Operating Expense							
Payroll and Benefits	\$ 112,681	\$ 82,427	\$ 60,073	\$ 22,354	\$ 61,106	\$ -	\$ -
Meetings, Travel and Hosting	15,000	12,500	1,091	11,409	28,273	-	-
Conferences and Events	-	-	-	-	849	-	-
Professional Services Other	340,000	255,000	290,790	(35,790)	154,746	-	-
Technology and Telecom	3,069	2,302	-	2,302	2,397	-	-
General Operating	500	375	327	48	3,821	-	-
<b>Total Operating Expense</b>	<b>\$ 471,250</b>	<b>\$ 352,603</b>	<b>\$ 352,280</b>	<b>\$ 323</b>	<b>\$ 251,192</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Changes in Net Assets</b>	<b>\$ (71,250)</b>	<b>\$ (52,603)</b>	<b>\$ (52,277)</b>	<b>\$ 326</b>	<b>\$ 148,805</b>	<b>\$ -</b>	<b>\$ -</b>
Dues as a % of Total Revenue	100.0%		100.0%		100.0%	#DIV/0!	#DIV/0!
# of Permanent Staff	15		14		14	12	12
Payroll Exp as % of Total Exp	24%		17%		24%	#DIV/0!	#DIV/0!
Net Income as % of Revenue	-18%		-17%		37%	#DIV/0!	#DIV/0!

\*This financial statement is produced directly from WSAC's MIP Fund Accounting Software through DrillPoint Reports.

