

**May 11, 2022**



## **BOARD OF DIRECTORS MEETING**

**Marriott Tacoma Downtown  
Pierce County  
Tacoma, Washington**

Count	ByLaws Ref	Population	Executive Board Seat	Title	First Name	Last Name	County
14	< Quorum						
1	3.4a		President	Councilmember	Jamie	Stephens	San Juan
2	3.4a		1st Vice-President	Commissioner	Mary	Kuney	Spokane
3	3.4a		2nd Vice-President	Commissioner	Lisa	Janicki	Skagit
4	3.4b, 3.17.2		IP-President	Commissioner	Michael	Largent	Whitman
			Board Seat	Title	First Name	Last Name	County
5	3.4b		P-President	Commissioner	Robert	Gelder	Kitsap
6	3.4b		P-President	Commissioner	Scott	Hutsell	Lincoln
7	3.4b		P-President	Councilmember	Stephanie	Wright	Snohomish
8	3.4b		P-President	Commissioner	Dave	Sauter	Klickitat
9	3.4f	2,226,300	King County Executive	Executive	Dow	Constantine	King
10	3.4e 1	2,226,300	King County Council	Councilmember	Joe	McDermott	King
11	3.4e 2	888,300	Pierce County	Councilmember	Ryan	Mello	Pierce
12	3.4e 3	818,700	Snohomish County	Councilmember	Megan	Dunn	Snohomish
13	3.4e 4	515,250	Spokane County	Commissioner	Josh	Kerns	Spokane
14	3.4e 5	488,500	Clark County	Councilor	Karen	Bowerman	Clark
15	3.4e 6	285,800	Thurston County	Commissioner	Tye	Menser	Thurston
16	3.4e 7	270,100	Kitsap County	Commissioner	Charlotte	Garrido	Kitsap
17	3.4e 8	255,950	Yakima County	Commissioner	Amanda	McKinney	Yakima
18	3.4e 9	225,300	Whatcom	Executive	Satpal	Sidhu	Whatcom
19	3.4e 10	201,800	Benton	Commissioner	Will	McKay	Benton
20	3.4d 1		Eastern Region	Commissioner	Wes	McCart	Stevens
21	3.4d 2		Eastern Region	Commissioner	Chris	Branch	Okanogan
22	3.4d 3		Eastern Region	Commissioner	LaDon	Linde	Yakima
23	3.4d 4		Eastern Region	Commissioner	Art	Swannack	Whitman
24	3.4c 1		Western Region	Commissioner	Vickie	Raines	Grays Harbor
25	3.4c 2		Western Region	Councilmember	Nate	Nehring	Snohomish
26	3.4c 3		Western Region	Commissioner	Mark	Ozias	Clallam
27	3.4c 4		Western Region	Commissioner	Dennis	Weber	Cowlitz
			Board Alternate Seat	Title	First Name	Last Name	County
1	3.4f	2,226,300	King County Executive	Councilmember	Reagan	Dunn	King
2	3.4e 1	2,226,300	King County Council	Councilmember	Vacant		King
3	3.4e 2	888,300	Pierce County	Councilmember	Derek	Young	Pierce
4	3.4e 3	818,700	Snohomish County	Councilmember	Jared	Mead	Snohomish
5	3.4e 4	515,250	Spokane County	Commissioner	Al	French	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	Vacant		Kitsap
9	3.4e 8	255,950	Yakima County	Commissioner	Ron	Anderson	Yakima
10	3.4e 9	225,300	Whatcom	Councilmember	Kaylee	Galloway	Whatcom
11	3.4e 10	201,800	Benton	Commissioner	Jerome	Delvin	Benton
12	3.4d 1		Eastern Region	Commissioner	Chris	Seubert	Asotin
13	3.4d 2		Eastern Region	Commissioner	Brad	Peck	Franklin
14	3.4c 1		Western Region	Councilmember	Christine	Minney	San Juan
15	3.4c 2		Western Region	Councilor	Temple	Lentz	Clark
Affiliate Presidents			Board Affiliates (Non-voting Mbrs)		First Name	Last Name	County / City
			ACCIS		Mary	Thomas	City of Mulkiteo
			ACHS		Mike	Etzell	Island
			WACCCs		Julie	Kjorsvik	Kittitas County
			WCAA		Gary	Petrovich	Spokane
			WSACE		Josh	Thomson	Okanogan
			WSACRPD		Mark	Personius	Whatcom
			WSALPHO		Keith	Grellner	Kitsap
			WSEMA		Chandra	Fox	Spokane
			WSUEXT		Carrie	Backman	Wahkiakum
			WACSWM	Chair	Deb	Geiger	Spokane



REGULAR MEETING OF THE WSAC BOARD OF DIRECTORS  
and  
WSAC Legislative Steering Committee 2022 Planning Meeting

**Marriott Tacoma Downtown, Pierce County  
1538 Commerce Street  
Tacoma, Washington 98402  
253-294-9200**

**Wednesday, May 11<sup>th</sup>, 2022, 5:00 p.m. - 9:00 p.m.**

WSAC Board of Directors Regular Meeting, Board Members, Alternates, Staff

**Dinner @ 6:15 p.m.**

Virtual Zoom Meeting Option for Board of Directors Meeting | May 11<sup>th</sup>, 2022

Join Zoom Meeting

<https://wsac-org.zoom.us/j/89708411630?pwd=cGFZSGFCb1pITnE3SXlvMkRTbXZSUT09>

**Thursday, May 12<sup>th</sup>, 2022, 8:00 a.m. - 5:00 p.m.**

WSAC Legislative Steering Committee 2022 Planning Meeting; LSC Members, Alternates, Staff

Evening Activity - Dinner at the ballpark and game, Tacoma Rainiers (LSC Members, Alternates, Staff, Guests) -

**Tickets and information distributed during the LSC Meeting**

**Friday, May 13<sup>th</sup>, 2022, 8:00 a.m. - 11:30 a.m.**

WSAC Legislative Steering Committee 2022 Planning Meeting; Board Members, Alternates, Staff

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
<b>WEDNESDAY, MAY 11<sup>th</sup> - WSAC Board of Directors Regular Meeting</b>				
5:00 p.m.		President Stephens	<b>CALL TO ORDER and Introductions; Establish a quorum</b>	
5:10 p.m.		Eric Johnson	1. Meeting and Agenda Review; Technology/Web-Based/Hybrid Meeting Protocols	
5:15 p.m.	√	President Stephens	2. APPROVE Agenda	Action
	√	President Stephens	3. APPROVE MINUTES: February 2, 2022	Action
		President Stephens	4. President's Report and Recognitions	Report
<b>LEGAL AFFAIRS</b>				
5:20 p.m.	√	Eric Johnson Mellani McAleenan Paul Lawrence David Hackett	5. Potential or Pending Litigation  - Litigation Update - Possible Executive Session	Report  Possible Action
	√	Mellani McAleenan	6. Amicus Update	Report
6:15 p.m.			<b>DINNER</b>	

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
<b>WSAC BUSINESS</b>				
6:40 p.m.	√	Eric Johnson Commissioner Weber	7. Supporting Stevens County Commissioner Wes McCart for NACo WIR 2 <sup>nd</sup> Vice President  <b>Action:</b> Consider Supporting Stevens County Commissioner Wes McCart for NACo WIR 2 <sup>nd</sup> Vice President <b>Resolution 2022-07</b>	Action
6:45 p.m.	√	Bridget Lockling	8. 2021 Un-Audited Financials	Report
7:05 p.m.	√	Jessica Strozewski	9. Statewide Boards and Commissions <b>Actions:</b> Consider Adopting Nominations and Appointments <b>Resolutions 2022-08~2022-18</b>	Action
7:25 p.m.	√	Eric Johnson	10. WSAC Comprehensive Policy Manual Amendment  <b>I Personnel, Part 6 Leave, Holidays</b>  <b>Action:</b> Consider WSAC Comprehensive Policy Manual Amendment to include Juneteenth as a Paid Holiday <b>Resolution 2022-19</b>	Action
7:35 p.m.	√	Eric Johnson Committee Members	11. Boards and Commissions Nomination and Appointment Process Review	Update
8:00 p.m.	√	Paul Jewell	12. Encumbered Lands Program	Update
8:20 p.m.	√	Eric Johnson	13. Strategic Legal Activities and Communication Program Review	Update
<b>WRITTEN STAFF REPORTS</b>				
	√	Eric Johnson	14. Executive Director	Report
	√	Bridget Lockling	15. Business and Operations	Report
	√	Mellani McAleenan	16. Policy and Legislative	Report
	√	Eric Johnson Bridget Lockling Mellani McAleenan	17. 2022 Strategic Plan Implementation	Report update
<b>OTHER BUSINESS</b>				
8:45 p.m.		Commissioner Gelder Councilmember Stephens Councilmember Wright Commissioner Weber Other Members	18. NACo Reports	Report
		President Stephens	19. 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
		President Stephens	20. Other Business	
9:00 p.m.		President Stephens	<b>ADJOURN</b>	

\*Times are approximate only

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
<b>THURSDAY, MAY 12<sup>th</sup> - WSAC Legislative Steering Committee 2022 Planning Meeting – DRAFT SCHEDULE</b>				
7:00 a.m. – 8:00 a.m.			<b>BREAKFAST</b>	
8:00 a.m.		Commissioner Dean, LSC Co-Chair Commissioner Peck, LSC Co-Chair	1. Welcome, Introductions, Overview	Discussion
		Councilmember Stephens, WSAC President Commissioner Dean, LSC Co-Chair Commissioner Peck, LSC Co-Chair	2. Opening Remarks	Discussion
.	√	Paul Dziedzic Mellani McAleenan	3. Meeting Purpose, Agenda, Process, Expected Outcomes	Presentation and Discussion
8:30 a.m.		Paul Dziedzic	Infrastructure	LSC Discussion
9:45 a.m.			<b>BREAK</b>	
10:00 a.m.		Paul Dziedzic	Environment	LSC Discussion
11:15 a.m.		Paul Dziedzic	Fiscal/Governance	LSC Discussion
Noon			<b>WORKING LUNCH</b>	
1:00 p.m.		Paul Dziedzic	Fiscal/Governance continued	LSC Discussion
3:15 p.m.			<b>BREAK</b>	
3:45 p.m.		Paul Dziedzic	Social Justice	LSC Discussion
4:50 p.m.		Paul Dziedzic	Review and Check-in	LSC Discussion
5:00 p.m.			<b>ADJOURN</b>	
<p><b>Join your colleagues for a ballpark dinner at Cheney Stadium! You will enjoy a Tacoma Rainiers game and dinner from the outdoor left field deck and a perfect chance to network and gather with your peers.</b></p> <p><b>Tickets distributed to LSC Members/Guests during the LSC Meeting</b></p> <p><b>Gates open: 5:30 p.m.      Game time: 7:00 p.m.</b></p> <p><b>Carpooling available</b></p> <p><b>Thanks to WSAC, Gordon Thomas Honeywell (Josh Weiss), Pierce County, and the Rainiers for hosting us tonight!</b></p>				

TIME*	Encl.	PRESENTER(s)	AGENDA	TYPE
<b>FRIDAY, May 13<sup>th</sup> - WSAC Legislative Steering Committee 2022 Planning Meeting</b>				
7:00 a.m. – 8:00 a.m.			<b>BREAKFAST</b>	
8:00 a.m.		Paul Dziedzic	Social Justice - continued	LSC Discussion
10:15 a.m.		Paul Dziedzic	Emergency Response and Recovery	LSC Discussion
11:00 a.m.		Paul Dziedzic Mellani McAleenan	Process Review and Next Steps	
11:15 a.m.		President Stephens Commissioner Peck Commissioner Dean Mellani McAleenan	Wrap Up Closing thoughts Adjourn	
11:30 a.m.			<b>ADJOURN</b>	

\*Times are approximate only

**Next Scheduled Meeting of the WSAC Board of Directors**

**Thursday, September 22, 2022, 8:30 a.m. – noon**

**Kittitas County**

Hal Holmes Community Center  
201 Ruby Street - Ellensburg, WA 98926

WASHINGTON STATE ASSOCIATION OF COUNTIES  
**DINNER @ THE RAINIERS**

**Thursday, May 12th**

Gates Open: 5:30 pm | Game Time: 7:00 pm



**Join your colleagues for a ballpark dinner at Cheney Stadium!**  
You will enjoy a Tacoma Rainiers game and dinner from the outdoor left field deck and a perfect chance to network and gather with your peers!

**INCLUDE:**

- HOSTED BBQ BUFFET
- HOSTED LIQUID REFRESHMENTS
- PRIVATE LEFT FIELD PARTY DECK TO ENJOY THE GAME FROM

**YOU SHOULD:**

- PLAN TO CARPOOL (Parking Passes Provided)
- DRESS FOR A WESTERN WASHINGTON EVENING (RAIN, WIND, SUN, HAIL, SLEET, THUNDER, RAINBOWS)
- BRING YOUR MITT



***Thank you to Josh Weiss and Gordon Thomas Honeywell for Co-Sponsoring our Night @ the Ballpark!!!***



**QUESTIONS?**

Contact Eric Johnson at 360-481-2241 or [ejohnson@wsac.org](mailto:ejohnson@wsac.org)

**Washington State Association of Counties**  
**MINUTES OF MEETING OF THE BOARD OF DIRECTORS**

**February 2, 2022**

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**Opening**

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The Board of Directors of the Washington State Association of Counties (WSAC) met on Wednesday, February 2, 2022, starting at approximately 1:00 p.m. at the Washington Counties Building, Thurston County Olympia, Washington, and also via Zoom. According to Association Bylaws, all directors and alternates were appropriately notified of the meeting.

**Board members present:** President Jamie Stephens, 2<sup>nd</sup> Vice President Lisa Janicki, Immediate Past President Michael Largent, Past President Scott Hutsell, Past President David Sauter, Chris Branch, Jerome Delvin, Megan Dunn, Kaylee Galloway, Charlotte Garrido, Temple Lentz, LaDon Linde, Wes McCart, Joe McDermott, Will McKay, Amanda McKinney, Ryan Mello, Tye Menser, Christine Minney, Nate Nehring, Mark Ozias, Brad Peck, Vicki Raines, Chris Seubert, Art Swannack, and Dennis Weber. A quorum was present.

**Staff and others present:** Eric Johnson, Bridget Lockling, Mellani McAleenan, Jaime Bodden, Lynn Fiorillo-Lowe, Chris Goodwin, David Hackett, Paul Jewell, Paul Lawrence, Mitch Netzer, Juliana Roe, Brianne Steere, Jessica Strozeski, and Axel Swanson,

**Other Attendees:** Mac Nicholson

**Call to Order and Approval of Agenda:** The meeting was called to order at 1:05 p.m. It was moved by David Sauter, seconded by Chris Branch, to approve the agenda as proposed. The motion passed.

**Approval of Minutes of the previous meetings:** A motion was made by Chris Seubert and seconded by Michael Largent to approve the minutes as drafted. The motion was carried to approve the minutes of the November 16, 2021, WSAC Board of Directors Regular Meeting. The motion passed.

It was moved by Charlotte Garrido and seconded by Wes McCart to approve the September 16, 2021 minutes as drafted. The motion passed. A motion was made by Vicki Raines and seconded by Chris Branch to approve the October 8, 2021, WSAC Board of Directors Regular meeting as outlined. The motion passed.

**President's Report:** President Stephens reported on his attendance at the NCCAE Presidents and Executives Meeting in January in Washington, DC. Commissioner Michael Largent and Eric Johnson joined him.

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**WSAC Business Actions**

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The Board announced an **EXECUTIVE SESSION** in compliance with RCW 42.30. 110(1)(i), to discuss current and potential litigation at 1:13 p.m. for forty-five minutes. WSAC's legal counsel, Paul Lawrence, was present and provided updates. No decisions were made. The **EXECUTIVE SESSION** concluded at 2:00 p.m.

Mellani McAleenan updated the members on the current Amicus Brief requests (report included in board packet) that WSAC is involved.

**WSAC Conflict of Interest Policy Review:** Bridget presented the background and content on WSAC's Conflict of Interest Policy.

**Resolution #2022-01:** A motion was made by Wes McCart and seconded by Scott Hutsell to approve Resolution #2022-01, which certifies that the WSAC Board of Directors is entitled to vote in accordance with the Association Bylaws, and Alternate Directors acting on behalf of a Director have a duty to promptly disclose any direct or indirect financial or other material interest that he or she has or reasonably expects to have in any proposed or existing arrangement with WSAC; and WSAC has a duty to inform Directors and Alternates that the Conflict of Interest Policy exists. The motion passed.

**Appointment of Audit, Investment and Finance Committee:** Bridget presented the members with the new appointments for the Audit, Investment and Finance Committee recommended by President Stephens.



**Resolution #2022-02:** A motion was made by Will McKay and seconded by Dennis Weber to approve Resolution #2022-02, which supports the nominations of Amanda McKinney and Randy Johnson to the Audit, Investment and Finance Committee. The motion passed.

**Statewide Boards and Commissions:** Jessica Strozewski presented the State Boards and Commissions positions up for approval.

**Resolution #2022-03:** A vacant position on the Capital Projects Advisory Review Board. Erik Martin, Lewis County Manager, and Matt Zarecor, Spokane County Engineer, seek the nomination. A motion was made by Scott Hutsell and seconded by Tye Menser to approve **Resolution #2022-03** and transmit Erik Martin's name to the Capital Projects Advisory Review Board. The motion passed.

**Resolution #2022-04:** A motion was made by Vickie Raines, seconded by David Sauter, to approve **Resolution #2022-04** and nominate Janet St. Clair, Island County Commissioner, to fill a vacancy on the Washington Community Forestry Council. The motion was carried, and her name will be transmitted to the Commissioner of Public Lands and State Forester.

**Resolution #2022-05:** A motion was made by Wes McCart and seconded by Vickie Raines to approve **Resolution #2022-05** to accept the nominations of Ryan Mello, Kevin Shetty, and Cindy Wolf, to fill the vacancy on the Ecosystem Coordination Board. The motion passed, and names will be submitted to the Puget Sound Partnership Leadership Council.

**Resolution #2022-06:** The Public Defense Advisory Committee has a vacant position. Tye Menser, Thurston County Commissioner volunteered and submitted his name to fill that vacancy. A motion was made by Scott Hutsell, seconded by Art Swannack, to fill that opening. The motion passed unanimously.

**Strategic Plan Implementation:** Eric Johnson gave a brief overview of the Strategic Plan Implementation addressed at the May 2021 Board meeting in Spokane. Quarterly reports will be provided.

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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 Wednesday, May 11, 2022.

**Adjourn:** There being no further business, President Jamie Stephens adjourned the meeting at 4:44 p.m.

**Respectfully submitted:**

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**

### ACTIVE LITIGATION

#### **Blake Decision**

On October 3, 2021, WSAC formally joined 21 Counties as a co-plaintiff against the State to establish that the State is solely responsible for all costs associated with the Blake Decision, including the cost of vacation resentencing and for all Legal Financial Obligation LFO refunds. The desired outcome is a declaration from the Court that the State is required to indemnify counties for all Blake expenses, including all LFO refunds and the administrative costs to implement this Washington State Supreme Court decision (judicial, clerk, prosecutor, public defense, administration, and operations) that counties will incur in implementing the Blake Decision. Negotiations are occurring with the AG, and legislation was introduced to establish a program for reimbursement to counties and individuals who paid LFOs. Appropriations made by the legislature are expected to cover county expenditures for FY 21-23 Biennium.

While WSAC is not a party to the "Civil Survival Project" litigation (100331-5 - Civil Survival Project et al. v. State of Washington et al.), the Washington State Supreme Court denied direct review of the King County Superior Court's decision to dismiss the CSP class action and instead sent the case down to Division One Court of Appeals. This is the relief that Counties sought in opposing direct review. The Court of Appeals is fully bound by *Doe v. Fife* and the recent *Williams* case, so there appears to be little risk of reversal. This is a good indication that the Supreme Court is satisfied with how things are going and does not feel a burning need to resurrect CSP's lawsuit or wade into Blake's compliance issues. By the time this issue proceeds through the Court of Appeals and gets back to the Supreme Court, our work on implementing the Blake Decision will be further along with better data and information.

### AUTHORIZED LITIGATION

#### **Indigent Defense**

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

- Pacifica Law Group conducted research and analysis regarding potential and likely claims – statutory and constitutional.
- WSAC filed Amicus Brief on a 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 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, the plaintiff, supported by the ACLU, sued the State, alleging that Grays Harbor County systemically failed to provide a 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 a 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:

Litigation Update, May 2022

- 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.
- On November 12, 2019, oral arguments before the Washington State Supreme Court.
- Supreme Court Ruling 6/25/20 - <https://www.courts.wa.gov/opinions/pdf/967661.pdf>
- The Washington Supreme Court confirmed that the State ultimately bears the duty to provide indigent defense services as required under the U.S. and Washington Constitutions. While the State has the discretion to delegate to local governments responsible for providing these services, *in so doing, the State must provide local governments with the authority and means necessary to furnish constitutionally adequate indigent defense*. The Court remanded for consideration whether the systemic and structural deficiencies in the current state system, as alleged by the plaintiffs and described in WSAC's amicus brief, violate the State's constitutional duties.
- Plaintiff sought Supreme Court Re-Consideration.
- WSAC prepared Amicus Brief to support Re-Consideration.
- Supreme Court asked the State to respond to the request for reconsideration (9/1/2020).
- Supreme Court denied reconsideration on 10/20/2020.
- Reviewing potential concurrent or subsequent legal actions.
- WSAC initiated work on data gathering associated with indigent defense and county expenditures, systems of delivery, county revenues and expenditures, etc.
- WSAC staff will reach out to secure contact points for each County regarding this potential litigation as necessary.
- WSAC staff established a data/information steering committee with county budget and policy staff.
- WSAC contractor established indigent defense data set and dashboard for Counsel to refer to.
- WSAC explores/identifies potential co-plaintiffs as part of potential litigation, including individual counties.
- WSAC Counsel is working on an indigent defense complaint.
- WSAC is doing a political and environmental scan on filing complaints – and timing.
- WSAC will need to consider intervening in *Davison v. State of Washington* and Washington State Office of Public Defense Supreme Court, No. 96766-1 on remand in Thurston County Superior Court should it proceed.
- WSAC Legal Committee and Legislative Steering Committee both recommend the following to the WSAC Board of Directors:
  - There are merits and reasonable grounds to support a legal challenge to require the State to fund constitutionally required trial court indigent defense services fully; and
  - The WSAC Legislative Steering Committee and the Board of Directors should consider, respectively, recommending and authorizing a legal challenge to require the State to fully fund constitutionally required trial court indigent defense services.
- On May 5, 2021, the WSAC Board of Directors authorized a legal challenge to require the State to fully fund constitutionally required trial court indigent defense services.
- WSAC and Pacifica Law Group are identifying and meeting with potential Co-Plaintiffs (Individual Counties, Groups, Organizations, Associations, Individuals)
- We are updating data and information.
- WSAC is working with an expert on public defense to provide context to the lawsuit from a state and national perspective.
- Identifying potential "budget" coordinators to aid in the litigation. In discussion with the potential contractor.
- Kitsap, Lincoln, and Yakima counties have joined as co-plaintiffs.

## CLOSED LITIGATION

### **Unfunded Mandate – WSAC, Snohomish County, Kittitas County, Whitman County v. the State of Washington**

This case challenges Senate Bill 5472 (Ballot Drop Box Bill) as a violation of RCW 43.135.060, Prohibition of new or expanded programs without full reimbursement.

- Legal action authorized by WSAC Board of Directors, November 13, 2018.
- Regular and ongoing briefings with the Washington State Association of County Auditors (WSACA), Washington Association of County Officials, and Washington Association of Prosecuting Attorneys (WAPA) on potential and pending litigation.
- Gary Rowe (WSAC Contractor) worked with County Auditors/Election Managers from all 39 counties regarding Ballot DropBox installation costs, operation costs, and claims filed. They cross-checked with data from the Secretary of State's Office.
- February 2019. Facilitated meeting with WSAC and WSACA leadership to discuss pending litigation. Briefed WSACA members during the 2019 session.
- WSAC Board/LSC briefed on May 8, 2019, regarding litigation options.
- Updated WSACA on June 10, 2019, and October 2, 2019.
- Briefed WAPA on June 19, 2019. October 2, 2019. December 12, 2019. April 21, 2020. October 5, 2020.
- Complaint reviewed by selected County Auditors and Prosecuting Attorneys for feedback and comment
- Snohomish County, Whitman County, and Kittitas County joined WSAC as co-plaintiffs.
- Highlighted claims made by 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.
- A complaint was filed in King County Superior Court on December 11, 2019.
- Media press release. Minimal coverage - <https://www.heraldnet.com/news/county-sues-state-to-recoup-costs-of-new-ballot-drop-boxes/>
- State response received.
- Counsel and State are communicating on response, briefing schedule, discovery requirements, association standing, etc.
- Updated WACO Board of Trustees, March 5, 2020.
- Working on Schedule for Discovery/Trial – WSAC and State confirm financial/budget/expenditure information.
- Data gathering/fact-checking on County costs and claims information and data.
- Determining the effect of HB 2421 - Concerning state reimbursement of election costs on the case. This will likely be the subject of the first court hearing.
- WSAC (Pacifica) submitted on August 14, Motion for Partial Summary Judgment, declarations, and other materials.
- Pacifica updates claims and expenditures on Ballot Drop Box Installation and Operating Costs required by HB2421.
- King County Superior Court Judge Nelson K. H. Lee heard oral arguments on October 2, 2020.
- On October 14, 2020, Judge Lee ruled in a Partial Summary Judgement that SB 5472, which mandated County Auditors to significantly increase the number of ballot drop boxes statewide at an estimated capital cost of over one million dollars plus yearly operating and maintenance costs, **"is an unfunded mandate pursuant to RCW 43.135.060."**
- <https://www.seattletimes.com/opinion/editorials/ballot-drop-box-ruling-shows-legislature-must-accept-fiscal-reality/>
- <https://www.heraldnet.com/news/state-demanded-more-drop-boxes-and-now-it-must-pay-for-them/>
- Case schedule amended for remaining issues to be settled in King County Superior Court on April 19, 2021.
- The State sought discovery. Co-Plaintiff counties and counties who submitted claims included in our litigation have to produce information and provide responses.
- WSAC is reminding other counties to continue to submit claims for ballot box installation and operations to the State.

- The State appealed Summary Judgement directly to the State Supreme Court. WSAC's brief opposed proceeding to the State Supreme Court but articulated the issues to consider if the Court accepted.
- On January 29, 2021, the Washington State Supreme Court granted the State's motion for discretionary review and retained the case for a decision on the merits.
- The State sought a brief delay in the court schedule, with Supreme Court oral arguments now set for November 16, 2021
- On January 27, 2022, the Washington Supreme Court found in favor of the State:
  - RCW 29A.04.430 was the controlling statute for election cost reimbursement and not the unfunded mandate statute 43.135.060.
  - Counties are entitled to reimbursement only for the State's proportional share of costs.
  - The 2020 legislative amendments to RCW 29A.04.430 do not violate Article II, Section 37.
  - Counties do not have a vested right to full reimbursement (even though costs were incurred)
  - The case is remanded to King County Superior Court for further proceedings.

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

This case challenged the constitutionality of Senate House Bill 2887 (2018), requiring Spokane County to elect a five-member, by district, Board of County Commissioners. WSAC alleged that this legislation violated the uniformity clause of Article XI of the Washington State Constitution and created 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 a complaint for Summary Judgment in Spokane County Superior Court on February 26, 2019, that the imposition of different government systems violates the Constitution's uniformity requirements. Const. Art. XI, §§ 4, 5; art. II, § 28.
- Plaintiffs were 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 response to a complaint submitted on March 11.
- 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 were heard by Spokane County Superior Court Judge Maryann Moreno on Friday, May 31, 2019.
- On August 16, 2019, Judge Moreno's ruled 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 Board of Directors authorized a direct appeal to the Washington Supreme Court on September 20, 2019.
- Spokane County, WSAC, and Co-Plaintiffs filed a Notice of Appeal to the Washington Supreme Court on September 26, 2019.
- The State concurred with a direct appeal to the Supreme Court.
- Counsel submitted Spokane/WSAC's brief to the Supreme Court.
- Washington State Supreme Court accepted the case on direct appeal.
- Oral Arguments occurred on June 25:
  - <https://www.tvw.org/watch/?clientID=9375922947&eventID=2020061173&startStreamAt=38>
- On August 20, 2020, the Washington Supreme Court ruled that:
  - "We hold that SHB 2887 is constitutional under article XI, sections 4 and 5. Under article XI, section 4, SHB 2887 properly sets forth a "uniform system" such that any non-charter county that exceeds 400,000 people will be subjected to SHB 2887's requirements. Further, under article XI,



section 5, the legislature may classify counties by population for any purpose that does not violate other constitutional provisions. SHB 2887 is a general law that properly implements district-only elections for noncharter counties of a certain size."

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

- Pacifica Law Group developed an 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, 2019 – WSAC Legal Committee reviewed the Pacifica Law Group's 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 in April 2019.
- AGO accepted Prosecutor Richey's request - <https://www.atg.wa.gov/pending-attorney-generals-opinions#richey>.
- Pacifica updated the original analysis and provided it to the Office of the Attorney General on behalf of WSAC.
- AGO issued an opinion consistent with WSAC position - <https://wsac.org/ago-rules-on-county-appointment-procedures/>

### **Washington State Auditor's Office - .09 Rural Economic Development Uses**

RCW 82.14.370 authorizes "rural" counties to impose a sales and use tax up to 0.09 percent for specific purposes, provided certain statutory criteria. WSAC (Pacifica) prepared an opinion on behalf of Benton County, Washington State Association of Counties, and Washington Public Ports Association (WPPA), to address concerns raised by the State Auditor's Office (SAO) regarding county distribution of revenues received under RCW 82.14.370 directly to port districts to (1) finance certain port facilities and/or (2) finance certain port district personnel.

The SAO believes counties may be barred from directly distributing revenues collected under RCW 82.14.370 to port districts for qualifying projects. Specifically, the SAO contends:

Under RCW 82.14.370, Counties can use these monies to finance public facilities serving economic development purposes; however, we don't see where transferring the money directly to the ports is an allowable use. Ports do not have the authority to collect these types of tax revenues and therefore are unable to receive the funds directly; however, the County is able to finance the projects as described in the RCW.

WSAC put forth a legal analysis based on the plain language of the statute, its legislative history, the Attorney General Opinions, prior SAO treatment of direct funding schemes under the statute, and actual county practice -- direct county distribution to port districts for port facilities and personnel that otherwise meet the statutory criteria for funding is permissible under RCW 82.14.370.



## AMICUS UPDATE – Cases pending or decided in 2020-2022

April 12, 2022

### **CASES PENDING**

#### **1) Conservation Northwest v. Commissioner Franz**

- Supreme Court, No. 99183-9

##### Issue

Conservation Northwest is seeking a decision from the Washington Supreme Court that would require Washington's federally granted lands to be managed for the public as a whole rather than for the designated beneficiaries, including common schools, universities, and other state institutions identified in Washington's Enabling Act. The lawsuit also threatens RCW 79.22.010 and .040, which create the "county trust lands" and revenue derived therefrom, which is then distributed to junior taxing districts under RCW 79.64.110.

##### Background

A coalition of conservation organizations and individuals, led by Conservation Northwest, filed litigation challenging the Board of Natural Resources' Resolutions 1559 and 1560, the December 2019 decisions adopting the long-term conservation strategy for the marbled murrelet (amending the State Upland's 1997 Habitat Conservation Plan and Endangered Species Act Incidental Take Permit), and setting the 2015-2024 sustainable harvest calculation. The primary focus of this litigation is a challenge to the State's "trust mandate" for management of its federally granted lands.

##### Status

Conservation Northwest filed its litigation in January 2020, and its claims were dismissed by Thurston County Superior Court in October 2020. A coalition of trust beneficiaries and advocacy groups intervened and are parties to the litigation. The intervenors include five counties, seven taxing districts, the American Forest Resource Council, and the City of Forks. The Washington Supreme Court granted direct review of the trial court's decision to dismiss the challenge, and oral arguments were on October 21, 2021.

##### Counsel

Zach Pekelis Jones and Paul Lawrence, Pacifica Law Group

### **CASES DECIDED**

#### **2) Rasmussen v. Dashiell**

- Div. III, Court of Appeals, No. 37812-8-III

##### Issue

Stevens County requested amicus support on the following questions: (1) whether a cause of action exists to hold a county commissioner individually liable on his/her bond for funding decisions made by the larger Board of Commissioners, and (2) whether the doctrine of immunity protects a commissioner from such claims.

##### Background

On March 21, 2019, Stevens County Prosecutor Rasmussen filed suit against the Stevens County Commissioners, alleging they had made unconstitutional gifts of public funds for expenditures of homelessness funds. The trial court ruled orally on summary judgment in favor of the prosecutor that there was strict accountability for the county commissioners and that they were liable on their bond.

### Status

The commissioners appealed on October 21, 2020. The court set an oral argument for December 6, 2021, but the respondent requested an extension of time. Counsel missed the deadline to file, and no amicus brief was submitted. Oral arguments were scheduled for January 24, 2022.

- Division 3 of the Court of Appeals held in favor of the commissioners on March 31, 2022, calling Prosecutor Rasmussen's approach of suing the commissioners individually a "novel" one. Per the Court, "The alleged unconstitutional gifting was not something the Stevens County commissioners did in their individual capacities. It was done collectively by the board as a legislative body. As such, individual bond liability was not available. Furthermore, because the commissioners were not alleged to have been involved in collecting or receiving public funds, they could not be held individually liable on their bonds without some culpable misconduct." The superior court remanded the case to vacate the judgment against the commissioners and enter summary judgment in their favor.

### Counsel

Paul Lawrence, Pacifica Law Group

### **3) Fite v. City of Puyallup and Mudd**

- Div. II, Court of Appeals, No. 54325-7-II

### Issue

Did the trial court err in giving a jury instruction stating, "Whether a roadway or crosswalk is reasonably safe for ordinary travel must be determined based on the totality of the circumstances. A roadway or crosswalk can be unsafe for ordinary travel even when there is no violation of statutes, regulations, or guidelines concerning roadways and crosswalks." The two sentences appear contradictory and misstate the law in favor of one party?

### Background

An allegedly intoxicated skateboarder and a pickup truck collided in a marked crosswalk in the City of Puyallup. The crosswalk complied with national, state, and city road design standards. The jury awarded the skateboarder \$6.5 million. The City appealed, citing the jury instruction and the exclusion of evidence of the skateboarder's intoxication and eyewitness evidence under a ruling that the skateboarder did not need to look both ways before entering the intersection.

There is an unacceptable trend that municipalities are becoming insurers of persons using crosswalks. Jury awards and settlements are becoming a huge tax on crosswalks paid with public funds despite driver and pedestrian faults. The Court of Appeals should reinstate the standard that municipalities and users of crosswalks have a duty to exercise ordinary care.

### Status

WSAC's amicus brief was due on October 26, 2020. The court heard an oral argument on May 11, 2021.

- On November 9, 2021, the Court of Appeals ruled in favor of the City of Puyallup, reversed the trial court, and remanded the case back for a new trial in line with the ruling. Specifically, the court ruled that Puyallup should have been allowed to present the affirmative defense of evidence of Fite's intoxication, and the trial court erred by submitting the jury instruction that overemphasized Fite's theory of the case by omitting language regarding compliance with statutes and regulations being evidence of the city meeting its duty of care. At Fite's request, the court clarified its ruling regarding the retrial on April 12, 2022.

### Counsel

Jacquelyn M. Aufderheide, Kitsap County Chief Civil Deputy Prosecuting Attorney  
Elizabeth Doran, Kitsap County Senior Deputy Prosecuting Attorney



#### 4) **Butts v. Constantine**

- Supreme Court, No. 98985-1

##### Issue

Did the trial court err in finding a provision of the King County charter that allocates residual and implied powers in the executive unconstitutional because they were not specifically granted by the council to the executive? Did the trial court err in ruling that county inquests cannot exceed the scope of the 1854 Coroner's Statue, RCW 36.24, despite a charter county's ability to utilize inquest procedures that exceed the state process?