**Actual vs. Budget in Summary**  
 For the Current Ending Period and 3 Years Prior

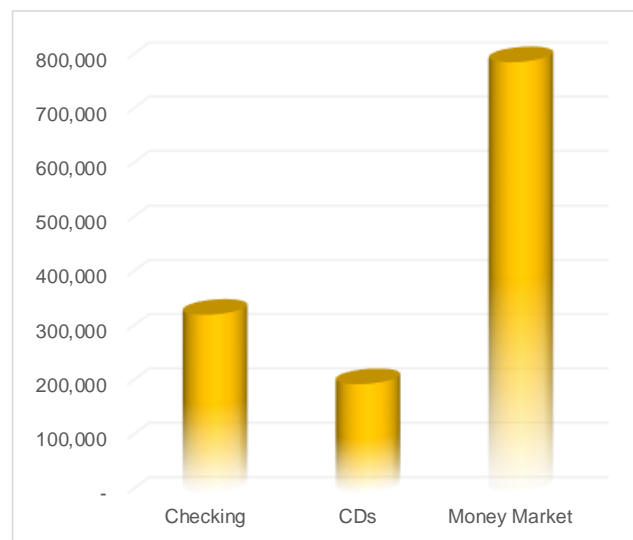
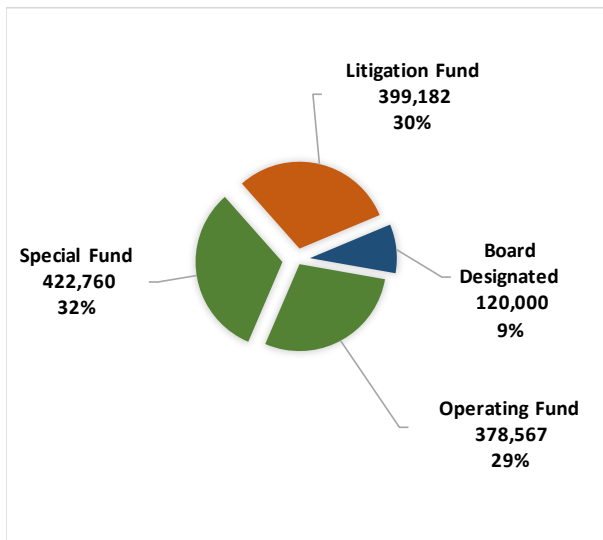
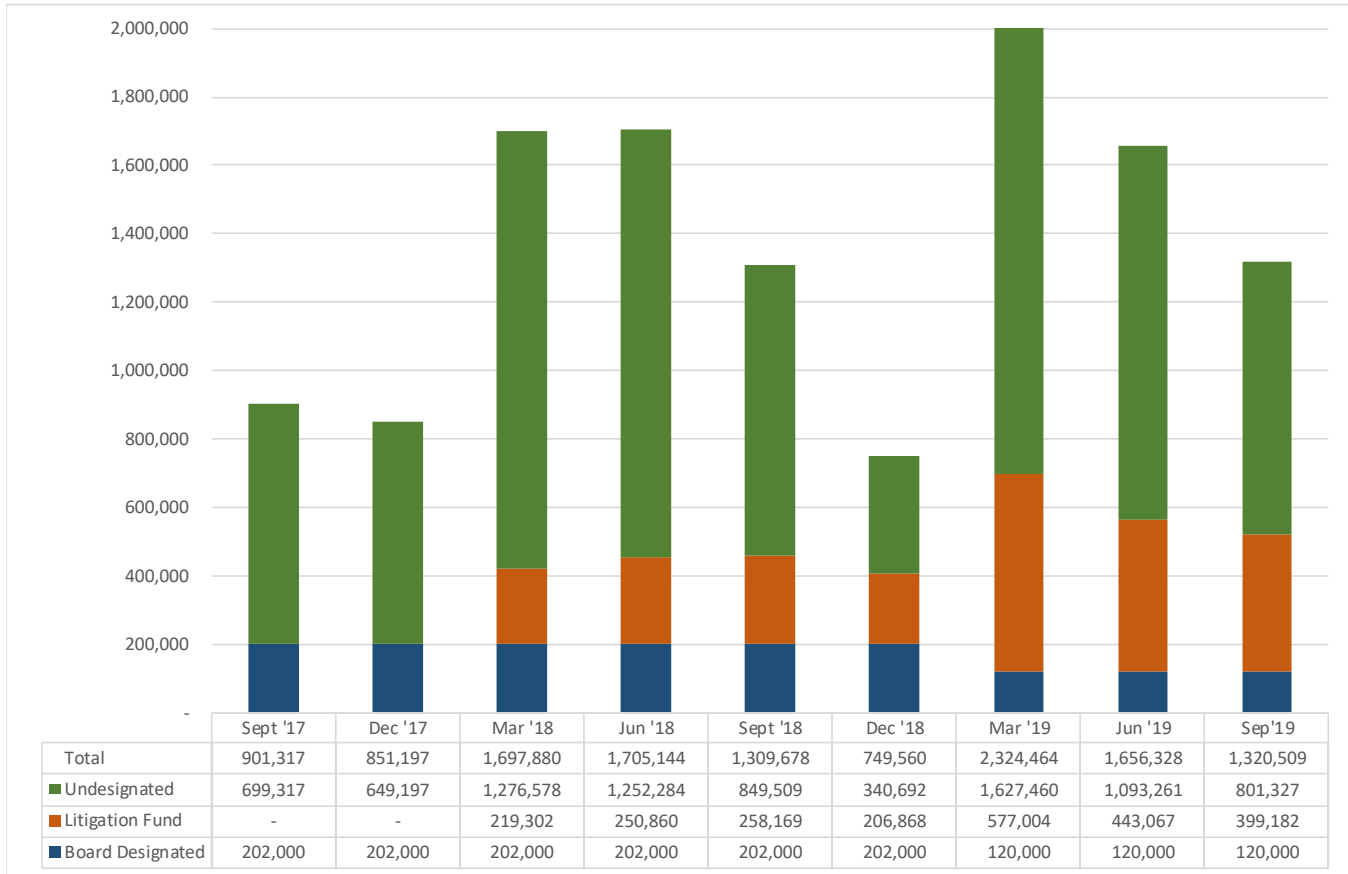
<b>All Funds</b>	<b>Total Budget</b>	<b>Budget 9/30/2019</b>	<b>Actual 9/30/2019</b>	<b>Variance (unfavorable)</b>	<b>12/31/2018</b>	<b>12/31/2017</b>	<b>12/31/2016</b>
<b>Revenue</b>							
Dues	\$ 1,925,195	\$ 1,443,896	\$ 1,443,897	\$ 1	\$ 1,891,281	\$ 1,268,294	\$ 1,327,860
Business Partner Fees	-	-	650	650	650	300	-
Special Assessments	35,000	26,250	26,250	-	35,000	216,750	73,300
Affiliate Assessments	628,204	471,153	424,808	(46,345)	591,153	636,061	434,773
Contract Services	724,099	543,074	261,394	(281,680)	625,293	600,567	575,949
Conferences and Events	159,000	19,000	137,780	118,780	136,438	228,431	142,460
Marketing and Royalties	229,500	172,750	130,077	(42,673)	194,096	209,651	197,787
Other Miscellaneous Revenues	1,000	375	-	(375)	4	-	1,054
Interest Earnings	5,000	3,750	14,202	10,452	6,116	3,350	512
<b>Total Revenue</b>	<b>\$3,706,998</b>	<b>\$2,680,249</b>	<b>\$2,439,058</b>	<b>\$ (241,191)</b>	<b>\$3,480,032</b>	<b>\$3,163,404</b>	<b>\$2,753,695</b>
<b>Operating Expense</b>							
Payroll and Benefits	\$2,050,574	\$1,501,203	\$1,369,820	\$ 131,382	\$1,561,451	\$1,568,421	\$1,401,401
Meetings, Travel and Hosting	209,100	160,975	166,734	(5,759)	232,468	205,801	219,892
Conferences and Events	159,000	9,000	95,375	(86,375)	168,181	198,577	136,948
Contract Services	638,634	478,976	336,348	142,627	737,132	639,420	522,544
Professional Services Other	485,500	367,000	412,882	(45,882)	312,666	243,369	143,432
Technology and Telecom	58,399	47,274	53,384	(6,110)	53,486	45,318	48,864
General Operating	169,700	135,000	148,483	(13,483)	169,891	156,267	174,496
<b>Total Operating Expense</b>	<b>\$3,770,907</b>	<b>\$2,699,427</b>	<b>\$2,583,026</b>	<b>\$ 116,401</b>	<b>\$3,235,274</b>	<b>\$3,057,174</b>	<b>\$2,647,577</b>
<b>Changes in Net Assets</b>	<b>\$ (63,909)</b>	<b>\$ (19,179)</b>	<b>\$ (143,968)</b>	<b>\$ (124,790)</b>	<b>\$ 244,757</b>	<b>\$ 106,230</b>	<b>\$ 106,118</b>
Dues as a % of Total Revenue	51.9%		59.2%		54.3%	40.1%	48.2%
# of Permanent Staff	15		14		14	12	12
Payroll Exp as % of Total Exp	54%		53%		48%	51%	53%
Net Income as % of Revenue	-2%		-6%		7%	3%	4%

\*This financial statement is produced directly from WSAC's MIP Fund Accounting Software through DrillPoint Reports.