##### Background

Petitions for extraordinary writs (mandamus/prohibition/review) and petitions for declaratory and injunctive relief were filed by several parties in Superior Court contesting the King County Executive's executive orders on inquests which were substantially re-vamped beginning in late 2018. The change in the policy was a response to growing community concern that the inquest process was a rubber stamp for police use of force. Families of 3 decedents killed by law enforcement officers argued that the policy changes didn't go far enough, and cities and individual police officers (police parties) argued that the policy changes went too far.

The Supreme Court's decision, in this case, will determine the ability of counties to adopt home rule charter provisions that establish a strong executive form of government. If such charter provisions are precluded under the Washington Constitution, a common government structure open to charter cities (*i.e.*, a strong mayor-type government) would no longer be possible for home rule county governments. Whereas charter counties may currently rely on implied executive authority to execute the laws, the Superior Court's notion that laws must be "specific, not general" in specifying executive authority would require extremely long ordinances to detail each power an executive could exercise in carrying out each particular law. For charter counties with a strong executive form of government, this case will resolve what amounts to a constitutional crisis over the proper scope of county executive authority.

##### Status

The Supreme Court accepted King County's request for direct review. Amicus briefs were due the first week of December, and oral arguments were heard on January 19, 2021.

- On July 15, 2021, The Supreme Court "reaffirm[ed]" the executive's "authority" to "issue executive orders establishing policies and procedures for coroner's inquests as necessary to fill 'gaps in the [Coroner's Act],' so long as those orders 'do not create any direct conflict' with the Coroner's Act." In holding that the executive had the authority to act, the Court necessarily rejected the trial court's conclusion that the executive did not have that authority. Nevertheless, the Court stated in a footnote that the Court "need not—and therefore do not—address these broad constitutional questions in resolving the issues before us today." The Court did what WSAC needed it to do: vacated the trial court's erroneous decision. It did not make any constitutional pronouncements about a county's citizenry's ability to vest all executive power in an executive.

##### Counsel

Tim Leyh, Tyler Farmer, Randall Thomsen, Kristin Ballinger, and Caitlin Pratt of Harrigan, Leyh, Farmer, and Thomsen

#### 5) **Mancini v. City of Tacoma, et al.**

- Supreme Court, No. 97583-3

##### Issue

Did the Court of Appeals err by deciding the plaintiff's negligence claim, as presented at trial, was a negligent investigation claim and thus, not cognizable (within the jurisdiction of a court), where the alleged negligent acts were the police's failure to make a controlled buy and conduct surveillance before obtaining a controlled substance warrant for the plaintiff's home?

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### Background

This case involves the execution of a search warrant on a suspected meth dealer in Federal Way. Unfortunately, the confidential informant misidentified the building, and the warrant was issued for and executed on Kathleen Mancini's apartment. Police believed that Mancini was the suspect's mother and that she was renting the apartment in her name to keep him off the grid. Mancini sued, alleging negligence, invasion of privacy, assault, and battery, and false arrest, among other claims.

The case was initially dismissed on summary judgment, and Division I reversed these four claims. The matter went to trial, and the jury found for the city on the intentional torts (invasion of privacy, assault/battery, and false arrest) but found for the plaintiff on the negligence claim. The theory of negligence the plaintiff presented to the jury was the city was negligent in how the warrant was obtained, by failing to do a controlled buy, and by not conducting more surveillance before seeking and executing the warrant.

On appeal, in Mancini II, Division I agreed the plaintiff's theory of liability at trial was a negligent investigation, and the claim was not cognizable. Division I reversed and directed a verdict be entered for the city. The plaintiff brought a motion for reconsideration, which was denied. The plaintiff then filed a petition for discretionary review in the Supreme Court, with amicus support from the Washington State Association for Justice, and the Court accepted review.

Traditionally, courts have not recognized a claim of "negligent investigation." If the Supreme Court were to reverse Division I's decision, the potential liability would be far-reaching for county police agencies. Then, any time police agencies are involved in investigating a crime, a plaintiff may bring a claim that the case was not properly investigated.

### Status

The petitioner sought a 30-day extension for the supplemental briefs, which the Court granted, so the parties' supplemental briefs were due February 3, 2020. WSAC filed a joint brief with the Washington Association of Sheriffs and Police Chiefs, filed the brief on March 27, 2020. The Supreme Court heard oral arguments on May 5, 2020.

- On January 28, 2021, the Supreme Court reversed the Court of Appeals and reinstated the jury's verdict, stating, "the Washington State Legislature has enacted a broad waiver of sovereign immunity. Consistent with that waiver, we hold that the standard tort duty of reasonable care applies with full force to police executing a search warrant." The Court did not reach the question regarding whether police may be separately liable for the tort of "negligent investigation."

### Counsel

DPA Doug Mitchell of Kittitas County  
DPA Dan Hamilton of Pierce County

## **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, which communicated with the affected employees. The Teamsters filed a preemptive grievance, which was withdrawn not until members timely challenged the occurrence or amounts of the overpayments.

Instead of litigation to recover the undisputed debt owed the county, and according 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 they should not have dealt directly with represented employees and should have provided 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 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 to review PERC's administrative decision in the superior court, which affirmed the decision.

### Status

Appellant, Benton County, filed their initial brief on December 13, 2019. WSAC joined with the Washington State Association of Municipal Attorneys in filing an amicus brief. The Court of Appeal's arguments were set for September 18, 2020, but were rescheduled.

- On November 12, 2020, Division III of the Court of Appeals ruled, with all three judges concurring, against Benton County and in favor of the Teamsters. The court held that recovery of overpaid wages from a union member's future paychecks or accrued leave is a mandatory subject of bargaining.

### Counsel

DPA Christopher Horner of Kittitas County for WSAC  
Charlotte Archer of Inslee Best for WSAMA

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

- Supreme Court, No. 96766-1

### Issue

Does the State of Washington or the Washington State Office of Public Defense have 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, the plaintiff, supported by the ACLU, sued the state, alleging Grays Harbor County systemically failed to provide a 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 the state and OPD have a duty to act when they become aware of a systemic failure by a county to provide a 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. Pacifica Law Group submitted a brief for WSAC at the end of September. The Court heard oral arguments on November 12, 2019.

- As WSAC argued in its amicus brief, the Washington Supreme Court confirmed that, ultimately, the State bears the duty to provide indigent defense services as required under the U.S. and Washington Constitutions. While the State has the discretion to delegate to local governments responsible for

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providing these services, in so doing, the State must provide local governments with the authority and means necessary to furnish constitutionally adequate indigent defense. The Court remanded for consideration whether the systemic and structural deficiencies in the current state system, as alleged by the plaintiffs and described in WSAC's amicus brief, violate the State's constitutional duties.

- The plaintiffs filed a motion for reconsideration to the Supreme Court in July, and WSAC filed an amicus brief supporting the review. The Court denied the motion for reconsideration.

Counsel

Pacifica Law Group

**8) Colvin v. Inslee**

- Supreme Court, No. 98317-8

Issue

May the Supreme Court compel the state executive branch – specifically the Governor and secretary of the Department of Corrections (DOC) – to release prison inmates immediately to reduce the spread of COVID-19?

Background

Columbia Legal Services and the American Civil Liberties Union filed a Petition for a Writ of Mandamus with the state Supreme Court, later seeking an amendment to include Habeas Corpus and/or Personal Restraint Petition, on behalf of five named inmates and all similarly situated inmates - approximately 11,700 persons - seeking their release from state custody due to the global pandemic, without regard to the risk of dangerousness, victims' rights, or supervision requirements.

The petitioners initially filed in late March, seeking an emergency motion to accelerate review, the appointment of a special master, and immediate relief on April 9. After the reply brief was submitted on April 10, the Court directed the Governor and Secretary Sinclair to immediately take all necessary steps to protect the health and safety of the named petitioners and all DOC inmates and report to the Court on April 13 with an update required on April 17. On April 10, Governor Inslee and Secretary Sinclair submitted to the Court a plan to release up to 950 inmates, considering the crimes for which they were convicted, scheduled release dates, and approved release plans.

The April 10 order did not appoint a special master; however, three of the justices dissented, stating they would have ruled to release the named petitioners immediately.

Status

Deputy prosecuting attorneys for Skagit and Kitsap Counties volunteered to draft an amicus brief on behalf of WSAC opposing the release due to fiscal and health-related concerns. WASPC is also submitting an amicus brief, as is WAPA – with each brief focused on specific matters. The briefs are due April 16, 2020.

- The Court heard an oral argument via videoconference on the morning of April 23, 2020. The respondent's counsel referenced WSAC's amicus brief in his argument. On the afternoon of April 23, the Court ruled, in a 5-4 oral decision, against the petitioners on both counts. The Court released the written decision in July.

Counsel

Haley W. Sebens, Skagit County Senior Deputy Prosecuting Attorney

Nathaniel Block, Skagit County Deputy Prosecuting Attorney

Jacquelyn M. Aufderheide, Kitsap County Chief Civil Deputy Prosecuting Attorney

**9) Kittitas County v. WA State Department of Transportation**

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

04/12/22

### Issue

Must the state Department of Transportation 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.

Kittitas County appealed the case to the Court of Appeals and 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. The court heard oral argument on October 24, 2019.

- On April 21, 2020, the Court of Appeals held that a weed assessment is a special assessment, and the County lacks the explicit authority to impose the weed assessments against the Department and affirmed the ruling of the trial court.

### Counsel

Pacifica Law Group

## **10) 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, create 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 the 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 various 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 it was not necessary to issue a public notice.

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 sued his treating physician, Swedish Health Services, and King County for negligence and wrongful death. The estate claims 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. Instead, "conditionally" granted 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.

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### Status

This case was set for oral argument on November 12, 2019. Having not found a volunteer DPA to draft this brief, WSAC general counsel submitted a brief for WSAC on September 27, 2019. The oral argument was heard on November 12, 2019.

- On April 2, 2020, the Court ruled King County owed no individual tort duty to Ehrhart and remanded the case back to the trial court to enter summary judgment in favor of King County on its affirmative defense asserting the public duty doctrine.

### Counsel

Mellani McAleenan

## **11) 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 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—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 argued 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 the plaintiffs did not state a viable claim of relief under the Indian Commerce Clause. The district court then concluded 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 the taxes do not infringe on Tulalip's tribal sovereignty.

Both the Tribes and the United States appealed to the 9<sup>th</sup> Circuit Court of Appeals. Briefs were drafted, and settlement negotiations ensued.

### Status

The WSAC Executive Committee approved amicus involvement. WSAC was exploring the option of filing a joint brief with WSAMA. However, the parties reopened settlement negotiations in late April, vacating the briefing schedule.

- Settlement negotiations proved successful, and the parties entered into a Memorandum of Understanding, which was finalized by SHB 2803, allowing the Governor to enter into the compact.

### Counsel

WSAMA, but no brief was filed due to settlement

**12) 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

May a court compel a board of county commissioners to fund expenditures absent clear, cogent, and convincing evidence those expenditures are necessary to hold court, conduct the administration of justice efficiently, or fulfill the court's 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.

Kittitas County Superior Court Judge Scott Sparks heard the case. The court scheduled the plaintiff's motion for summary judgment seeking a writ of mandamus for a 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.

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

Status

On July 26, 2019, Chief Civil Deputy Aufderheide submitted a new amicus brief similar to the one filed with the trial court, except 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, which may be affected when judges demand extra-budget expenditures for judicial projects. The Supreme Court heard oral arguments on November 12, 2019.

- On March 19, 2020, the Supreme Court held the Franklin County Superior Court abused its authority in using rule-making to resolve a dispute in the court's favor with another elected official. Instead, the superior court should have sought a declaratory judgment ruling so a neutral arbitrator could decide the dispute.

Counsel

Jacquelyn M. Aufderheide, Kitsap County Chief Civil Deputy Prosecuting Attorney

**13) 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 according to state law. The plaintiffs are hourly wage earners whose employers do not pay for jury service. They filed a claim in Pierce County Superior Court claiming 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 based on economic status. They 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. The plaintiffs sought direct review and were denied. The Court of Appeals affirmed the grant of summary judgment in favor of King County by a vote of 2-1, holding (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

The plaintiffs sought review in the Washington Supreme Court, which the Court granted on July 29, 2019. The Court heard oral argument on October 29, 2019. Pam Loginsky of the Washington Association of Prosecuting Attorneys drafted a joint brief for WSAC and the County Clerks and filed it at the end of September.

- The Supreme Court ruled on April 9, 2020, that jurors are not employees entitled to the minimum wage under the Minimum Wage Act because no employer-employee relationships exist statutorily under RCW 49.46.010(3)(d) or otherwise. The Court stated the solution for low juror pay rests with the legislature, not the courts.

### Counsel

Pam Loginsky, Washington Association of Prosecuting Attorneys



**May 11, 2022**



## **BUSINESS ACTION AND REPORTS**

**May 11, 2022**

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

**FROM:** Cowlitz County Commissioner Dennis Weber  
Snohomish County Councilmember Stephanie Wright

**PREPARED BY:** Eric Johnson, WSAC Executive Director

**SUBJECT:** NACo Western Interstate Region (WIR) 2<sup>nd</sup> Vice President Election

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## **BACKGROUND**

The Western Interstate Region (WIR) of the National Association of Counties (NACo) is comprised of 15 Western States, including the 39 counties in Washington State.

As described by NACo, WIR is:

“Dedicated to the promotion of Western interests within NACo. These interests include public land issues (use and conservation), community stability and economic development, and the promoting the traditional western way of life. Its membership consists of fifteen Western states (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming), with membership funded through the individual state associations.”

WIR is governed by a Board of Directors that includes an Executive Committee comprised of a president, a first vice-president, a second-vice president, and the Immediate Past President and that also contains no more than two representatives from each state, chosen from among its county officials by the members from each state and the West Region. WIR elects its NACo Executive Committee each year at the annual WIR Meeting.

WSAC Bylaws call for our two WIR Board members to be elected every two years by the WSAC Membership, with one member representing counties under 180,000 residents and one county representing counties with a population greater than 180,000 residents. Our current NACo WIR Board Members are:

Cowlitz County Commissioner Dennis Weber  
Snohomish County Councilmember Stephanie Wright

## **ISSUE**

This year, Stevens County Commissioner Wes McCart has announced his plan to seek the position of WIR 2<sup>nd</sup> Vice-President. Commissioner McCart served as WSAC's representative for counties under 180,000 on the NACo WIR Board for several years.

During the Annual WIR Business Meeting in Anchorage, Alaska, on Friday, May 20 at 8:30 a.m., there is a NACo WIR 2<sup>nd</sup> Vice President election. In addition to Commissioner McCart, another announced candidate Supervisor Matt Kingsley from Inyo County, California. Each state will have five votes cast as whole votes (no fractions).

Additionally:

- Each state can split its votes between candidates.
- No state can cast a vote if it is not present when the roll call occurs.
- No proxies are allowed.

## **RECOMMENDATION**

WSAC must show its support and commitment to Commissioner McCart. He has been an extraordinarily active member of the NACo WIR Board in the past and the NACo Public Lands Steering Committee.

WSAC shall cast all five of its votes for Commissioner McCart and encourage other WIR states to do the same.



### **Resolution 2022-07**

**WHEREAS**, The Western Interstate Region (WIR) of the National Association of Counties (NACo) is comprised of 15 Western States, including the 39 counties in Washington State; and

**WHEREAS**, Washington State is a member of NACo WIR; and

**WHEREAS**, WIR is governed by a Board of Directors that includes an Executive Committee comprised of a president, a first vice-president, a second-vice president, and the Immediate Past President; and

**WHEREAS**, the NACo WIR Board is also represented by no more than two representatives from each state; and

**WHEREAS**, WSAC has currently selected the following members to represent Washington's 39 counties on the NACo WIR Board Members:

Cowlitz County Commissioner Dennis Weber  
Snohomish County Councilmember Stephanie Wright

**WHEREAS**, Stevens County Commissioner Wes McCart has announced his plan to seek the position of WIR 2<sup>nd</sup> Vice-President; and

**WHEREAS**, Commissioner McCart served for several years as WSAC's representative for counties under 180,000 on the NACo WIR Board; and

**WHEREAS**, Commissioner McCart is an active member of the NACo Public Lands Steering Committee; and

**WHEREAS**, there is an election for the NACo WIR 2<sup>nd</sup> Vice President during the Annual WIR Business Meeting in Anchorage, Alaska, on Friday, May 20 at 8:30 a.m., and

**WHEREAS**, each state will have five votes to be cast as whole votes (no fractions);

**NOW, THEREFORE BE IT RESOLVED** that WSAC show its support and commitment to Stevens County Commissioner McCart; and

**BE IT FURTHER RESOLVED**, WSAC appreciates and recognizes Commissioner McCart's participation and engagement with NACo WIR Board in the past as well as the NACo Public Lands Steering Committee;

**BE IT FURTHER RESOLVED**, WSAC shall cast all five of its votes for Commissioner McCart for NACo WIR 2<sup>nd</sup> Vice President and encourage other WIR states to do the same.

Approved by the Board of Directors of the Washington State Association of Counties on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**

May 11, 2022

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, WSAC Executive Director

**PREPARED BY:** Bridget Lockling, Business and Financial Services Director

**SUBJECT:** Business and Finance Report Year End 2021

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### Cash

WSAC ended 2020 with a total cash position of \$878,586. This is over \$200k higher than ending cash last year, primarily due to reduced spending in 2021.

### Budget to Actual Activity

The combined All Funds Actual vs. Budget in Summary 12/31/2021 report shows a positive \$259,919 bottom line. This is over \$285k more than budgeted and significantly better than the 2020 change in net assets. The following items highlight significant budget variances and the reason for the negative bottom line in the financial report:

#### *Revenues*

- Contract Services – Revenue projections from contract services were about 8% over budget. Significant variances were from the DOT Culvert Project-original contracts expired 6/30, so subcontractors pushed to spend out funds. The contract was renewed at a lower level, but spending remained consistent since some projects were already underway. Our Ecology contract for the Columbia River project came in under budget. The contract was extended through calendar year-end, but expenses were considerably less with the switch from a subcontractor to internal staff. The DNR contract for fish and forest adaptive management came in with higher earnings than budgeted. The contract renewal on July 1 was higher than anticipated, so we could hire another subcontractor to work on the project.
- Affiliate Services – Revenue here offsets staffing costs and provides 12% earnings. There were fewer affiliate expenses to offset because of a 3-month vacancy in staffing for WSACE. We maintained full contract services for WSACA for the year rather than the reduced amount budgeted. This was due to a full return to their conference schedule.
- Conference revenues were higher than budgeted due to the return of an in-person County Leaders Conference.

#### *Expenses*

- Payroll and Benefits – The significant variance was due to staffing vacancies that were not refilled or refilled much later than anticipated.
- Meetings, Travel & Conferences – Travel costs did rebound somewhat, but not as much as budgeted. Conference expenses were much higher than budgeted due to the return of an in-person conference.
- Contract Services – Overage mostly due to DOT and DNR subcontract work.

### Non-Dues Revenue

Endorsement and Marketing revenues from NACo programs were slightly over 2% higher than budgeted for 2021.

Program	Budget	Actual
NACo LLC Deferred Comp	\$130,000	\$132,653
NACo Live Healthy Prescription Discount Card	2,000	5,825
NACo eConnectDirect	2,500	0
Liberty Mutual	<u>5,000</u>	<u>4,227</u>
	<u>\$139,500</u>	<u>\$142,706</u>

## Dec 31, 2021 Financial Dashboard

### STATEMENT OF FINANCIAL POSITION

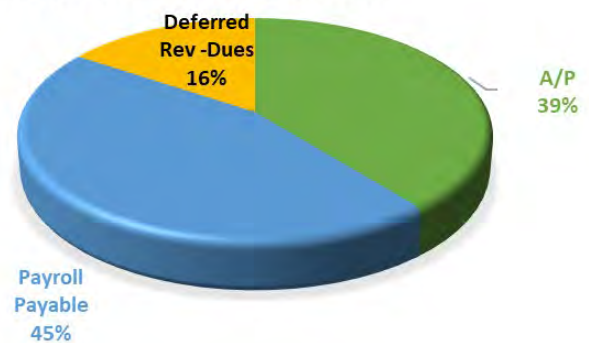
AS OF 12/31/2021

Litigation \$188,245	Litigation \$183,833	Litigation \$4,413
Special \$883,766	Special \$882,279	Special \$1,487
		Operating \$400,215
Operating \$532,566	Operating \$132,351	Total Liabili...
Total Assets, \$1,604,578	Net Assets/Equity, \$1,198,463	\$406,115

### ASSET COMPOSITION

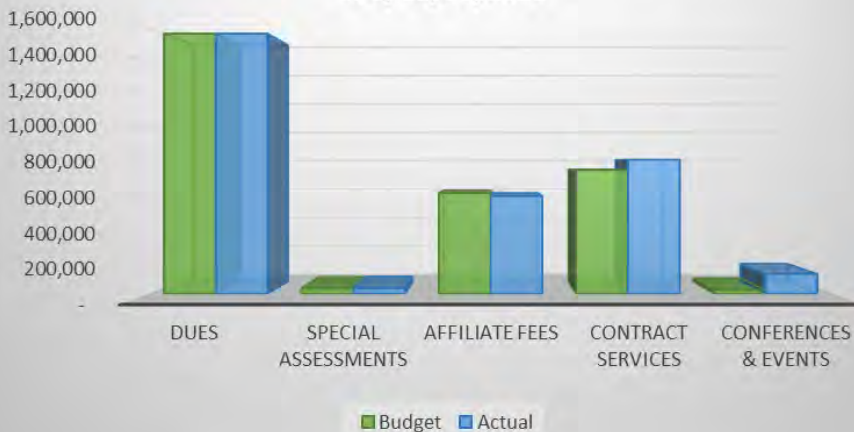


### LIABILITIES COMPOSITION



### 2021 Revenues Budget to Actual

as of 12/31/2021



### 2021 Operating Fund

Revenues are 104% of Budgeted YTD  
Expenses are at 100% of Budgeted YTD  
Savings highest in salaries and benefits from staff vacancies and one less FTE than budgeted. Conference expenses were higher than conference earnings.

### 2021 Expenses Budget to Actual

as of 12/31/2021



### PAYROLL DETAIL





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

	Operating Fund	Special Fund	Litigation Fund	Total 12/31/2021	12/31/2020	12/31/2019	12/31/2018
<b>Assets</b>							
Cash & Cash Equivalents	\$ (184,456)	\$ 883,766	\$ 179,275	\$ 878,586	\$ 661,591	\$ 651,808	\$ 749,560
Receivables & Other Current Assets	518,694	-	2,594	521,288	499,283	442,365	645,315
Prepays	9,666	-	6,376	16,042	41,698	36,861	4,973
Property & Equipment, Net	34,739	-	-	34,739	38,427	61,581	81,703
Long-Term and Other Assets							
Counties Building Partnership	152,374	-	-	152,374	146,331	155,142	167,943
NACo RMA LLC Partnership	1,549	-	-	1,549	1,549	62	62
<b>Total Assets</b>	<b>\$ 532,566</b>	<b>\$ 883,766</b>	<b>\$ 188,245</b>	<b>\$ 1,604,578</b>	<b>\$ 1,388,879</b>	<b>\$ 1,347,818</b>	<b>\$ 1,649,556</b>
<b>Liabilities &amp; Unrestricted Equity</b>							
Accounts Payable	\$ 155,459	\$ 1,487	\$ 2,320	\$ 159,267	\$ 163,393	\$ 133,611	\$ 397,400
Payroll Payable	181,475	-	2,093	183,568	185,453	154,185	112,704
Deferred Revenues-Dues	63,281	-	-	63,281	55,627	72,000	-
Net Assets							
Undesignated	132,351	762,279	101,833	996,463	782,406	786,022	937,451
Board Designated	-	120,000	82,000	202,000	202,000	202,000	202,000
<b>Total Net Assets</b>	<b>\$ 132,351</b>	<b>\$ 882,279</b>	<b>\$ 183,833</b>	<b>\$ 1,198,463</b>	<b>\$ 984,406</b>	<b>\$ 988,022</b>	<b>\$ 1,139,451</b>
<b>Total Liabilities &amp; Unrestricted Equity</b>	<b>\$ 532,566</b>	<b>\$ 883,766</b>	<b>\$ 188,245</b>	<b>\$ 1,604,578</b>	<b>\$ 1,388,879</b>	<b>\$ 1,347,818</b>	<b>\$ 1,649,556</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 2018 and 2021:**

- Litigation Fund - a new fund based on the 2018 budget adopted by the members at the November 2017 General Membership Meeting.
- Cash –Cash flow is higher in the beginning of the year and is reduced as it is used throughout the year on general expenses. Cash remained stable from previous year as expenditures were lower than anticipated.
- Receivables & Other Current Assets - The receivables in the third quarter are mostly from state contracts.
- Liabilities – Deferred Revenues will decrease throughout the year as Dues are earned quarterly.

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

Operating Fund	Total Budget	Budget 12/31/2021	Actual 12/31/21	Variance (unfavorable)	12/31/2020	12/31/2019	12/31/2018
Revenue							
Dues	\$ 1,564,072	\$ 1,564,072	\$ 1,564,072	\$ -	\$ 1,564,077	\$ 1,525,193	\$ 1,491,284
Business Partner Fees	-	-	-	-	-	-	-
Special Assessments	32,500	32,500	35,000	2,500	127,000	35,000	35,000
Affiliate Assessments	605,134	605,134	588,170	(16,964)	601,977	596,107	598,051
Contract Services	744,051	744,051	807,107	63,056	747,908	407,451	632,793
Conferences and Events	25,000	25,000	119,670	94,670	32,000	205,781	136,438
Other Miscellaneous Revenues	-	-	-	-	-	-	4
<b>Total Revenue</b>	<b>\$ 2,970,757</b>	<b>\$ 2,970,757</b>	<b>\$ 3,114,020</b>	<b>\$ 143,263</b>	<b>\$ 3,072,962</b>	<b>\$ 2,769,532</b>	<b>\$ 2,893,570</b>
Operating Expense							
Payroll and Benefits	\$ 1,890,240	\$ 1,890,240	\$ 1,653,783	\$ 236,457	\$ 1,839,677	\$ 1,799,807	\$ 1,500,345
Meetings, Travel and Hosting	87,250	87,250	65,327	21,923	33,333	174,567	149,894
Conferences and Events	20,500	20,500	194,232	(173,732)	7,878	190,090	140,191
Contract Services	685,400	685,400	731,608	(46,208)	865,089	442,959	737,132
Professional Services Other	103,000	103,000	112,188	(9,188)	133,999	119,595	150,420
Technology and Telecom	44,387	44,387	42,442	1,945	52,962	47,442	46,865
General Operating	166,110	166,110	199,064	(32,954)	161,966	184,008	177,039
<b>Total Operating Expense</b>	<b>\$ 2,996,887</b>	<b>\$ 2,996,887</b>	<b>\$ 2,998,643</b>	<b>\$ (1,756)</b>	<b>\$ 3,094,904</b>	<b>\$ 2,958,468</b>	<b>\$ 2,901,886</b>
<b>Changes in Net Assets</b>	<b>\$ (26,130)</b>	<b>\$ (26,130)</b>	<b>\$ 115,376</b>	<b>\$ 141,506</b>	<b>\$ (21,942)</b>	<b>\$ (188,936)</b>	<b>\$ (8,316)</b>
Dues as a % of Total Revenue	52.6%		50.2%		50.9%	55.1%	51.5%
# of Permanent Staff	14		13		14	12	12
Payroll Exp as % of Total Exp	63%		55%		59%	61%	52%
Net Income as % of Revenue	-1%		4%		-1%	-7%	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 12/31/2021	Actual 12/31/2021	Variance (unfavorable)	12/31/2020	12/31/2019	12/31/2018
Revenue							
Business Partner Fees	-	-	-	-	-	650	650
Marketing and Royalties	139,500	139,500	142,706	3,206	176,197	198,413	194,096
Other Miscellaneous Revenues	500	500	-	(500)	-	-	-
Interest Earnings	10,000	10,000	4,569	(5,431)	10,273	18,436	6,116
<b>Total Revenue</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>	<b>\$ 147,275</b>	<b>\$ (2,725)</b>	<b>\$ 186,470</b>	<b>\$ 217,499</b>	<b>\$ 200,862</b>
Operating Expense							
Meetings, Travel and Hosting	55,000	55,000	4,278	50,722	26,791	40,824	54,302
Conferences and Events	10,000	10,000	101	9,899	-	4,096	27,140
Professional Services Other	7,500	7,500	7,500	-	7,500	19,406	7,500
Technology and Telecom	3,700	3,700	2,626	1,074	4,414	11,380	4,224
General Operating	8,650	8,650	11,135	(2,485)	10,663	17,784	9,404
<b>Total Operating Expense</b>	<b>\$ 84,850</b>	<b>\$ 84,850</b>	<b>\$ 25,639</b>	<b>\$ 59,211</b>	<b>\$ 49,368</b>	<b>\$ 93,490</b>	<b>\$ 102,570</b>
<b>Changes in Net Assets</b>	<b>\$ 65,150</b>	<b>\$ 65,150</b>	<b>\$ 121,636</b>	<b>\$ 56,486</b>	<b>\$ 137,102</b>	<b>\$ 124,009</b>	<b>\$ 98,292</b>
Dues as a % of Total Revenue	0.0%		0.0%		0.0%	0.0%	0.0%
# of Permanent Staff	14		13		14	12	12
Payroll Exp as % of Total Exp	0%		0%		0%	0%	0%
Net Income as % of Revenue	43%		83%		74%	57%	49%

\*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>Litigation Fund</b>	<b>Total Budget</b>	<b>Budget 12/31/2021</b>	<b>Actual 12/31/2021</b>	<b>Variance (unfavorable)</b>	<b>12/31/2020</b>	<b>12/31/2019</b>	<b>12/31/2018</b>
Revenue							
Dues	\$ 400,000	\$ 400,000	\$ 400,000	\$ -	\$ 399,999	\$ 400,003	\$ 399,997
<b>Total Revenue</b>	<b>\$ 400,000</b>	<b>\$ 400,000</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 399,999</b>	<b>\$ 400,003</b>	<b>\$ 399,997</b>
Operating Expense							
Payroll and Benefits	\$ 151,558	\$ 151,558	\$ 113,798	\$ 37,760	\$ 120,582	\$ 81,065	\$ 61,106
Meetings, Travel and Hosting	15,000	15,000	62	14,938	-	1,377	28,273
Conferences and Events	-	-	-	-	-	2,500	849
Contract Services	-	-	-	-	-	-	-
Professional Services Other	295,000	295,000	255,002	39,998	326,047	337,686	154,746
Technology and Telecom	2,202	2,202	1,200	1,002	-	315	2,397
General Operating	500	500	7,031	(6,531)	-	311	3,821
<b>Total Operating Expense</b>	<b>\$ 464,260</b>	<b>\$ 464,260</b>	<b>\$ 377,093</b>	<b>\$ 87,167</b>	<b>\$ 446,629</b>	<b>\$ 423,254</b>	<b>\$ 251,192</b>
<b>Changes in Net Assets</b>	<b>\$ (64,260)</b>	<b>\$ (64,260)</b>	<b>\$ 22,907</b>	<b>\$ 87,167</b>	<b>\$ (46,630)</b>	<b>\$ (23,251)</b>	<b>\$ 148,805</b>
Dues as a % of Total Revenue	100.0%		100.0%		100.0%	100.0%	100.0%
# of Permanent Staff	14		11		14	12	12
Payroll Exp as % of Total Exp	33%		30%		27%	19%	24%
Net Income as % of Revenue	-16%		6%		-12%	-6%	37%

\*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

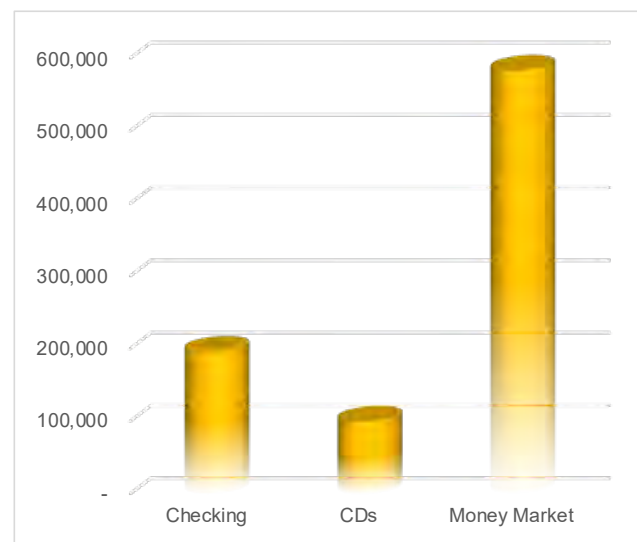
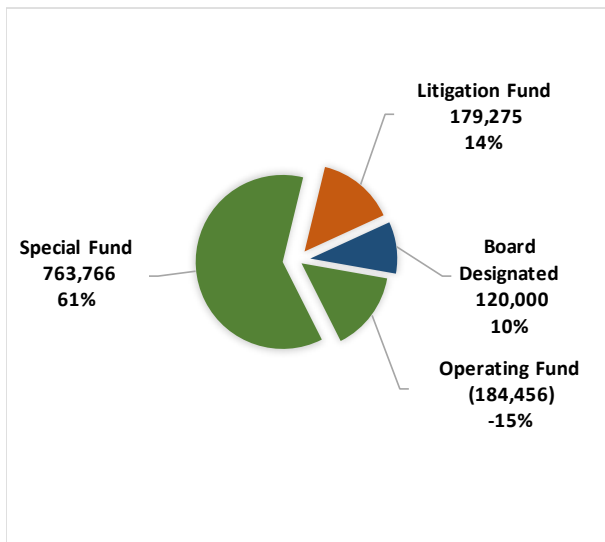
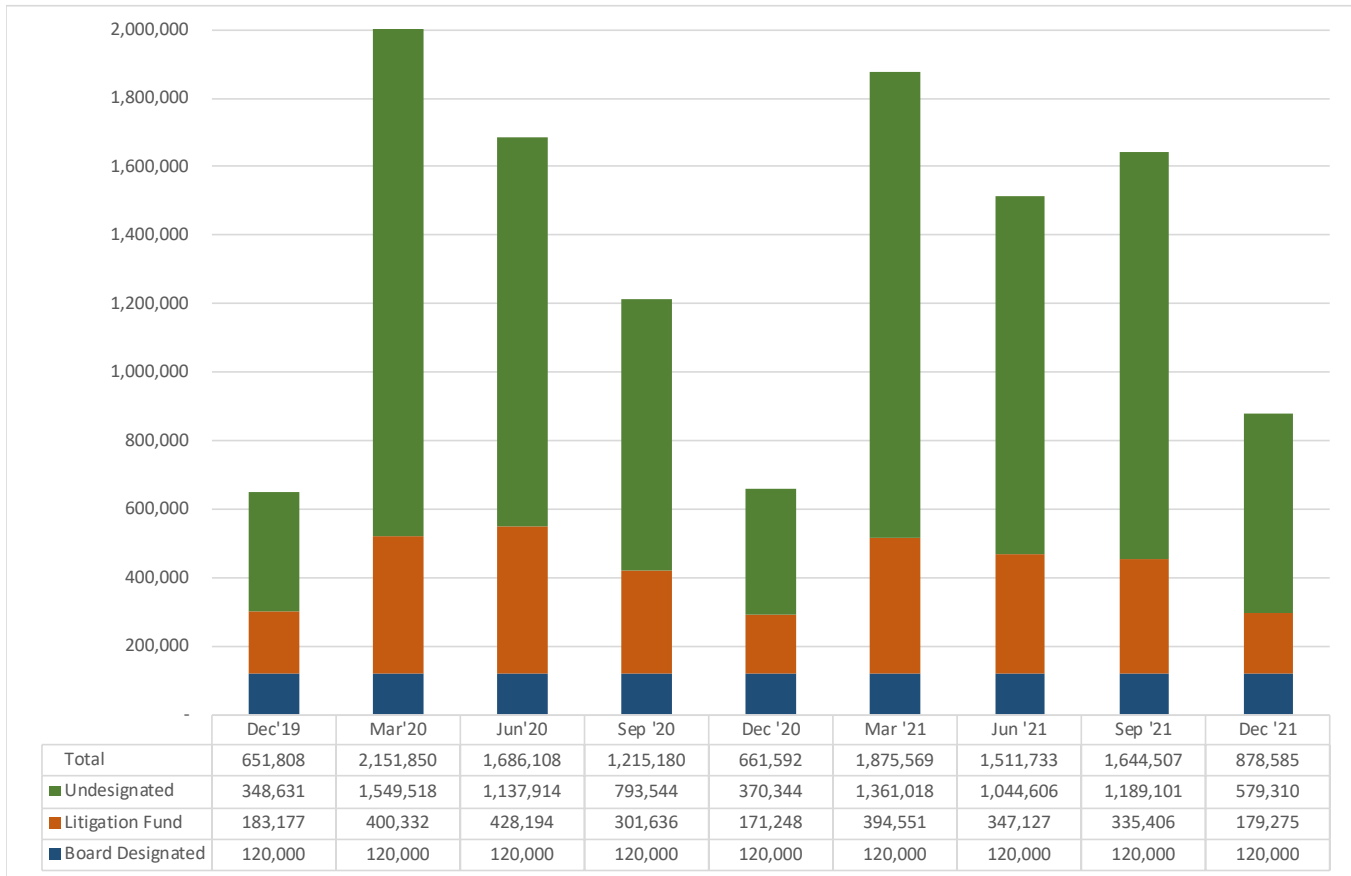
Combined Funds	Total Budget	Budget 12/31/2021	Actual 12/31/2021	Variance (unfavorable)	12/31/2020	12/31/2019	12/31/2018
<b>Revenue</b>							
Dues	\$ 1,964,072	\$ 1,964,072	\$ 1,964,072	\$ -	\$ 1,964,076	\$ 1,925,196	\$ 1,891,281
Business Partner Fees	-	-	-	-	-	650	650
Special Assessments	32,500	32,500	35,000	2,500	127,000	35,000	35,000
Affiliate Assessments	605,134	605,134	588,170	(16,964)	601,977	596,107	598,051
Contract Services	744,051	744,051	807,107	63,056	747,908	407,451	632,793
Conferences and Events	25,000	25,000	119,670	94,670	32,000	205,781	136,438
Marketing and Royalties	139,500	139,500	142,706	3,206	176,197	198,413	194,096
Other Miscellaneous Revenues	500	500	-	(500)	-	-	4
Interest Earnings	10,000	10,000	4,569	(5,431)	10,273	18,436	6,116
<b>Total Revenue</b>	<b>\$ 3,520,757</b>	<b>\$ 3,520,757</b>	<b>\$ 3,661,295</b>	<b>\$ 140,538</b>	<b>\$ 3,659,431</b>	<b>\$ 3,387,034</b>	<b>\$ 3,494,429</b>
<b>Operating Expense</b>							
Payroll and Benefits	\$ 2,041,798	\$ 2,041,798	\$ 1,767,581	\$ 274,217	\$ 1,960,258	\$ 1,880,872	\$ 1,561,451
Meetings, Travel and Hosting	157,250	157,250	69,667	87,583	60,124	216,767	232,468
Conferences and Events	30,500	30,500	194,332	(163,832)	7,878	196,686	168,181
Contract Services	685,400	685,400	731,608	(46,208)	865,089	442,959	737,132
Professional Services Other	405,500	405,500	374,690	30,810	467,546	476,687	312,666
Technology and Telecom	50,289	50,289	46,267	4,022	57,375	59,137	53,486
General Operating	175,260	175,260	217,230	(41,970)	172,629	202,103	190,264
<b>Total Operating Expense</b>	<b>\$ 3,545,997</b>	<b>\$ 3,545,997</b>	<b>\$ 3,401,376</b>	<b>\$ 144,621</b>	<b>\$ 3,590,899</b>	<b>\$ 3,475,211</b>	<b>\$ 3,255,648</b>
<b>Changes in Net Assets</b>	<b>\$ (25,240)</b>	<b>\$ (25,240)</b>	<b>\$ 259,919</b>	<b>\$ 285,159</b>	<b>\$ 68,532</b>	<b>\$ (88,177)</b>	<b>\$ 238,781</b>
Dues as a % of Total Revenue	55.8%		53.6%		53.7%	56.8%	54.1%
# of Permanent Staff	14		11		14	12	12
Payroll Exp as % of Total Exp	58%		52%		55%	54%	48%
Net Income as % of Revenue	-1%		7%		2%	-3%	7%