Key factors for changes in WSAC's income and expenses between 2016 and 2019:

- 2019 shows the full year budgeted and only two quarters of actual activity compared to a full year of activity for the prior years.
- Affiliate assessment revenues are based on actual expenses from the affiliates WSAC manages (recorded within Operating Expense) with a 12% overhead charge added.
- Payroll and Benefits - The increase in staff from 2017 to 2018 with no corresponding increase in expense is due to one position remaining unfilled for 9 months as well as turnover of four positions in 2018 that remained unfilled for anywhere from one to four months.
- Professional Services Other – The 2017 increase from 2016 is due to Special Assessment projects (can be found in related revenue) including a Media Campaign, Columbia River Treaty, PILT, and Coastal Counties.

**Total Cash & Investment Position - All Funds**  
For The Quarter Ended September 30, 2019







**November 19, 2019**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, Executive Director

**PREPARED BY:** Derek Anderson, Director, Communications & Member Services

**SUBJECT:** Communications and Member Services Division Report

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### **County Leaders Conference**

Registration for the 2019 County Leaders Conference remained strong with over 300 leaders representing all 39 counties in attendance. The following affiliate and partner organizations are joining us this year:

Washington State Board of Health  
Association of County Human Services (ACHS)  
Washington County Administrative Association (WCAA)  
Washington Association of County Commission/Council Clerks (WACCC)  
Washington Association of County Solid Waste Managers (WACSWM)  
Washington State Association of County Engineers (WSACE)  
Washington State Association of Local Public Health Officials (WSALPHO)  
Washington State Auditor's Office (SAO)  
Washington State Department of Health (DOH)  
Washington State University Extension Directors (WSU Extension)  
Washington Refuse & Recycling Association (WRRRA)  
Washington Counties Risk Pool (WCRP)  
County Road Administration Board (CRAB)

WSAC is also welcoming back a number of longtime supporters and exhibitors of the County Leaders Conference including Republic Services, Waste Management, and the Washington Counties Insurance Fund (WCIF). Please be sure to take a moment and thank our sponsors and exhibitors for their continued support of this event.

### **2020 Legislative Session**

Staff is actively working to develop online tools and resources for the 2020 Legislative session. This work is focused on preparing resources for digital & print marketing, messaging and brand awareness in conjunction with WSACs' Strategic Litigation and Communications program. Additional resources will be added to the WSAC website in mid-December.

### **Brand Awareness**

WSAC has executed a new sponsorship agreement for 2020 with Washington States' Public Affairs Network, TVW. The year-long sponsorship agreement will guarantee reoccurring ad placement alongside one of the network's more popular programs *The Impact*.

### **Communications**

Staff recently finalized a redesign of the *Friday 5*, a weekly e-publication sent to over one thousand subscribers. After a four-week review of analytics and performance comparing the new design to the existing design. The new template was sent to all subscribers on the week of November 4.

**November 19, 2019**

**TO:** WSAC Board of Directors and Alternates

**FROM:** Eric Johnson, Executive Director

**PREPARED BY:** Mellani McAleenan, Director, Government Relations & General Counsel

**SUBJECT:** Policy and Legislative Relations Report

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**Jaime Bodden - Managing Director, Washington State Association of Local Public Health Officials**

**Foundational Public Health Services (FPHS)**

- On October 18<sup>th</sup> and November 7<sup>th</sup>, WSALPHO co-hosted legislative tours at the State Public Health Lab for legislators. The tour focused on providing an overview into lab services, highlighting the work it does for the entire public health system, and continuing gaps the lab has in meeting local demand.
- On-going FPHS work includes convening subject-matter groups on communicable disease, environmental health, and assessment to identify highest priority needs with these FPHS areas as well as how to implement programs and services.
- Identifying stable funding sources for FPHS. As evidenced by the current ban on flavored vapor products, and the unknown impacts FPHS funding from vapor product tax revenue, policy work on FPHS is now focused on identifying other viable sources of funding for FPHS.
- WSALPHO facilitated a question and answer session during the 2019 Washington State Public Health Association Annual Conference in Wenatchee. Co-presenting was Department of Health, WSALPHO, State Board of Health, and American Indian Health Commission.

**Governmental Public Health Summit grant award** – WSALPHO is the recipient of a Center for Sharing Public Health Services small grant award. The grant will be used to facilitate a governmental public health summit in spring 2020 to continue work on building system change and collaboration on foundational public health services.

**Environmental Public Health Directors meeting.** In October, local environmental health staff gathered in Leavenworth for their annual meeting. Topics discussed included water quality, the state's radiation program, on-site septic system rules, air quality, and workforce development. During the meeting, two directors were given recognition; Holly Myers (Yakima) for her leadership as past committee chair, and John Kiess (Kitsap) as the Environmental Health Director of the Year.

**Legislative session and policy**

- In late September, Governor Inslee issued an emergency order to the State Board of Health and the Department of Health to ban all flavored vapor products and to respond to the cases of lung injury associated with vaping. Local health jurisdictions provided input into the State Board of Health's proposed rules – emphasizing the role local Health Officers have in responding to and investigating cases of lung injury. The temporary 120-day rule was approved by the State Board of Health and the Governor will be sponsoring legislation related to this issue next session.

- WSALPHO supports the Department of Health's decision package requesting backfill support for FPHS as a result of reduced vapor tax revenue. This backfill will bring local allocation up to the original 2019-2021 budget appropriation. Additionally, WSALPHO will be supporting the supplemental request to fund FPHS activities in disease outbreak and response, climate and health, and data supports.
- WSALPHO expects many bills and health issues to come up next session and has been working with partners to ensure local government is considered in these areas. Issues include the recodification of environmental statutes, vaping and vapor products, childhood supports to reduce trauma, and communicable disease control.