\*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 2018 and 2021:

- 2021 Dues revenue increases from 2018 are a result of the addition of the SLAC program in 2018 and small COLA adjustments each year.
- 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 reduced expense in 2018 was a result of four positions that remained unfilled for anywhere from one to four months. 2019 had 1 vacant position not filled and another position vacant for 2.5 months. 2020 was fully staffed with some minor changes in the 4<sup>th</sup> quarter. 2021 is under budget due to staff vacancies.
- Professional Services Other –Professional service increases in 2019 are mostly from the SLAC legal and communication expenses.

**Total Cash & Investment Position - All Funds**  
For The Quarter Ended December 31, 2021

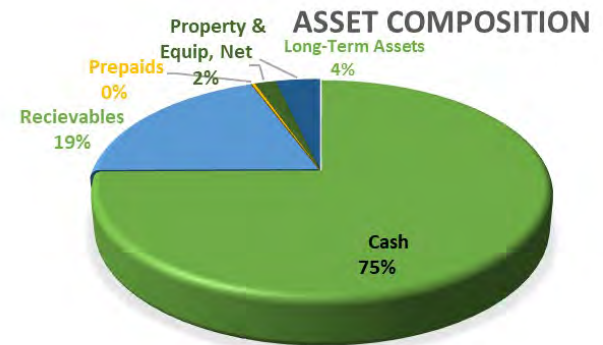


## MAR 31, 2022 Financial Dashboard

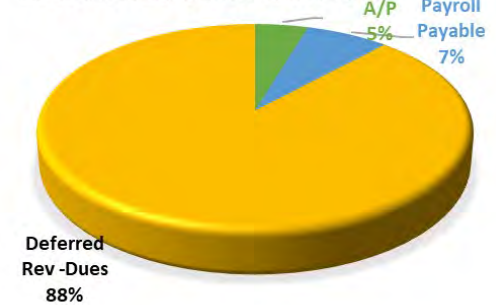
### STATEMENT OF FINANCIAL POSITION

AS OF 3/31/2022

Litigation \$918,719	Litigation \$590,687	Litigation \$328,032
Special \$929,982	Special \$523	Special \$929,459
Operating \$2,303,940	Operating \$2,189,542	Operating \$114,398
<b>Total Assets, \$4,152,640</b>	<b>Total Liabilities, \$2,780,752</b>	<b>Net Assets/Equity, \$1,371,888</b>



### LIABILITIES COMPOSITION



### 2022 Revenues Budget to Actual

as of 3/31/2022

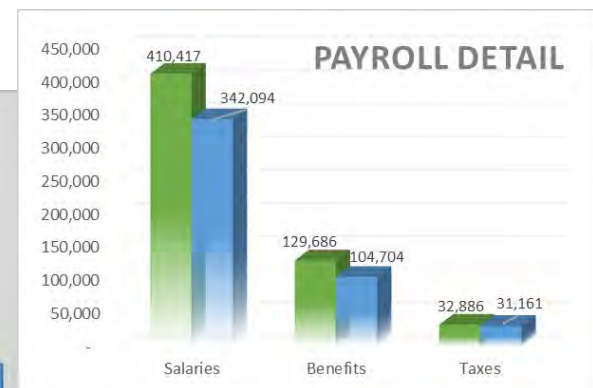


### 2022 Operating Fund

Revenues are 99% of Budgeted YTD  
Expenses are at 86% of Budgeted YTD  
Savings highest in salaries and benefits from staff vacancies. Other expenditures on target.

### 2022 Expenses Budget to Actual

as of 3/31/2022



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

	Operating Fund	Special Fund	Litigation Fund	Total 3/31/22	12/31/2021	12/31/2020	12/31/2019
<b>Assets</b>							
Cash & Cash Equivalents	\$ 1,470,184	\$ 896,982	\$ 741,167	\$3,108,333	\$ 878,586	\$ 661,591	\$ 651,808
Receivables & Other Current Assets	600,903	33,000	173,908	807,811	521,288	499,283	442,365
Prepays	6,766	-	3,643	10,409	16,042	41,698	36,861
Property & Equipment, Net	72,165	-	-	72,165	34,739	38,427	61,581
Long-Term and Other Assets							
Counties Building Partnership	152,374	-	-	152,374	152,374	146,331	155,142
NACo RMA LLC Partnership	1,549	-	-	1,549	1,549	1,549	62
<b>Total Assets</b>	<b>\$2,303,940</b>	<b>\$ 929,982</b>	<b>\$ 918,719</b>	<b>\$4,152,640</b>	<b>\$1,604,578</b>	<b>\$1,388,879</b>	<b>\$1,347,818</b>
<b>Liabilities &amp; Unrestricted Equity</b>							
Accounts Payable	\$ 116,162	\$ 523	\$ 11,760	\$ 128,445	\$ 159,267	\$ 163,393	\$ 133,611
Payroll Payable	184,976	-	16,427	201,403	183,568	185,453	154,185
Deferred Revenues-Dues	1,888,404	-	562,500	2,450,904	63,281	55,627	72,000
<b>Net Assets</b>							
Undesignated	114,398	809,459	246,032	1,169,888	996,463	782,406	786,022
Board Designated	-	120,000	82,000	202,000	202,000	202,000	202,000
<b>Total Net Assets</b>	<b>\$ 114,398</b>	<b>\$ 929,459</b>	<b>\$ 328,032</b>	<b>\$1,371,888</b>	<b>\$1,198,463</b>	<b>\$ 984,406</b>	<b>\$ 988,022</b>
<b>Total Liabilities &amp; Unrestricted Equity</b>	<b>\$2,303,940</b>	<b>\$ 929,982</b>	<b>\$ 918,719</b>	<b>\$4,152,640</b>	<b>\$1,604,578</b>	<b>\$1,388,879</b>	<b>\$1,347,818</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 2019 and 2022:

- Cash –Cash flow is higher in the beginning of the year and is reduced as it is used throughout the year on general expenses. Cash remained stable from previous year as expenditures were lower than anticipated.
- Receivables & Other Current Assets - Quarterly receivables in the first quarter are mostly from pending dues payments, but also from State Contracts and Affiliate reimbursements.
- Liabilities – Deferred Revenues will decrease throughout the year as Dues are earned quarterly.



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

Operating Fund	Total Budget	Budget 3/31/22	Actual 3/31/22	Variance (unfavorable)	12/31/2021	12/31/2020	12/31/2019
Revenue							
Dues	\$ 1,940,970	\$ 485,243	\$ 485,243	\$ -	\$ 1,564,072	\$ 1,564,077	\$ 1,525,193
Business Partner Fees	-	-	-	-	-	-	-
Special Assessments	35,000	8,750	8,750	-	35,000	127,000	35,000
Affiliate Assessments	883,568	220,892	203,983	(16,909)	588,170	601,977	596,107
Contract Services	856,156	121,485	136,352	14,867	807,107	747,908	407,451
Conferences and Events	173,000	-	-	-	119,670	32,000	205,781
Other Miscellaneous Revenues	-	-	-	-	-	-	-
<b>Total Revenue</b>	<b>\$ 3,888,694</b>	<b>\$ 836,370</b>	<b>\$ 834,328</b>	<b>\$ (2,042)</b>	<b>\$ 3,114,020</b>	<b>\$ 3,072,962</b>	<b>\$ 2,769,532</b>
Operating Expense							
Payroll and Benefits	\$ 2,323,226	\$ 572,989	\$ 477,959	\$ 95,029	\$ 1,653,783	\$ 1,839,677	\$ 1,799,807
Meetings, Travel and Hosting	168,000	37,212	10,459	26,753	65,327	33,333	174,567
Conferences and Events	146,500	250	10,065	(9,815)	194,232	7,878	190,090
Contract Services	721,700	112,425	117,790	(5,365)	731,608	865,089	442,959
Professional Services Other	147,000	19,250	24,066	(4,816)	112,188	133,999	119,595
Technology and Telecom	48,314	17,449	13,301	4,148	42,442	52,962	47,442
General Operating	174,279	60,404	53,515	6,890	199,064	161,966	184,008
<b>Total Operating Expense</b>	<b>\$ 3,729,019</b>	<b>\$ 819,978</b>	<b>\$ 707,154</b>	<b>\$ 112,824</b>	<b>\$ 2,998,643</b>	<b>\$ 3,094,904</b>	<b>\$ 2,958,468</b>
<b>Changes in Net Assets</b>	<b>\$ 159,675</b>	<b>\$ 16,391</b>	<b>\$ 127,174</b>	<b>\$ 110,783</b>	<b>\$ 115,376</b>	<b>\$ (21,942)</b>	<b>\$ (188,936)</b>
Dues as a % of Total Revenue	49.9%		58.2%		50.2%	50.9%	55.1%
# of Permanent Staff	14		13		14	12	12
Payroll Exp as % of Total Exp	62%		68%		55%	59%	61%
Net Income as % of Revenue	4%		15%		4%	-1%	-7%

\*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 3/31/2022	Actual 3/31/2022	Variance (unfavorable)	12/31/2021	12/31/2020	12/31/2019
Revenue							
Business Partner Fees	-	-	-	-	-	-	650
Marketing and Royalties	139,500	34,875	51,843	16,968	142,706	176,197	198,413
Other Miscellaneous Revenues	500	-	-	-	-	-	-
Interest Earnings	5,000	1,250	765	(485)	4,569	10,273	18,436
<b>Total Revenue</b>	<b>\$ 145,000</b>	<b>\$ 36,125</b>	<b>\$ 52,608</b>	<b>\$ 16,483</b>	<b>\$ 147,275</b>	<b>\$ 186,470</b>	<b>\$ 217,499</b>
Operating Expense							
Meetings, Travel and Hosting	55,000	11,750	649	11,101	4,278	26,791	40,824
Conferences and Events	10,000	-	-	-	101	-	4,096
Professional Services Other	7,500	-	-	-	7,500	7,500	19,406
Technology and Telecom	5,000	-	-	-	2,626	4,414	11,380
General Operating	12,500	1,250	4,779	(3,529)	11,135	10,663	17,784
<b>Total Operating Expense</b>	<b>\$ 90,000</b>	<b>\$ 13,000</b>	<b>\$ 5,428</b>	<b>\$ 7,572</b>	<b>\$ 25,639</b>	<b>\$ 49,368</b>	<b>\$ 93,490</b>
<b>Changes in Net Assets</b>	<b>\$ 55,000</b>	<b>\$ 23,125</b>	<b>\$ 47,180</b>	<b>\$ 24,055</b>	<b>\$ 121,636</b>	<b>\$ 137,102</b>	<b>\$ 124,009</b>
Dues as a % of Total Revenue	0.0%		0.0%		0.0%	0.0%	0.0%
# of Permanent Staff	15		13		14	12	12
Payroll Exp as % of Total Exp	0%		0%		0%	0%	0%
Net Income as % of Revenue	38%		90%		83%	74%	57%

\*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	Budget 3/31/2022	Actual 3/31/2022	Variance (unfavorable)	12/31/2021	12/31/2020	12/31/2019
Revenue							
Dues	\$ 400,000	\$ 100,000	\$ 187,500	\$ 87,500	\$ 400,000	\$ 399,999	\$ 400,003
<b>Total Revenue</b>	<b>\$ 400,000</b>	<b>\$ 100,000</b>	<b>\$ 187,500</b>	<b>\$ 87,500</b>	<b>\$ 400,000</b>	<b>\$ 399,999</b>	<b>\$ 400,003</b>
Operating Expense							
Payroll and Benefits	\$ 100,158	\$ 20,889	\$ 27,672	\$ (6,783)	\$ 113,798	\$ 120,582	\$ 81,065
Meetings, Travel and Hosting	7,500	1,000	-	1,000	62	-	1,377
Conferences and Events	-	-	-	-	-	-	2,500
Contract Services	-	-	-	-	-	-	-
Professional Services Other	355,000	81,000	15,629	65,371	255,002	326,047	337,686
Technology and Telecom	2,343	461	-	461	1,200	-	315
General Operating	500	125	-	125	7,031	-	311
<b>Total Operating Expense</b>	<b>\$ 465,501</b>	<b>\$ 103,474</b>	<b>\$ 43,301</b>	<b>\$ 60,173</b>	<b>\$ 377,093</b>	<b>\$ 446,629</b>	<b>\$ 423,254</b>
<b>Changes in Net Assets</b>	<b>\$ (65,501)</b>	<b>\$ (3,474)</b>	<b>\$ 144,199</b>	<b>\$ 147,673</b>	<b>\$ 22,907</b>	<b>\$ (46,630)</b>	<b>\$ (23,251)</b>
Dues as a % of Total Revenue	100.0%		100.0%		100.0%	100.0%	100.0%
# of Permanent Staff	15		11		14	12	12
Payroll Exp as % of Total Exp	22%		64%		30%	27%	19%
Net Income as % of Revenue	-16%		77%		6%	-12%	-6%