### **Administrative and Organizational**

- In October, WSALPHO upgraded to a cloud-based collaborative platform. This platform allows local health jurisdictions to safely access and develop shared documents with each other as well as key partners such as state agencies.
- At November's general membership and board meeting, WSALPHO will be approving its 2020 budget, including dues, and updating its organizational bylaws.

### **Jane Wall – Managing Director, Washington State Association of County Engineers**

- Jane continues to conduct county-engineer visits. Since returning from Maternity Leave Jane has traveled to Kittitas, Chelan, Lincoln, Stevens, Ferry, Clark, Mason counties.
- Jane has met with several legislators, and legislative staff, in the lead-up to the 2020 legislative session. They include, Rep Jake Fey, Rep Vandana Slatter, Rep Javier Vargas, Rep Christine Kilduff, Sen Curtis King, and Rep Bill Ramos.
- Jane has begun building the County Engineer's 2020 Professional Development Conference agenda. 2020's conference will take place at the Suncadia resort in early February and will focus on "Law School for Public Works". We will have representatives from the County Risk Pool and the Association of Prosecuting Attorney's to deliver the program.
- WSACE will finalize its 2020 legislative agenda during the County Leader's Conference. Engineer's will again pursue the ability to swap federal Surface Transportation Program (STP) dollars for state. Efforts in 2019 were not successful.
- Jane continues to be actively involved and engaged with her work on, and with, several boards, including the County Road Administration Board (CRAB), the Capital Projects Advisory Review Board (CPARB), The Fish Barrier Removal Board (FBRB), the Freight Mobility Strategic Investment Board (IACC), the State Transportation Innovation Council (STIC), and the Infrastructure Assistance Coordinating Council (IACC).
- Jane recently attended the Infrastructure Assistance Coordinating Council annual conference and Board meeting in Wenatchee, WA. Jane sits on the IACC Board.
- Jane continues to oversee the WSDOT fuel tax study money contracts. WSAC will spend the bulk of the \$1.1 million on county culvert inventories. WSAC has hired a contractor to lead the effort, which will take place over the next two years. WSAC hopes to have a significant number of county fish blocking culverts, specifically in the 14 county injunction case area, inventoried by the end of the biennium. However, the magnitude of the project is not yet known and is expected to carry into 2021-2023.
- Jane continues to be very engaged with the County Road Administration Board, providing monthly updates during their regular board meetings. She will also be both a participant and presenter during their December County Engineer Training.
- Jane continues to work on a fish passage barrier removal strategy for counties. She has been working closely with her Association of Washington Cities counterpart, as well as with the Department of Fish and Wildlife and the Department of Transportation.
- Jane also continues to engage regularly with WSDOT, meeting monthly with the Director of Local Programs. She also continues facilitate STP spending conversations and coordination with WSDOT and the 22 Lead County agencies.

### **Juliana Roe - Policy Director, Human Services, Justice, and Public Safety**

- Guiding counties through the implementation of HB 1406 which provides funding for affordable housing.
- Meeting with legislators regarding setting aside a portion of HB 1406 funds for administration.
- Monitoring affordable housing and homelessness issues.
- Developing behavioral health priorities with ACHS.
- Data gathering for ITA court costs and meeting with legislators.
- Working with outside counsel and code reviser on drafting of new public defense legislation.
- Attended housing conference in Spokane and Washington Low Income Housing Alliance conference in Spokane.
- Attended several legislative briefings for county and WSAC priorities.

### **Paul Jewell – Policy Director, Water, Land Use, Natural Resources**

- Wrapped up fundraising and published the RFP for the marbled murrelet economic impact study. Held a pre-proposal webinar and answered questions from potential consultants. Proposals for the study are due Friday, 11/22.
- Serving on the manufactured home communities' workgroup for the Department of Commerce. Developing recommendations with stakeholders on policy changes that will help preserve existing manufactured home communities and encourage the development of new ones.
- Continue to work on the Solutions Table to pursue strategies for offsetting lost revenue to counties as a result of the marbled murrelet long-term conservation strategy. Attended meetings in Forks, Olympia and Aberdeen since September.
- Attended the 5-county regional planning meeting with King, Pierce, Snohomish Kitsap and Skagit Counties. Updated them on the Ruckelshaus Report and received feedback.
- Met with Representative Doglio to discuss upcoming legislative priorities including the single-use plastic bag ban bill.
- Met with Ecology and the leadership of WACSWM to get a better understanding of the use of MTCA funds within the department and to discuss strategies for developing the legislatively mandated contamination, reduction and outreach plan updates to the county comprehensive solid waste management plans.
- Continue to represent counties on the statewide recycling steering committee.
- Appointed as the county representative on the Green Economy workgroup for Commerce and attended the first meeting.
- Attended the carbon friendly forest conference in SeaTac.
- Met with Representative Peterson on a bill proposing a "sharps" product stewardship program.
- Attended the Environmental Health Directors meeting in Leavenworth and presented on legislative issues in common with the Planner's group.
- Attended the annual Planner's conference in Chelan and presented on legislative issues.
- Convened a meeting in Ellensburg between Ecology and several counties regarding legacy pesticide issues on former orchard land in certain counties in Eastern Washington.
- Prepared and submitted comments in cooperation with the Coastal Caucus on the Orca Recovery Task Force updated recommendations.

### **Mellani McAleenan – Director of Government Relations**

- Several meetings with various partner organizations regarding legislative agendas.
- Reviewed agency request legislation.
- Drafted amicus and submitted amicus brief to Supreme Court.
- Monitored development and submission of several amicus briefs by outside counsel and deputy prosecutors.
- Presented WSAC priorities to Department of Commerce.

- Met with Rep Ramos regarding transportation funding and WSAC priorities.
- Met with Allied Daily News, Washington Coalition for Open Government, and AWC regarding potential public records legislation.
- Met with AWC and MRSC regarding coordination of training opportunities.
- Monitored Supreme Court oral arguments in several cases in which WSAC participated as amici.
- Assisted in development of behavioral health priority and indigent defense data gathering.
- Met with Rep Pollet and others regarding special purpose districts; potential legislation regarding ethics requirements, dissolution of SPD and assumption of responsibilities, and election changes.
- Assisted in development of House Local Government presentation on interlocal agreements, piggybacking, unfunded mandates, and WSAC priorities during November committee days.
- Met with AWC and WSAC leadership jointly.
- Met with Office of the Insurance Commissioner regarding potential OIC request legislation.
- Communicated with local government champion legislators regarding 2020 legislative session.

#### **Mike Hoover - Contract Lobbyist**

- General legislative engagement and monitoring for coming 2020 Session.
- County legislative days (Lewis).
- Preparing training for two sessions at November conference on “How to Engage Effectively With The Legislature.”
- Attend presumptive disease workgroup meetings/review materials in anticipation of legislation for 2020 Session.
- Attend LEOFF Board/workgroup meetings/review materials in anticipation of legislation for 2020 Session.
- 

#### **Brynn Brady - Program Consultant, Coastal Counties Caucus**

The following items have been covered to ensure coastal county interests and priorities were brought forward to the coastal counties, Legislative Steering Committee, state and federal agencies, tribal nations and other key stakeholders:

- Supported WSAC members serving on Puget Sound Partnership (PSP) Boards and Councils
- Distributed the Southern Resident Killer Whale (SRKW) Task Force recommendations and other items of interest to CC members.
- Solicited input, coordinated and drafted official WSAC responses and recommendations to the SRKW Task Force
- Assisted staff from Senate Agriculture, Water, Natural Resources and Parks Committee on a tour in Jefferson County that included several County project sites/programs.
- Represented and/or coordinated representation in PSP meetings and other state efforts that impact communities along the Puget Sound and Pacific coast
- Monitored and reported on PSP efforts that involved county policy interests to WSAC policy staff and the CC members including the SRKW Task Force recommendations, discussions of the Ecosystem Coordination Board land use subcommittee and development of state agency legislative priorities
- Planned and coordinated the CC annual meeting at the WSAC Leaders Conference

#### **Neil Aaland - Program Consultant**

##### **Project Coordination**

- Developed agenda topics for CR Caucus meeting later in August
- Conferred with Chair McCart and decided to cancel August meeting
  - Contacted venue and caterer to cancel arrangements
- Initial discussions on November WSAC conference agenda topics
- Continued discussions on November WSAC conference agenda topics
  - Conferred with Chair McCart

- Contacted conference staff regarding timing
- Continued arrangements for November WSAC conference agenda topics
  - Identified topics for agenda

#### Policy Development/Coordination

- Reviewed policy information for September meeting of Ecology's Water Resources Advisory Committee (WAC), including water reservation for McNary/John Day pool
- Reviewed updated drought information
- Reviewed draft guidance for watershed restoration grants – upcoming
- Reviewed policy information for October meeting of Ecology's Water Resources Advisory Committee (WRAC)
  - Reviewed updated drought information
  - Status of watershed restoration grants
- Reviewed water banking materials provided by WRAC
- Attended October meeting of Ecology's Water Resources Advisory Committee (WRAC)
- Reviewed information on Walla Walla OCR project
- Reviewed information on pending issues with Bonneville Power Administration finances/future power sales

#### Communication/Outreach

- Contacted BC staff member to discuss potential joint meeting in November
- Continued discussions with BC staff member to discuss potential joint meeting in November – in conjunction with WSAC conference and Columbia River forum
- Contacted Caucus members about potential meeting with BC LGC on Tuesday November 19; enough confirmed so working on that arrangement with BC staff
- Notified Caucus members about Lake Roosevelt forum meeting in November

#### Scott Swanson - Timber Consultant

The WSAC timber program serves 27 counties that contain state and federal land. Program highlights for this year include

- The timber counties have met several times this year. DNR-State Trust land continues their efforts to adopt a new decadal Western Washington Sustainable Harvest Calculation (SHC) covering 2015-2024 and complete the Marbled Murrelet Long Term Conservation Strategy (LTCS) and resulting Habitat Conservation Plan (HCP) Amendment. A Final Environmental Impact Statement was completed by the DNR in September 2019 and presented to the Board of Natural Resources (BNR). It covers the LTCS and an HCP Amendment should be approved by the BNR in December 2019. The HCP Amendment will result in an amended "take permit" from the US Fish and Wildlife Service. This effort should finally be completed in the winter of 2019-2020 following both NEPA and SEPA processes. Public comments on both have been given in written and oral form several times to the BNR.
- The Timber Counties Committee began a separate Economic Impact Analysis (EIA) on the effects on taxing districts in western Washington of the HCP Amendment for marbled murrelets during 2019. An RFP has been developed, advertised, and a pre-proposal webinar has been achieved during September and October 2019. The EIA should be completed by the successful contractor by September 2020.
- Skagit County Commissioner Lisa Janicki was the counties representative on the Forest Practices Board (FPB) until her resignation in June 2019. WSAC has presented the Governor's office with four different candidates as our new voting member to the FPB. So far an appointment has not occurred. The FPB has two primary responsibilities:
  - Adopting rules that set standards for forest practices such as timber harvests, pre-commercial thinning, road construction and forest chemical applications.
  - Providing a Forest Practices Board Manual as a technical supplement to the rule.
 The FPB is advised by the Timber Fish and Wildlife (TFW) policy committee, informed by CMER