\*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

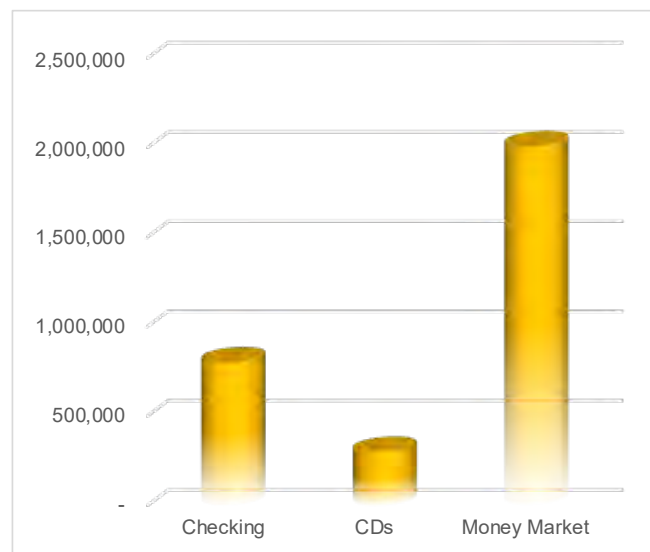
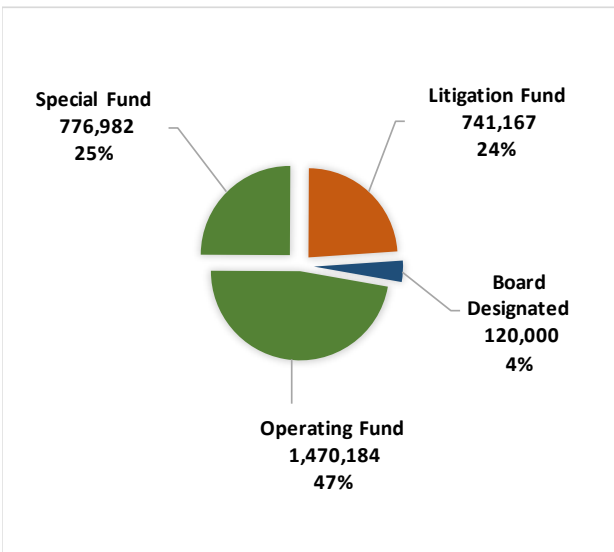
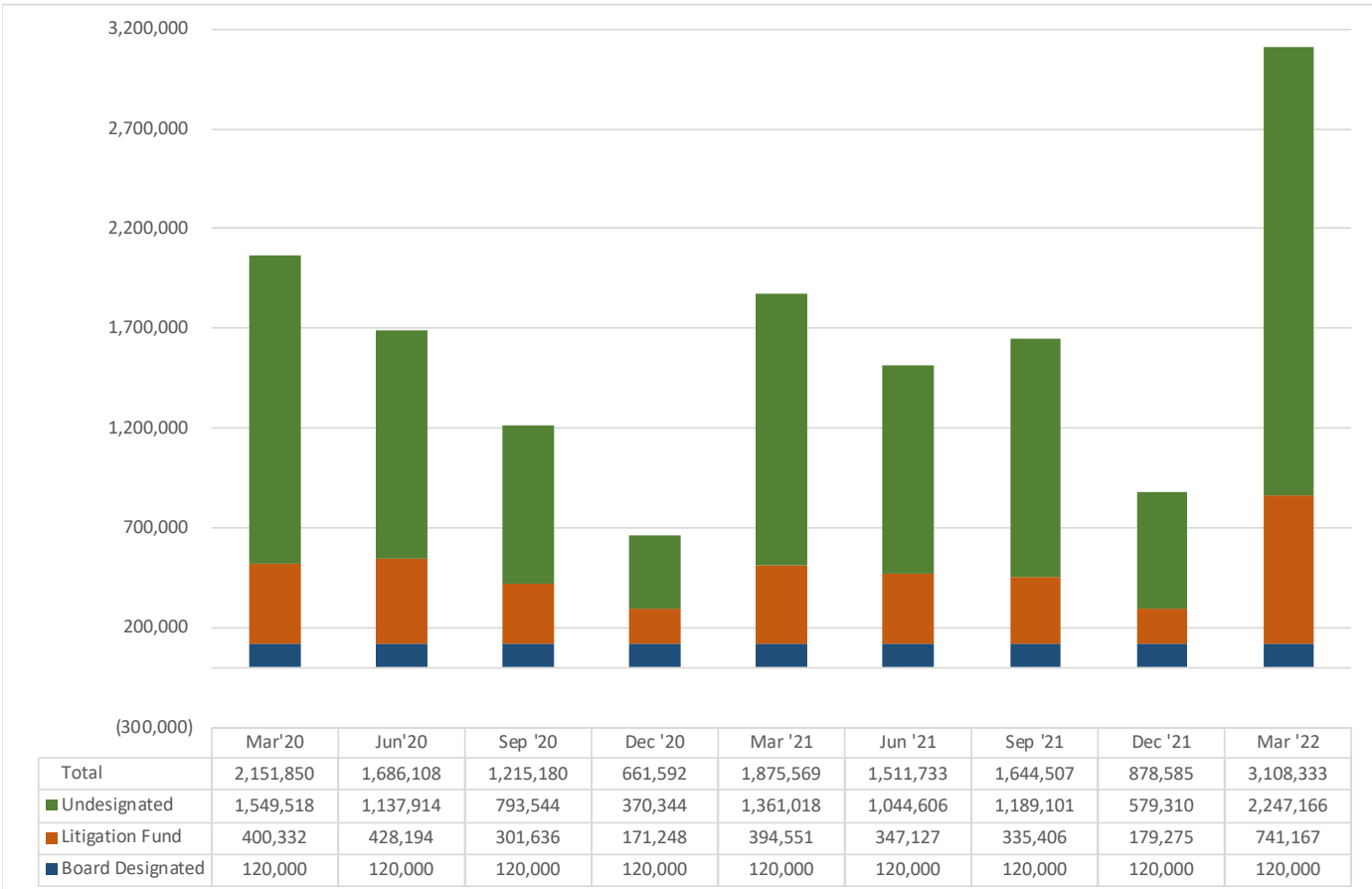
Combined Funds	Total Budget	Budget 3/31/2022	Actual 3/31/2022	Variance (unfavorable)	12/31/2021	12/31/2020	12/31/2019
<b>Revenue</b>							
Dues	\$ 2,340,970	\$ 585,243	\$ 672,743	\$ 87,500	\$ 1,964,072	\$ 1,964,076	\$ 1,925,196
Business Partner Fees	-	-	-	-	-	-	650
Special Assessments	35,000	8,750	8,750	-	35,000	127,000	35,000
Affiliate Assessments	883,568	220,892	203,983	(16,909)	588,170	601,977	596,107
Contract Services	856,156	121,485	136,352	14,867	807,107	747,908	407,451
Conferences and Events	173,000	-	-	-	119,670	32,000	205,781
Marketing and Royalties	139,500	34,875	51,843	16,968	142,706	176,197	198,413
Other Miscellaneous Revenues	500	-	-	-	-	-	-
Interest Earnings	5,000	1,250	765	(485)	4,569	10,273	18,436
<b>Total Revenue</b>	<b>\$ 4,433,694</b>	<b>\$ 972,495</b>	<b>\$ 1,074,436</b>	<b>\$ 101,941</b>	<b>\$ 3,661,295</b>	<b>\$ 3,659,431</b>	<b>\$ 3,387,034</b>
<b>Operating Expense</b>							
Payroll and Benefits	\$ 2,423,384	\$ 593,877	\$ 505,631	\$ 88,246	\$ 1,767,581	\$ 1,960,258	\$ 1,880,872
Meetings, Travel and Hosting	230,500	49,962	11,108	38,854	69,667	60,124	216,767
Conferences and Events	156,500	250	10,065	(9,815)	194,332	7,878	196,686
Contract Services	721,700	112,425	117,790	(5,365)	731,608	865,089	442,959
Professional Services Other	509,500	100,250	39,695	60,555	374,690	467,546	476,687
Technology and Telecom	55,657	17,909	13,301	4,608	46,267	57,375	59,137
General Operating	187,279	61,779	58,293	3,486	217,230	172,629	202,103
<b>Total Operating Expense</b>	<b>\$ 4,284,520</b>	<b>\$ 936,453</b>	<b>\$ 755,883</b>	<b>\$ 180,569</b>	<b>\$ 3,401,376</b>	<b>\$ 3,590,899</b>	<b>\$ 3,475,211</b>
<b>Changes in Net Assets</b>	<b>\$ 149,174</b>	<b>\$ 36,042</b>	<b>\$ 318,553</b>	<b>\$ 282,511</b>	<b>\$ 318,553</b>	<b>\$ 259,919</b>	<b>\$ 68,532</b>
Dues as a % of Total Revenue	52.8%		62.6%		53.6%	53.7%	56.8%
# of Permanent Staff	15		13		14	12	12
Payroll Exp as % of Total Exp	57%		67%		52%	55%	54%
Net Income as % of Revenue	3%		30%		9%	7%	2%

\*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 2019 and 2022:

- 2022 Dues revenue increases from 2021 are a result of the addition of three new assessments and a COLA adjustment this year.
- 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 – Fluctuations each year are due to a variety of staffing vacancies as well as some restructuring of positions.
- Contract Services –Contract service expenditures vary each year depending.

**Total Cash & Investment Position - All Funds**  
For The Quarter Ended March 31, 2022





**May 11, 2022**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, WSAC Executive Director

**PREPARED BY:** Jessica Strozewski, Operations Coordinator

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

---

The following nominations were received for an open county, or local government represented positions on statewide boards and commissions. Attached are applications and statements of interest from each candidate.

### **WSAC Policy on Board Appointment/Nomination Process**

For Boards or Commissions where the WSAC Board of Directors is responsible for nominating individuals, the following process will be used:

The Board of Directors may approve that all nominees be forwarded to the appointing authority for further review via voice vote.

For Boards or Commissions where the WSAC Board of Directors has appointing authority, the following process will be used:

For positions receiving two statements of interest, the Board of Directors shall conduct a hand vote to determine which candidate is the nominee/appointee. For positions receiving more than two statements of interest and where it is necessary to reduce the number of nominees, the board shall conduct an exhaustive ballot voting system until it is determined which candidate(s) are the nominees/appointees.

The exhaustive ballot voting system provides that each board member cast a single vote for their selected nominee. If no candidate is supported by an overall majority of votes, then the candidate with the fewest votes is eliminated, and a further round of voting occurs. This process is repeated for as many rounds as necessary until one nominee has a majority of the Board of Directors present to vote. If more than one nominee needs to be selected, the Board shall continue to vote until a second nominee has a majority, and so on.

### **Appointments by the WSAC Board of Directors**

#### **County Design Standards Committee**

Eligibility: County Engineer

Number of Positions: Two | Applications Received: 4

Grace Amundsen Barnkow, Pacific County Engineer  
Wayne Cornwall, Stevens County Engineer, and Public Works Director  
Douglas D'Hondt, Benton County Engineer  
Tim Elsea, Skamania County Engineer

**County Road Administration Board (Elected <30k)**

Eligibility: Elected Commissioner/Councilmember in County with a Population of 30k or less

Number of Positions: One | Applications Received: 3

Rob Coffman, Lincoln County Commissioner (Incumbent)

Michael Runyon, Pacific County Commissioner

Chris Seubert, Asotin County Commissioner

**County Road Administration Board (Elected 30k-150k)**

Eligibility: Elected Commissioner/Councilmember in County with a Population of 30k-150k

Number of Positions: One | Applications Received: 2

Brad Peck, Franklin County Commissioner (Incumbent)

Art Swannack, Whitman County Commissioner

**County Road Administration Board (Engineer 30k-150k)**

Eligibility: County Engineer in a County with a Population of 30k-150k

Number of Positions: One | Applications Received: 1

Eric Pierson, Chelan County Engineer and Public Works Director (Incumbent)

**Nominations to the Washington State Department of Transportation****Bridge Advisory Committee (Eastern Representative Alternate)**

Eligibility: County Engineer from Eastern Region

Number of Positions: One | Applications Received: 2

Matt Pietrusiewics, Yakima County Engineer

Jeremy Weiland, Columbia County Engineer

**Transportation Improvement Board (Planning Director or Manager)**

Eligibility: Planning Director or Manager

Number of Positions: One | Applications Received: 2

Derrick Braaten, Franklin County Planning and Building Director

Scott Chesney, Spokane County Planning Director

**Transportation Improvement Board (Population 125k or less)**

Eligibility: County Commissioner/Councilmember/Executive with County Population 125k or Less

Number of Positions: One | Applications Received: 2

Scott Hutsell, Lincoln County Commissioner (Incumbent)

Brian Shinn, Asotin County Commissioner

**Transportation Improvement Board (Population 125k or more)**

Eligibility: County Commissioner/Councilmember/Executive with County Population 125k or More

Number of Positions: One | Applications Received: 1

Sam Low, Snohomish County Councilmember (Incumbent)

## **Nominations to the Washington State Governor**

### **Forensic Investigations Council**

Eligibility: Elected Commissioner/Councilmember

Number of Positions: One | Applications Received: 1

*2 Names Required for Nomination*

Arne Mortensen, Cowlitz County Commissioner

### **Freight Mobility Strategic Investment Board**

Eligibility: Elected Commissioner/Councilmember

Number of Positions: One | Applications Received: 2

*4 Names Required for Nomination*

Randy Neatherlin, Mason County Commissioner

Cory Wright, Kittitas County Commissioner

### **Pipeline Safety, Citizens Advisory Committee on**

Eligibility: Elected County Official

Number of Positions: One | Applications Received: 1

Jerome Delvin, Benton County Commissioner (Incumbent)

## **Openings Receiving No Nominations**

### **Sex Offender Policy Board**

Eligibility: County Representative

*WSAC Appoints*

*Positions Available – 1*

WSAC will continue to recruit for these positions acknowledging that the Executive Board may make appointments before the September Board of Directors meeting if nominations/applications are received.

The Supreme Court  
State of Washington

STEVEN C. GONZÁLEZ  
CHIEF JUSTICE  
TEMPLE OF JUSTICE  
POST OFFICE BOX 40929  
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030  
E-MAIL J\_S.GONZALEZ@COURTS.WA.GOV

April 20, 2022

Governor Jay Inslee  
Office of the Governor  
PO Box 40002  
Olympia, WA 98504-0002

Attorney General Bob Ferguson  
1125 Washington St SE  
PO Box 40100  
Olympia, WA 98504

Kim Allen, WSACC President  
206 Tenth Avenue SE  
Olympia, WA 98501

Kent Keel, AWC President  
1076 Franklin Street SE  
Olympia, WA 98501-1346

Jamie Stephens, WSAC President  
206 Tenth Avenue SE  
Olympia, WA 98501

**VIA EMAIL**

Re: Interbranch Advisory Committee Designee

Dear Esteemed Colleagues:

The 67<sup>th</sup> Legislature passed Senate Bill 5490 establishing the Interbranch Advisory Committee, consisting of members from the Washington State legislative, executive and judicial branches of government. The purpose of the Interbranch Advisory Committee is to foster cooperation, communication, coordination, and collaboration among the three branches of state government.

You are receiving this letter because you are referenced in Section 1(3-7) of the bill as a party entrusted with appointing a representative to this important committee. With Section 3 of the bill vetoed, Senator Jamie Pedersen and I will be acting as the initial conveners.

The first meeting will be held on Friday, June 17, 2022. Please provide your designee's name and contact information, as well as any recommendations for agenda items, by April 29, 2022.

I look forward to working with you all.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven C. González".

Chief Justice Steven C. González

# COUNTY ROAD ADMINISTRATION BOARD

	<u>COUNTY COMMISSIONERS/ COUNCIL MEMBERS</u>	<u>COUNTY ENGINEERS</u>
<b>1965:</b>	<p>Harry Sprinker, Pierce</p> <p>Lee Crossen, Yakima</p> <p>Frank Guest, Island</p> <p>M. O. "Bud" Olsen, Lincoln</p> <p>John Pearseall, Grays Harbor</p> <p>Jack Abrams, Okanogan</p>	<p>Emil Barcklay, Pend Oreille</p> <p>John Arrasmith, Spokane</p> <p>Cecil Kinder, Clark</p>
<b>1966:</b>	<p>Jack Abrams, Okanogan</p> <p>Lee Crossen, Yakima</p> <p>Frank Guest, Island</p> <p>M. O. "Bud" Olsen, Lincoln</p> <p>John Pearsall, Grays Harbor</p> <p>Harry Sprinker, Pierce, Chair</p>	<p>Emil Barcklay, Pend Oreille</p> <p>Cecil Kinder, Clark</p> <p>John Arrasmith, Spokane</p>
<b>1967:</b>	<p>Jack Abrams, Okanogan</p> <p>Lee Crossen, Yakima</p> <p>Frank Guest, Island</p> <p>M. O. "Bud" Olsen, Lincoln</p> <p>John Pearsall, Grays Harbor</p> <p>Harry Sprinkler, Pierce, Chair</p>	<p>Emil Barcklay, Pend Oreille</p> <p>Cecil Kinder, Clark</p> <p>John Arrasmith, Spokane</p>
<b>1968:</b>	<p>Harry Sprinkler, Pierce</p> <p>Jack Abrams, Okanogan</p> <p>Angus McDonald, Yakima</p> <p>Frank Guest, Island</p>	<p>John Arrasmith, Spokane</p> <p>Emil Barcklay, Pend Oreille</p> <p>Cecil Kinder, Clark</p> <p>Don West, Chelan</p>



**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

	M.O. "Bud" Olsen, Lincoln	
<b>1969:</b>	Frank Guest, Island  George Huntingford, Jefferson Angus McDonald, Yakima  Wes P. Brown, Benton Wallace Ramsdell, Pierce Lloyd Farmer, Douglas	Harry Martin, Snohomish Donald West, Chelan  Mitt Sanstrom, San Juan
<b>1970:</b>	Wes Brown, Benton  Lloyd Farmer, Douglas  Thomas Forsythe, King George Huntingford, Jefferson Lee Strand, Stevens Angus McDonald, Yakima	Harry Martin, Snohomish Jack Norelius, Skamania Donald West, Chelan
<b>1971:</b>	Wes Brown, Benton Lloyd Farmer, Douglas Thomas Forsythe, King Russell Hawkins, San Juan Lee Strand, Stevens Angus McDonald, Yakima	Peter Hemstead, Grant Gary Gasaway, Columbia Harry Martin, Snohomish
<b>1972:</b>	Thomas Forsythe, King Lee Strand, Stevens Russell Hawkins, San Juan Martin Auseth, Mason E. W. "Bill" Parsons, Spokane Wes Brown, Benton	Harry Martin, Snohomish Gary Gasaway, Columbia Peter Hemstead, Grant

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1973:</b>	Don Whitmill, San Juan Bill Parsons, Spokane  Martin Auseth, Mason Lee Strand, Stevens Thomas Forsythe, King Wes Brown, Benton	Peder Hemstead, Grant Harry D. Martin, Snohomish Gary Gasaway, Columbia
<b>1974:</b>	Don Whitmill, San Juan Bill Parsons, Spokane  Martin Auseth, Mason Lee Strand, Stevens R. A. "Omar" Youmans, Grays Harbor Thomas Forsythe, King	Gary Gasaway, Columbia Harry D. Martin, Snohomish Lloyd Johnson, Skagit
<b>1975:</b>	Don Whitmill, San Juan Lenore Lambert, Yakima Terry Unger, Whatcom Lee Strand, Stevens R. A. "Omar" Youmans, Grays Harbor Thomas Forsythe, King	Glen Oliver, Lincoln Lloyd Johnson, Skagit Harry Martin, Snohomish
<b>1976:</b>	Don Whitmill, San Juan Lenore Lambert, Yakima George Sheridan, Pierce Harry Wegner, Whitman R. A. "Omar" Youmans, Grays Harbor Terry Unger, Whatcom	Glen Oliver, Lincoln Jan Rosholt, Clark Lloyd Johnson, Skagit
<b>1977:</b>	Jack Peek, Wahkiakum Ray Christensen, Spokane Jim Rogers, Franklin Terry Unger, Whatcom Pat Gallagher, Pierce Harry Wegner, Whitman	Jan Rosholt, Clark John Trent, Pacific Glen Oliver, Lincoln

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1978:</b>	Jack Peek, Wahkiakum Ray Christensen, Spokane Harold Cooper, Lewis Pat Gallagher, Pierce Jim Rogers, Franklin Harry Wegner, Whitman	Glen Oliver, Lincoln Jan Rosholt, Clark John Trent, Pacific
<b>1979:</b>	Jack Peek, Wahkiakum Harold Cooper, Lewis Pat Gallagher, Pierce  Roy Lumaco, Kittitas Ray Christensen, Spokane Jim Rogers, Franklin	Glen Oliver, Lincoln John Trent, Pacific Jerry Weed, Snohomish
<b>1980:</b>	Jack Peek, Wahkiakum Harold Cooper, Lewis  Pat Gallagher, Pierce  Harmon Johnson, Walla Walla Roy Lumaco, Kittitas Ray Christensen, Spokane	Glen Oliver, Lincoln Gene Sampley, Skagit Jerry Weed, Snohomish
<b>1981:</b>	Jack Peek, Wahkiakum  Harold Cooper, Lewis  Jake Bujacich, Pierce  Chuck Klarich, Yakima Roy Lumaco, Kittitas Harmon Johnson, Walla Walla	Herb Pease, Pend Oreille Gene Sampley, Skagit Jerry Weed, Snohomish

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1982:</b>	Jack Peek, Wahkiakum  Harold Cooper, Lewis  Roy Lumaco, Kittitas Harmon Johnson, Walla Walla Jake Bujacich, Pierce Chuck Klarich, Yakima	Herb Pease, Pend Oreille Gene Sampley, Skagit Jerry Fay, Clark
<b>1983:</b>	Andy Rustemeyer, Lincoln  Harold Cooper, Lewis Roy Lumaco, Kittitas Harmon Johnson, Walla Walla Jake Bujacich, Pierce Chuck Klarich, Yakima	Herb Pease, Pend Oreille Al Williams, Thurston Jerry Fay, Clark
<b>1984:</b>	Jack Bujacich, Pierce Harmon Johnson, Walla Walla Roy Lumaco, Kittitas Annette McGee, Mason Andy Rustemeyer, Lincoln Chuck Klarich, Yakima	Jerry Fay, Clark Herbert Pease, Pend Oreille Al Williams, Thurston
<b>1985:</b>	Jack Bujacich, Pierce Harmon Johnson, Walla Walla Bruce Whitemarsh, Franklin Annette McGee, Mason Andy Rustemeyer, Lincoln Chuck Klarich, Yakima	George Stillman, Clark Herbert Pease, Pend Oreille Al Williams, Thurston
<b>1986:</b>	Jack Bujacich, Pierce Don Sorenson, Kittitas Bruce Whitemarsh, Franklin Andy Rustemeyer, Lincoln Chuck Klarich, Yakima	George Stillman, Clark Al Williams, Thurston Marv Carroll, Whitman

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

	Annette McGee, Mason	
<b>1987:</b>	W.H. "Bill" Mahan, Kitsap Don Sorenson, Kittitas  Bruce Whitemarsh, Franklin Brian Corcoran, Snohomish Annette McGee, Mason Andy Rustemeyer, Lincoln	George Stillman, Clark Marvin Carroll, Whitman Gary Gasaway, Columbia
<b>1988:</b>	W.H. "Bill" Mahan, Kitsap Don Sorenson, Kittitas  Bruce Whitemarsh, Franklin Don Britton, Snohomish Annette McGee, Mason Andy Rustemeyer, Lincoln	Lou Haff, King Marvin Carroll, Whitman Gary Gasaway, Columbia
<b>1989:</b>	Jay Weber, Douglas Richard Maruhn, Cowlitz Charles Gorden, Pierce  Douglas Corliss, San Juan Annette McGee, Mason Graham Tollefson, Yakima	Lloyd Berry, Chelan Lou Haff, King Gary Gasaway, Columbia
<b>1990:</b>	Jay Weber, Douglas Richard Maruhn, Cowlitz Gordon Koetje, Island  Marie Bremner, Ferry Bill Stoner, Pierce Graham Tollefson, Yakima	Lloyd Berry, Chelan Lou Haff, King Gary Gasaway, Columbia

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1991:</b>	Jay Weber, Douglas Richard Maruhn, Cowlitz  Gordon Koetje, Island  Marie Bremner, Ferry Bill Stoner, Pierce Graham Tollefson, Yakima	Lloyd Berry, Chelan Jay Armstrong, Thurston Gary Gasaway, Columbia
<b>1992:</b>	Bill Stoner, Pierce  Win Granlund, Kitsap  Gordon Koetje, Island  Marie Bremner, Ferry Jay Winter, Lewis Jay Weber, Douglas	Steve Stanton, Walla Walla Jay Armstrong, Thurston Gary Gasaway, Columbia
<b>1993:</b>	Jay Weber, Douglas  Bill Stoner, Pierce  Marie Bremner, Ferry  Robby Robinson, Skagit Win Granlund, Kitsap Mary Seubert, Kittitas	Jay Armstrong, Thurston Steve Stanton, Walla Walla Ron Loewen, San Juan
<b>1994:</b>	Marie Bremner, Ferry  Robby Robinson, Skagit  Win Granlund, Kitsap  Mary Seubert, Kittitas Jay Weber, Douglas John Magnano, Clark	Steve Stanton, Walla Walla Ron Loewen, San Juan Jay Armstrong, Thurston

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1995:</b>	Win Granlund, Kitsap  Mary Seubert, Kittitas Jay Weber, Douglas  John Magnano, Clark Harvey Wolden, Skagit Gary Kohler, Ferry	Steve Stanton, Walla Walla Ron Loewen, San Juan Jay Armstrong, Thurston
<b>1996:</b>	Robert Imhof, Whatcom  Mary Seubert, Kittitas  Jay Weber, Douglas  Ken Madsen, Pierce Harvey Wolden, Skagit Gary Kohler, Ferry	Steve Stanton, Walla Walla Walt Olsen, Pend Oreille Jack       Bilsborough, Snohomish
<b>1997:</b>	Robert Imhof, Whatcom  Mary Seubert, Kittitas  Jay Weber, Douglas  Harold Moss, Pierce Harvey Wolden, Skagit Gary Kohler, Ferry	Steve Stanton, Walla Walla Walt Olsen, Pend Oreille Jack       Bilsborough, Snohomish
<b>1998:</b>	Robert Imhof, Whatcom  Mary Seubert, Kittitas  Don Scheibe, Asotin  Harold Moss, Pierce Harvey Wolden, Skagit Gary Kohler, Ferry	Steve Stanton, Walla Walla Walt Olsen, Pend Oreille Jack       Bilsborough, Snohomish

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>1999:</b>	Robert Imhof, Whatcom Tim Snead, Grant  Don Scheibe, Asotin  Harold Moss, Pierce Harvey Wolden, Skagit Gary Kohler, Ferry	Ken Stone, Cowlitz Walt Olsen, Pend Oreille Jack       Bilborough, Snohomish
<b>2000:</b>	Robert Imhof, Whatcom Tim Snead, Grant  Don Scheibe, Asotin Harold Moss, Pierce Harvey Wolden, Skagit Gary Kohler, Ferry	Ken Stone, Cowlitz Walt Olsen, Pend Oreille Randy Casteel, Kitsap
<b>2001:</b>	Robert Imhof, Whatcom Tim Snead, Grant  Don Scheibe, Asotin  Harold Moss, Pierce David Carey, Walla Walla Dean Burton, Garfield	Ken Stone, Cowlitz Robert    Breshears, Lincoln Randy Casteel, Kitsap
<b>2002:</b>	Judie Stanton, Clark Tim Snead, Grant  Don Scheibe, Asotin  Harold Moss, Pierce David Carey, Walla Walla Dean Burton, Garfield	Ken Stone, Cowlitz Robert    Breshears, Lincoln Randy Casteel, Kitsap
<b>2003:</b>	Judie Stanton, Clark  Tim Snead, Grant  Don Scheibe, Asotin  Harold Moss, Pierce David Carey, Walla Walla	Jim Whitbread, Stevens Robert    Breshears, Lincoln Randy Casteel, Kitsap



**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

	Dean Burton, Garfield	
<b>2004:</b>	Patty Lent, Kitsap Judie Stanton, Clark Tim Snead, Grant Don Scheibe, Asotin David Carey, Walla Walla Dean Burton, Garfield	Thomas Ballard, Pierce Jim Whitbread, Stevens Robert Breshears, Lincoln Brian Stacy, Pierce
<b>2005:</b>	Dean Burton, Garfield David Carey, Walla Walla Patty Lent, Kitsap Greg Partch, Whitman Ray Thayer, Klickitat Marc Boldt, Clark	Jim Whitbread, Stevens Robert Breshears, Lincoln Tod LeFevre, Skamania Brian Stacy, Pierce
<b>2006:</b>	Dean Burton, Garfield David Carey, Walla Walla Patty Lent, Kitsap Ray Thayer, Klickitat Marc Boldt, Clark Doug Mattoon, Asotin	Jim Whitbread, Stevens Tod LeFevre, Skamania Brian Stacy, Pierce
<b>2007:</b>	Dean Burton, Garfield David Carey, Walla Walla John Koster, Snohomish	Jim Whitbread, Stevens Tod LeFevre, Skamania Brian Stacy, Pierce

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

	Ray Thayer, Klickitat	Drew Woods, Columbia
	Marc Boldt, Clark Doug Mattoon, Asotin	
<b>2008:</b>	Dean Burton, Garfield	Jim Whitbread, Stevens
	David Carey, Walla Walla John Koster, Snohomish	Brian Stacy, Pierce Drew Woods, Columbia
	Ray Thayer, Klickitat Marc Boldt, Clark Doug Mattoon, Asotin	
<b>2009:</b>	Dean Burton, Garfield	Jim Whitbread, Stevens
	David Carey, Walla Walla John Koster, Snohomish	Brian Stacy, Pierce Drew Woods, Columbia
	Ray Thayer, Klickitat Marc Boldt, Clark Doug Mattoon, Asotin Dale Snyder, Douglas	
<b>2010:</b>	Dean Burton, Garfield	Jim Whitbread, Stevens
	John Koster, Snohomish Ray Thayer, Klickitat	Brian Stacy, Pierce Drew Woods, Columbia
	Marc Boldt, Clark Doug Mattoon, Asotin Dale Snyder, Douglas	
<b>2011:</b>	Dean Burton, Garfield John Koster, Snohomish	Brian Stacy, Pierce Drew Woods, Columbia
	Ray Thayer, Klickitat Dale Snyder, Douglas Bob Koch, Franklin Mike Leita, Yakima	Derek Pohle, Grant

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>2012:</b>	Dean Burton, Garfield John Koster, Snohomish  Ray Thayer, Klickitat Dale Snyder, Douglas Bob Koch, Franklin Mike Leita, Yakima	Brian Stacy, Pierce Drew Woods, Columbia Derek Pohle, Grant
<b>2013:</b>	Dean Burton, Garfield John Koster, Snohomish  Dale Snyder, Douglas Bob Koch, Franklin  Mike Leita, Yakima Bill Schulte, Lewis Rob Coffman, Lincoln	Brian Stacy, Pierce Drew Woods, Columbia Derek Pohle, Grant  Mark Storey, Whitman
<b>2014:</b>	Dale Snyder, Douglas Bob Koch, Franklin  Todd Mielke, Spokane Bill Schulte, Lewis Rob Coffman, Lincoln Ken Klein, Snohomish	Brian Stacy, Pierce  Drew Woods, Columbia Mark Storey, Whitman
<b>2015:</b>	Dale Snyder, Douglas Bob Koch, Franklin  Todd Mielke, Spokane Bill Schulte, Lewis	Brian Stacy, Pierce  Drew Woods, Columbia Mark Storey, Whitman

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

Rob Coffman,  
Lincoln  
Ken Klein,  
Snohomish  
Lisa Janicki, Skagit  
Kathy Lambert,  
King

**2016:**

Dale Snyder,  
Douglas  
Bob Koch, Franklin

Todd Mielke,  
Spokane  
Bill Schulte, Lewis  
Rob Coffman,  
Lincoln  
Ken Klein,  
Snohomish  
Lisa Janicki, Skagit  
Kathy Lambert,  
King  
Al French, Spokane

Brian Stacy, Pierce

Drew Woods,  
Columbia  
Mark Storey,  
Whitman

**2017:**

Bob Koch, Franklin  
Helen Price Johnson,  
Island  
Rob Coffman, Lincoln

Lisa Janicki, Skagit  
Kathy Lambert, King  
Al French, Spokane

Brian Stacy, Pierce  
Drew Woods,  
Columbia  
Mark Storey,  
Whitman

**2018:**

Bob Koch, Franklin  
Helen Price Johnson,  
Island  
Rob Coffman, Lincoln  
Lisa Janicki, Skagit  
Kathy Lambert, King  
Al French, Spokane

Brian Stacy, Pierce  
Drew Woods, Columbia  
  
Mark Storey, Whitman

**COUNTY COMMISSIONERS/  
COUNCIL MEMBERS**

**COUNTY ENGINEERS**

<b>2019:</b>	Bob Koch, Franklin Randy Ross, Grays Harbor Rob Coffman, Lincoln Lisa Janicki, Skagit Kathy Lambert, King Al French, Spokane	Brian Stacy, Pierce Grant Morgan, Garfield  Mark Storey, Whitman
<b>2020:</b>	Bob Koch, Franklin Randy Ross, Grays Harbor Rob Coffman, Lincoln Lisa Janicki, Skagit Kathy Lambert, King Al French, Spokane	Brian Stacy, Pierce Grant Morgan, Garfield  Mark Storey, Whitman
<b>2021:</b>	Brad Peck, Franklin Rob Coffman, Lincoln Lisa Janicki, Skagit  Kathy Lambert, King Al French, Spokane Gary Stamper, Lewis	Brian Stacy, Pierce Grant Morgan, Garfield Mark Storey, Whitman Doug McCormick, Snohomish
<b>2022:</b>	Brad Peck, Franklin Rob Coffman, Lincoln Lisa Janicki, Skagit Carolina Mejia, Thurston Al French, Spokane Lindsey Pollock, Lewis	Doug McCormick, Snohomish Grant Morgan, Garfield Mark Storey, Whitman Eric Pierson, Chelan

# Member Nomination Form

**Position of Interest:**

County Design Standards Committee

**Name**

Grace Amundsen Barnkow

**Title**

County Engineer

**County:**

Pacific County

**If elected official, your current term ends?**

**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:**

Pacific County has a lot of interest in standards that are relevant and usable by rural jurisdictions. Personally, I have a background and interest in standards and policy research and development from prior City (City of SeaTac) and State (of Alaska) work, and would like to apply that experience to County Design Standards.

# Member Nomination Form

**Position of Interest:**

County Design Standards Committee

**Name**

Wayne Cornwall

**Title**

County Engineer / Public Works Director

**County:**

Stevens County

**If elected official, your current term ends?**

**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:**

As the County Engineer of a medium sized County in NE Washington I understand how design standards can be applied to a wide range of projects from highly populated bedroom communities to mountainous logging roads. In our County, we have roads that are at both ends of that spectrum. Design standards need to be adaptable and fit into each situation. My background includes resource road design at DNR, stormwater, hydraulics and transportation design at DOT and currently some of both at Stevens County. I believe I can bring an unique take on County design standards for low volume roads.

# Member Nomination Form

**Position of Interest:**

County Design Standards Committee

**Name**

Douglas D'Hondt

**Title**

County Engineer

**County:**

Benton County

**If elected official, your current term ends?**

**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?**

No

**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:**

I've been practicing engineering for more than 30 years. I have served as a county engineer for more than 12 years for two counties. I advised the APWA Division 5 committee for hot-mix asphalt and other bituminous mixtures while at Kittitas County. Benton County is experiencing growth at a rate never seen. This growth requires us to face additional transportation challenges we are working to overcome. My career and studies concentrated upon geotechnical engineering, construction and materials. I believe my experience in both public and private sector work provides a unique perspective. This is an opportunity for me to help share the decades of experience and put it to good use.



# Member Nomination Form

**Position of Interest:**

County Design Standards Committee

**Name**

Tim Elsea

**Title**

County Engineer

**County:**

Skamania County

**If elected official, your current term ends?**

**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:**

Throughout my career, I have been involved in developing several standard documents including the Idaho Standards for Public Works Construction (ISPWC), the Bonner County Idaho Road and Bridge Standards, and the Missoula County Montana Road and Bridge Standards. I believe I can bring a level of experience and perspective that can help with the development of consistent road standards.

# Member Nomination Form

**Position of Interest:**

County Road Administration Board -Fewer than 30k

**Name**

Rob Coffman

**Title**

Commissioner

**County:**

Lincoln County

**If elected official, your current term ends?**

Saturday, December 31, 2022

**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:**

April 19, 2022

To: Jamie Stephens,  
President, WSAC

Mary Kuney,  
Vice President, WSAC

Lisa Janicki, Second Vice President, WSAC

Michael  
Largent, Immediate Past President, WSAC

From: Rob Coffman, Lincoln County Commissioner

RE: County Road Administration Board Reappointment

Dear WSAC Board Members,

I am writing to respectfully request your consideration of my reappointment to the County Road Administration Board (CRAB).