(Cooperative Monitoring, Evaluating and Research). Scott Swanson represents Timber Counties on the TFW policy group and monitors the CMER process. One of the ongoing topics for the TFW group is stream typing; whether a stream is fish bearing (F) or non-fish bearing (N). In May 2019, the FPB formed a Board committee to continue work on Type-F water typing. This effort is ongoing with a new target for a FPB decision of late 2020.

With the state up-listing to endangered for the marbled murrelet the FPB directed a Wildlife Working Group to begin an analysis on whether marbled murrelet regulations for the state of Washington's state and private lands should be amended. Scott Swanson represents Counties on this committee. The analysis might complete recommendations to the FPB by year end 2020.

Clallam County Commissioner Bill Peach represents counties on the Board of Natural Resources (BNR) as they manage state forest land for trust beneficiaries such as schools and counties. The BNR has several planning efforts currently underway including the sustainable harvest calculation and the long term conservation strategy for the marbled murrelet. There have also been presentations on climate change during 2019. An amendment to the WADNR HCP covering marbled murrelet protection could be decided on by the BNR during their next meeting in December 2019.

- WSAC has a Cooperative Agreement with DNR to facilitate the active participation by county governments in natural resource issues under the jurisdiction of the DNR, including through provision of technical expertise to the counties' representatives to the Board of Natural Resources and the Forest Practices Board, and to provide the foundation for active and productive communication between DNR and WSAC timber counties on issues of mutual interest. WSAC meets monthly with DNR and on occasion other staff as needed, such as meeting with their legislative staff on upcoming legislation and the planning efforts currently under way.
- Several timber county members participate in the National Association of Counties (NACo) Western Interstate Region (WIR) and Public Lands Steering Committee. Washington Counties are represented on the Board of WIR. WSAC staff also participates in these spring annual and fall board meetings.



## 2019 Western Interstate Region Board of Directors Meeting Agenda

October 28-30, 2019 | The Mariposa Lodge  
Mariposa County, Calif.

NACo Staff Contact: Jonathan Shuffield | [JShuffield@naco.org](mailto:JShuffield@naco.org) | Cell: 512.965.7268

Dress Code: Casual

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### WIR Leadership:

- President: The Hon. **Kevin Cann**, Supervisor, Mariposa County, Calif.
- First Vice President: The Hon. **Greg Chilcott**, Commissioner, Ravalli County, Mont.
- Second Vice President: The Hon. **Mark Whitney**, Commissioner, Beaver County, Utah
- Immediate Past President: The Hon. **Tommie Cline Martin**, Supervisor, Gila County, Ariz.

### Monday, October 28

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- |              |  |
|--------------|--|
| 1:00–6:00 pm | <b>Check in to Hotel</b><br>Mariposa Lodge<br>5052 CA-140<br>Mariposa, CA  |
| 4:00-5:30 pm | <b>Guided Tour of Mariposa History Museum</b><br>5119 Jessie St<br>Mariposa, CA 95338                                    |
| 5:30-7:00 pm | <b>WIR Welcome Reception hosted by sponsors</b><br>The Alley (private reception)<br>5027-C Hwy 140<br>Mariposa, CA 95338 |

### Tuesday, October 29

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- |              |  |
|--------------|--|
| 7:30-8:30 am | <b>Networking Breakfast hosted by NACO</b><br>River Rock Inn and Deli<br>4993 7 <sup>th</sup> St.<br>Mariposa, CA 95338  |
| 9:00-5:00 pm | <b>WIR Board of Directors Meeting</b><br>Mariposa County Government Center<br>5100 Bullion St<br>Mariposa, CA 95338  |
| 9:00-9:15 am | <b>Welcome, Pledge of Allegiance and Introductions</b> <ul style="list-style-type: none"><li>• <b>The Hon. Kevin Cann</b>, Supervisor, Mariposa County, Calif.</li></ul> |



- 9:15-10:00 am      **Update from the Bureau of Land Management**  
*The Bureau of Land Management (BLM) manages approximately one-tenth of the acreage of the United States and 30 percent of its minerals. Deputy Director for Policy and Programs William Perry Pendley will discuss actions taken by the BLM in 2019 and potential initiatives for next year.*
- **The Hon. William Perry Pendley**, Deputy Director for Policy and Programs, Bureau of Land Management, acting with the authority of the Director
- 10:00-10:30 am      **Sierra Foothill Conservancy**  
*Hear how this innovative group has been saving family ranches and threatened areas to keep them in agricultural production.*
- **Bridget Fithian, Executive Director**, Sierra Foothills Conservancy
- 10:30-11:00 am      **Natural Disaster Management in Rural Counties**  
*Mariposa County undertook a recent effort to improve planning and emergency management amid multiple successive natural disasters. County Public Works Director Mike Healy will speak about this effort and its implementation, which was recognized with an award from the American Public Works Association.*
- **Mike Healy**, Public Works Director, Mariposa County, Calif.
- 11:00 am-12:00 pm      **Roundtable Discussion on WIR Key Priorities for 2020**  
*Each year, the WIR Board of Directors approves the next year's WIR policy areas of focus. This discussion will include a review of the current WIR Priorities and a collaborative discussion and adoption of the Board's priorities for 2020. Most importantly, we will have a discussion on the strategies and tactics we need to make progress.*
- **The Hon. Kevin Cann**, Supervisor, Mariposa County, Calif.
- 12:00-1:00 pm      **Lunch served at the Mariposa County Government Center**
- 1:00-1:45 pm      **WIR Partner Organization Update**  
*WIR's Public Lands Trust contributes to the Wildland Fire Leadership Council (WFLC) so that counties are represented. WFLC Executive Manager Mike Zupko will update the WIR Board on recent activities and opportunities for future engagement on issues surrounding wildland fire.*
- **Mike Zupko**, Executive Manager, WFLC
- 1:45-2:30 pm      **New Technology Use to Improve Landscape Health**  
*The Sierra range served as ground zero for the pine bark beetle epidemic impacting the American West. Hear how southern Sierra counties reacted and the innovative new drone technology which evolved to determine forest health, project procedures and costs to stabilize and maintain critical watersheds.*
- **Neal Bolton**, President and CEO, Blue Ridge Services
- 2:30-3:15 pm      **Forest Health Initiatives**  
*The Golden State Natural Resources Corp. has developed a partnership with USDA and private forest owners to innovatively remove low and no value biomass from the forests and process it into industrial wood pellets to be used in Asian electric generation plants which have committed this renewable technology.*
- **Greg Norton**, President, Rural County Representatives of California

- 3:15 -4:00 pm      **WIR Legislative and Budget Update**  
*NACo Associate Legislative Director Jonathan Shuffield will discuss key legislative priorities and achievements and present a proposed budget for WIR members to amend and vote on.*
- **Jonathan Shuffield**, Associate Legislative Director, NACo
- 4:00-4:45 pm      **Roundtable Discussion on Local Issues in Member Counties**
- 4:45-5:30 pm      **Tour of the Mariposa County Courthouse**  
*Constructed in 1854, the Mariposa County Courthouse is the oldest courthouse in the State of California.*  
 5088 Bullion St  
 Mariposa, CA 95338
- 6:00-8:00 pm      **Dinner**  
 Join Mariposa County department heads in a fun reception and dinner hosted by the California State Association of Counties. Superior Court Judge Michael Fagaldi will speak briefly about administering justice in rural California.  
**Savoury's Restaurant**  
 5034 CA-49, Downtown  
 Mariposa

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### Wednesday, October 30

- 7:00-8:00 am      **Networking Breakfast** (hosted by NACO)  
 River Rock Inn and Deli  
 4993 7<sup>th</sup> St  
 Mariposa, CA 95338
- 8:00 am-2:00 pm      **Mobile Tour of Yosemite Valley**  
*We will leave the hotel promptly at 8:00 am via motor coach for a trip into the iconic Yosemite Valley. Yosemite National Park Superintendent Michael Reynolds and his staff will discuss gateway partnerships and challenges, and the unique processes continually being applied to allow for maximum visitor use and enjoyment while preserving Yosemite for future generations. Wear comfortable shoes as there will be short hikes to key sites.*  
 Sponsored by Rural County Representatives of California  
 Lunch will be provided
- 2:00pm      **Adjournment**

WIR Board Meeting - Submitted by Commissioner Wes McCart  
October 28-30, 2019

William Pendley Perry (BLM Deputy Secretary) - "BLM Update": The greatest threat to public lands is wild horses and burros. We have lands that land experts say will never recover. The birth rates of the horses exceeds those disposed. We are spending \$50 million/yr. on wild horses and burros and another \$30 million/yr. on the rest of the program. Fires are the other threat to our public lands. All of the BLM fire fighters are in Boise, ID. He visited the border area, just outside of Tijuana, Mexico. He was assessing the situation and reported to the President that the immigration issue at this location is an environmental disaster. There are thousands of people going through this area, which is a wilderness area and it is being burned, trashed and destroyed by people crossing the border without any barriers. They are committed to recreation and are opening up trails to e-bikes so that all family members can enjoy these trails (Moab, Utah). 97% of the BLM staff is already in the west, but leadership was in Washington, DC and out of touch. This is why they are moving all of the BLM leadership to Colorado. This will help to make decision which are ground based. They also believe that decisions should be made by staff. There will be about 60 people left in DC. Out of 74 positions they have in DC 50 are vacant. Now that they are moving west, they have scores of applications to fill these spots. The Office of Law and Justice in the Department of Interior was cleaned out by the Trump administration and several duties turned over to local law enforcement. This was done due to the mischief that had been occurring in the law enforcement division. It boggles the mind that we are spending this much money on wild horses and burros when we could be doing other good things with these dollars. The BLM reached out to two different universities and due to the environmental pressure, neither university would do the research on trying other procedures to sterile horses.

Bridgett Fithian, Executive Director, Sierra Foothills Conservancy – The idea here is to conserve land for agriculture and get corridors through conservation easements (CE). This is in opposition to groups that would buy up the lands and take it out of production. The SFC holds the CE's. They do community conservation, habitat and recreation conservation and working land conservations. This has brought a diverse group of people together. The environmental community has learned that you do need to maintain cattle on the land to achieve biodiversity. This has been shown by both studies and past (trial and) errors. One example was to put a ranch in "mitigation," and then these are sold on the open market to allow the rancher to buy back lost portions of the ranch. This also preserve the historical and cultural history and heritage of the lands. Managed forests and rangelands helps provide fire breaks.

Mike Healy, Mariposa County Publics Works Director – "Natural Disaster Management in Rural Counties": They had a flood in 2017, then in Detwilder Fire hit and just short of 100% of all county residents had to be evacuated. They had the EOC active for 28 days. Then they got hit with the 2018 floods and lost several bridges which cost \$1.4 million and permanent work of \$3.4 million. Then they had another major fire, mostly on federal lands. Mariposa County contains 41% of Yosemite NP. One Note – "To the extent possible - Keep donations OUT of the EOC." You need to manage your message and get information out. Recovery starts the minute after the emergency happens. Bring into one place all the agencies needed to recover, i.e. – drivers licenses replacement, SSN cards and checks, home care providers, etc. A vast majority of the area residents were uninsured or underinsured for their lands and homes, especially for land clearing. Have at least 3 people for every seat in your EOC. Establish mutual aid agreements with neighboring entities. Don't forget your business community, they are suffering also. You need to get people out and back to the businesses. Don't forget to support your staff, because they are working long hours and may be evacuated also. They need support, praise and

encouragement. Practice and update your EOC yearly. They too experienced the inability of their residents to obtain insurance after the fire. The County waived building fees, waste fees and others after the disasters.

WIR Priorities – On PILT, please add the wildlife refuges payments in the detail of the federal payments, as well as any other pieces of the PILT equation. We want to make sure that the endowment fund conversation does not take away from active forest management. Under catastrophic wildfire and active forest management issue, please add drought and the overstocking of trees taking our water. Also add the rolling utility blackouts and lawsuits on utility companies to this bullet. Local infrastructure was fine. Access to western lands is fine. Partnership was added to by the EO on transparency and guidance documents – add this to the language. The titles were changed to be more proactive. The last one is fine. Final version was accepted.

Mike Zupko, Executive Manager, WFLC – Update: Looking for other groups that have a responsibility in the WUI's. America Burning, WUI document and work that they did changed firefighting safety and training, and building codes, as well as a few other things. They are looking at fires that impact the WUI's, not just fires in the WUI. They want to inform people and to gather input on how to improve the situation. Need to look at the draft documents and provide input.

Neal Bolton, President & CEO, Blue Ridge Services – “New Technology Use to Improve Landscape Health”: Tree mortality and catastrophic wildfires are the focus. Part of the blame is smoky bear – in that we stopped all fires. We see more fires because there are more people and 9 out of 10 wildfires are started by people. Second is warmer temperatures. Third is mismanagement of forests. Lastly, we are seeing more building into the wild or WUI's. It is the culmination of all of these factors. Tree mortality has been a large cause of this situation. As mortality increased, we are seeing larger and worst fires. The eastern U.S. has twice as many fires as the west, but the west burns three times more land. There is a biomass problem, as dying trees fall or are fell, but what do we do with all the biomass? Wildfire funding has to be perpetual. We find the funds for wildfire, but not for prevention. We need to change the paradigm to fund prevention, rather than just fires. The Camp fire, that burned the city of Paradise, cost \$16.5 Billion and was the most expensive disaster in history.

Greg Norton, President, Rural County Representatives of California – Forest Health Initiatives: They are doing NEPA and the forest service will have final review and sign off. Putting together a committee of county commissioners and experts in the field to work on getting biomass off the land. They have also met with agencies at the state and federal agencies to make sure it is supported and can move forward. They are doing economic research, contract feasibility, etc. to make sure it is feasible. They are also looking at the benefits to fire safety and ecological benefits. They are also exploring site locations with two primary sites and with hopes to have as many as twenty different sites. They are looking to market these pellets into the Asian markets. Asia currently uses coal and they are switching to wood pellets, mixing with coal and transitioning to all wood fuels. The market research show great potential for growth and under the Kyoto Protocol, these countries are focused on making the transition. They are also looking at the differences in species and variations in feed source. The focus is on forest health. The investors are looking at \$150 to \$175 million dollars and they will be upwards of \$1 billion for total build out. Combustion will occur outside of this state which helps to fill the equation. On a whole, it will still be combusted. The benefits is that biomass versus coal is a net plus for carbon reduction. It could be done domestically, but it is political, which makes it much more difficult.

Budget – Passed as proposed. Similar to 2019.

WIR Legislative Update – Currently operating under a continuing resolution. Senate is currently looking at a 4 bill minibus moving this week. Infrastructure bill still eludes us. Inmate Medicaid exclusion has 3 bills, HR 1345, S 2626, & S 2628 which are not bipartisan. The holdup on these bills seems to be political. They are reluctant to stand up for prisoners – which misses the point since these folks have not been convicted. National Flood Insurance Program – HR 3167 5 year bill. Broadband Access has same status. WOTUS – the 2015 has been repealed, but is likely to go to court. PILT & SRS – PILT is looking good and has full funding in the Senate and House. SRS is a little in doubt due to trying to find an offset. Public Lands Renewable Energy Development Act HR 3794 and S2666. Senate to hear this Nov. 7, House Natural Resources Committee heard it on July 35 which NACo testified in favor of. Feb 29 – March 4 NACo Legislative Conference in Washington DC, May 13-15 WIR Conference in Mariposa, CA, July 17-20 NACo Annual Conference in Orlando, FL.