I have faithfully served on CRAB since 2013, representing all of the eight counties with populations less than 30,000. I have served on the Executive Committee as Vice-Chairman for several years. Last June, I was elected by fellow CRAB members as the Chairman. This is one of my highest honors of my time as a public servant.

I am well aware of the differing perspectives surrounding the tenures of commissioners/councilpersons serving on various boards. The thought that new members should be rotated in quickly to some boards is understandable in most situations. However, in the instance of the County Road Administration Board, I believe longevity is an extremely valuable asset to counties, the Association and the CRAB. Since my tenure at CRAB, the Board has appointed two Executive Directors. This is an extremely difficult and important task. Having the institutional knowledge of the Agency is extremely

valuable.

Having a tenured person serving on CRAB is also valuable because of the fact that the Board only meets quarterly. This presents a problem for new board members in that, even after one full year, a person has only had a small opportunity to see and absorb the unique presentations and issues that are only dealt with annually. Currently, there are 4 new Board members that have less than a year in service and 3 of those 4 only have one meeting under their belt.

Being in the county family now for 11 years, I certainly understand that CRAB is one of the most highly coveted boards that a WSAC member can serve on. But, it is also probably the most important state agency for counties. I believe it is imperative, in this instance, that the WSAC Board use its discretion to reappoint those members who are passionate about county roads, have the institutional knowledge of the agency, and have the long-term commitment to better the agency and the counties it serves.

Since becoming a Commissioner in 2011, there is not another board or commission that I have served on that has more value, not only my county but to the small counties that I represent on the Board. It is an honor and a pleasure to be a part of the CRAB family. In my estimation, there is not another agency in the state that is more efficiently operated or who has more dedication to the public and to the counties that they serve.

Thank you for your time in consideration of my reappointment to CRAB.

Rob Coffman

# Member Nomination Form

**Position of Interest:**

County Road Administration Board -Fewer than 30k

**Name**

Michael Runyon

**Title**

Commissioner

**County:**

Pacific County

**If elected official, your current term ends?**

Saturday, December 31, 2022

**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:**

I, Michael Runyon, have chosen to apply for the County Road Administration Board due to the years of experience I would be able to bring to the table. I have had forty years of experience in road construction and owned a rock quarry during this time. I was Mayor of the City of Raymond for four years, managing the day to day activities and projects done by the City. I was elected to the Public Works Director position which I held for two years and sat on the City of Raymond Council for four years. With the years of experience and my interest in roads, I hope to be considered for sitting on the CRAB board.

# Member Nomination Form

**Position of Interest:**

County Road Administration Board -Fewer than 30k

**Name**

Chris Seubert

**Title**

Commissioner

**County:**

Asotin County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

In this atmosphere of limited transportation dollars, I want to be part of making sure that smaller rural counties are included with an equitable share of funding.

# Member Nomination Form

**Position of Interest:**

County Road Administration Board 30-150k

**Name**

Brad Peck

**Title**

Commissioner

**County:**

Franklin County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

I was appointed/elected to the County Road Administration board in January 2021 to complete the remaining term of retiring commissioner Bob Koch. In my short time with CRAB we have hired a new Executive Director (Jane Wall), worked diligently through an unusually difficult legislative session to protect county transportation interests, and welcomed multiple new CRAB members. I would very much like to continue serving WSAC interests on the CRAB and request my fellow commissioners support for reappointment to my first full term on the CRAB.

# Member Nomination Form

**Position of Interest:**

County Road Administration Board 30-150k

**Name**

Art Swannack

**Title**

Whitman County Commissioner

**County:**

Whitman County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

I am interested in serving on CRAB board because it is the board that decides on and oversees the basic funding we as counties need to operate our local roads and keep them up. I've been impressed with its ethical and effective operation and having had Mark Storey as our County engineer, I've learned from him about its importance. I'm serving my second term on FMSIB, have previously served on WSAC's transportation subcommittee with Jane Wall and am currently serving by request of WSAC with Temple Lentz on the WSDOT NHFP local freight funding project selection committee for local programs. I believe my 10 years as a County Commissioner plus the transportation program related experience would allow me to serve you well on Crab Board.

Sincerely  
Art



# Member Nomination Form

**Position of Interest:**

County Road Administration Board 30-150k Engineer

**Name**

Eric Pierson

**Title**

Director/County Engineer

**County:**

Chelan County

**If elected official, your current term ends?**

**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:**

I would like to re-apply to this position I am currently serving. Since being appointed I have had the opportunity to serve in this capacity for one board meeting. I believe my background serving as a past president in WSACE and other duties have given me the experience to represent and contribute to the Board to represent all counties.

# Member Nomination Form

**Position of Interest:**

Bridge Advisory Committee

**Name**

Matt Pietrusiewicz

**Title**

County Engineer

**County:**

Yakima County

**If elected official, your current term ends?**

**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:**

Yakima County has 308 bridges and 267 short span structures on our system. We have a bridge engineer and certified inspectors on staff. I have 24 years of experience maintaining, operating and replacing these structures. Together with my experience and the expert resources available, I think I would bring some unique, useful and relative perspectives to the Committee.

# Member Nomination Form

**Position of Interest:**

Bridge Advisory Committee

**Name**

Jeremy Weiland

**Title**

County Engineer

**County:**

Columbia County

**If elected official, your current term ends?**

**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:**

I am interested in serving on the Bridge Advisory Committee as I am a County Engineer for Columbia County, a County with Bridges which seeks funding through the Local Agency Bridge Program. I want to generally gain a better understanding of how this Program works while being engaged and working with piers that are more advanced in their experience and with those that are learning as I am.

I have been licensed as a Professional Engineer since 2008, I will bring practical experience to the Committee. I pride myself as being objective.

I want to be involved in the higher level processes that impact the environment in which I operate.

# Member Nomination Form

**Position of Interest:**

Transportation Improvement Board - Planning Director or Manager

**Name**

Derrick Braaten

**Title**

Planning & Building Director

**County:**

Franklin County

**If elected official, your current term ends?**

**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:**

One of the primary factors in land-use development when seeking to create a high quality of life is to ensure transportation elements are properly planned and adequate for the affected community. I can bring extensive knowledge of how to balance, and what is necessary to implement, the needs of transportation system users, whether for commercial transport, commuting, bike/ped facilities, or transit. I possess over 20-years of experience in land-use development, with the last 14-years in the public sector as a land-use planner, and almost 10-years (2012 to present) as a department director. I have extensive knowledge of both rural and urban planning, represented the City of Airway Heights, WA (one of the fastest growing cities in WA, between 2007 and 2018) on the Spokane Regional Transportation Council (SRTC) TAC for over 6-years, participated in the regional transportation project review and grading of proposals for jurisdictions in the Spokane MPO, many of which transitioned across jurisdictional and urban/rural boundaries. I have over 3-years experience in rural land-use planning in one of the fastest growing Counties in WA, Franklin County. I have participated in the designing, planning, and implementation of a variety of road projects, from residential streets and bike/ped facilities, to highway corridor improvements and subarea planning.

# Member Nomination Form

**Position of Interest:**

Transportation Improvement Board - Planning Director or Manager

**Name**

Scott Chesney

**Title**

Planning Director

**County:**

Spokane County

**If elected official, your current term ends?**

**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:**

Linking transportation investments to urban and regional planning has the potential to add value to economic development and quality of life.

# Member Nomination Form

**Position of Interest:**

Transportation Improvement Board - Less than 125k

**Name**

Scott Hutsell

**Title**

Commissioner

**County:**

Lincoln County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

I am currently serving in this position and would love to continue representing small counties on the TIB Board. I have found my experience so far to be very rewarding. TIB and it's programs do terrific street, sidewalk and road projects in Washington's cities and counties both large and small and touch all corners of our state. It would be my honor to continue to serve on the TIB board representing small Washington counties. Thanks Scott

# Member Nomination Form

**Position of Interest:**

Transportation Improvement Board - Less than 125k

**Name**

Brian Shinn

**Title**

County Commissioner, Dist. 1

**County:**

Asotin County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

I have served on the local Public Transit Benefit Area board, the Lewis-Clark Valley MPO board and the Palouse RTPPO board since elected in 2011. I would like to bring my experience at the local level to the state level for TIB, helping make sure all counties receive support for local and regional projects as a part of the state goals and plans.



# Member Nomination Form

**Position of Interest:**

Transportation Improvement Board - More than 125k

**Name**

Sam Low

**Title**

Council Member

**County:**

Snohomish County

**If elected official, your current term ends?**

Wednesday, December 31, 2025

**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:**

I currently serve on on TIB board as Chair and would like to continue on for another term. I am currently chair of the Snohomish County Public Works and Infrastructure Committee and a Commissioner with the Washington State Traffic Safety Commission. If you have any questions please call 425 923-9662.  
Sam

# Member Nomination Form

**Position of Interest:**

Forensic Investigations Council

**Name**

Arne Mortensen

**Title**

County Commissioner

**County:**

Cowlitz County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

I have a BS in Physics and a PhD in Oceanography. Those disciplines require a strong understanding of data collection and processing.

I am patient seeker of objective facts and strong analyst of those facts. I have curiosity about the world as a holistic entity that includes all aspects of interactions with life and the physical world.

I learn quickly and adapt to situations as required.

As to confidentiality I have had rigorous security clearances from the AEC (FERC today) and the DoD (TS with SBI).

I have wide experience in various cultures, and I am bilingual (Spanish at one time was my first language.)

# Member Nomination Form

**Position of Interest:**

Freight Mobility Strategic Investment Board

**Name**

Randy Neatherlin

**Title**

County Commissioner

**County:**

Mason County

**If elected official, your current term ends?**

Monday, January 1, 2024

**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:**

Freight mobility is core foundational element for a successful community and everyones economic viability.

I am in my third term as a Mason County Commissioner. I am elected as an Independent and am open to all opinions and positions.

I proudly served WSAC as our Mason County representative in years past.

I work hard and have been influential on getting hwy 3 recognized as a freight corridor. I have also worked with legislators and others in creating the funding mechanism needed to improve this regional freight corridor.

I was a key founder and foundational member of the very successful West Sound Alliance.

I currently serve as the Vice chair for the (PRTPO) Peninsula Regional Transportation Organization. Serving as the Mason County representative for over 10 years. Before that, I also served as a Port of Allyn Commissioner an additional 6 years.

I see this as an opportunity to better educate myself, my county and those I work with. I believe it will

also provide new opportunities for my state and local community.

I appreciate your consideration.

Randy Neatherlin  
Mason County Commissioner  
360 490 7389

# Member Nomination Form

**Position of Interest:**

Freight Mobility Strategic Investment Board

**Name**

Cory Wright

**Title**

Commissioner

**County:**

Kittitas County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

Prior to office, I spent 20 years in the private sector serving in the maritime industry in both marine terminal management as well as marine transportation. I saw firsthand the challenges experienced not only on the part of the freight industry and shippers, but also the neighborhoods, local businesses, and commuters affected by congestion. As part of a market segment heavily dependent on public infrastructure construction, maintenance, and improvement, I also witnessed firsthand the positive ripple effects on a region when strategic public investments are made to support economic vitality.

Presently, I lead a county pivoting to change our past mistakes and unfriendly business reputation to being recognized a blank slate for future growth, and as a conduit for goods moving from Eastern Washington to Puget Sound ports. I have already worked to expand our airport and surrounding business park by investing in staffing, equipment, and mitigation of land conditions which would create a barrier to private investment. My partnership with our vibrant hay export industry also puts me in a key position to understand the issues around freight mobility needing to be tackled on a larger scale.

I look forward to the opportunity to serve and

appreciate the consideration given to my application.

# Member Nomination Form

**Position of Interest:**

Pipeline Safety Citizens Advisory Committee

**Name**

Jerome Delvin

**Title**

Commissioner

**County:**

Benton County

**If elected official, your current term ends?**

Tuesday, December 31, 2024

**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:**

Reappointment



### **Resolution 2022-08**

**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 are two vacancies on the County Design Standards Committee, and

**WHEREAS**, the following County Engineers have sought nomination for these vacancies:

**Grace Amundsen Barnkow, Pacific County Engineer**  
**Wayne Cornwall, Stevens County Engineer, and Public Works Director**  
**Douglas D'Hondt, Benton County Engineer**  
**Tim Elsea, Skamania County Engineer**

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

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the appointees' names to the County Design Standards Committee; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the appointees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**





### **Resolution 2022-09**

**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 Road Administration Board (Elected <30k), and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Rob Coffman, Lincoln County Commissioner**  
**Michael Runyon, Pacific County Commissioner**  
**Chris Seubert, Asotin County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors appoints the following WSAC member to the County Road Administration Board (Elected <30k):

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the appointee's name to the County Road Administration Board; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the appointees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-10**

**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 Road Administration Board (Elected 30k-150k), and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Brad Peck, Franklin County Commissioner**  
**Art Swannack, Whitman County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors appoints the following WSAC member to the County Road Administration Board (Elected 30k-150k):

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the appointee's name to the County Road Administration Board; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the appointees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-11**

**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 Road Administration Board (Engineer 30k-150k), and

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

**Eric Pierson, Chelan County Engineer, and Public Works Director**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors appoints the following individual to the County Road Administration Board (Engineer 30k-150k):

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the appointee's name to the County Road Administration Board; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the appointees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



## **Resolution 2022-12**

**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 Bridge Advisory Committee, and

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

**Matt Pietrusiewics, Yakima County Engineer**  
**Jeremy Weiland, Columbia County Engineer**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individuals to the Bridge Advisory Committee:

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominee(s) name(s) to the Washington State Department 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-13**

**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 Transportation Improvement Board (Planning Directors or Managers), and

**WHEREAS**, the following Planning Directors or Managers have sought nomination for this vacancy:

**Derrick Braaten, Franklin County Planning and Building Director**  
**Scott Chesney, Spokane County Planning Director**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individual(s) to the Transportation Improvement Board:

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominee(s) name(s) to the Washington State Department 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



#### **Resolution 2022-14**

**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 Transportation Improvement Board (Population 125k or less), and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Scott Hutsell, Lincoln County Commissioner**  
**Brian Shinn, Asotin County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individual(s) to the Transportation Improvement Board (Population 125k or less):

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominee(s) name(s) to the Washington State Department 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-15**

**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 Transportation Improvement Board (Population 125k or more), and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Sam Low, Snohomish County Councilmember**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individual(s) to the Transportation Improvement Board (Population 125k or more):

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominee(s) name(s) to the Washington State Department 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-16**

**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 Forensic Investigations Council, and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Arne Mortensen, Cowlitz County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individual(s) to the Forensic Investigations Council

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominee's names to the Washington State Governor's Office; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the nominees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**





### **Resolution 2022-17**

**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 Freight Mobility Strategic Investment Board, and

**WHEREAS**, the following Commissioners and Councilmembers have sought nomination for this vacancy:

**Randy Neatherlin, Mason County Commissioner**  
**Cory Wright, Kittitas County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following WSAC members to the Freight Mobility Strategic Investment Board:

**BE IT FURTHER RESOLVED** that WSAC staff be directed to immediately transmit the nominees' names to the Washington State Governor's Office; and

**BE IT FURTHER RESOLVED** that WSAC staff is directed to contact the nominees 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.

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



### **Resolution 2022-18**

**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 Citizens Advisory Committee on Pipeline Safety, and

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

**Jerome Delvin, Benton County Commissioner**

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors nominates the following individual(s) to the Citizens Advisory Committee on Pipeline Safety:

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

The WSAC Board of Directors of the Washington State Association of Counties was approved on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**



May 11, 2022

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

**FROM:** Eric Johnson, WSAC Executive Director

**SUBJECT:** WSAC Comprehensive Policy Manual Amendment

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### Background

The Washington State Association of Counties Board of Directors is responsible for the adoption and maintenance of a Comprehensive Policy Manual to guide the administration of the Association's business processes and functions.

Specifically, the Washington State Association of Counties Board of Directors is charged with two areas recommended for amendments:

Adopting and maintaining policies governing the general supervision over the affairs of the Association (WSAC Bylaw 3.1.a)

Adopting and maintaining personnel policies for the Association staff (WSAC Bylaw 3.1.e)

### Issue

Juneteenth was established as the 12th federal holiday on June 17, 2021, through the [Juneteenth National Independence Day Act](#). Juneteenth commemorated when the last enslaved African Americans learned they were free in 1865 in Galveston, Texas, where Union soldiers brought them the news two years after the Emancipation Proclamation.

In 2021, the Washington State Legislature passed a measure that makes Juneteenth a legal state holiday. [House Bill 1016](#), making June 19 a state employee paid holiday, was approved on a bipartisan 47-1 vote in the Senate and an 89-9 vote.

Currently, the WSAC Comprehensive Policy Manual stipulates which paid holidays are provided:

All full-time employees will be entitled to the following holidays:

New Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday of September
Thanksgiving Day	4 <sup>th</sup> Thursday of November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25
Four Personal Days	

WSAC provides four personal holidays, three of which are replacements for the three federal and state holidays that WSAC remains open: Martin Luther King Jr. Day, Presidents Day, and Veterans Day. WSAC is open on MLK and Presidents Day because the legislature works these days. Veterans Day has either fallen on or near the WSAC Annual Conference requiring WSAC staff to attend or prepare for the conference.

### Discussion

WSAC policy has historically provided that WSAC employees received the same paid legal holidays as state and county employees. As noted above, this has varied based on our work demands and schedules. There are no universal work schedule conflicts for the proposed Juneteenth Day holiday.

Additionally, WSACs' Employee Retention policy notes the significance of "providing appropriate and competitive salary and benefits to WSAC employees...". Adding Juneteenth Day as a paid holiday is consistent with the goal and intent of competitive benefits.

### Recommendation

Staff recommends, in consultation with the WSAC Executive Committee, the following amendment to the WSAC Comprehensive Policy Manual:

#### Holidays

All full-time employees will be entitled to the following holidays:

New Year's Day	January 1
Memorial Day	Last Monday in May
<u>Juneteenth Day</u>	<u>June 19</u>
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday of September
Thanksgiving Day	4 <sup>th</sup> Thursday of November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25
Four Personal Days	

Holidays will be paid for those in paid status before and after the holiday. Holiday pay is for 8 hours maximum. If working a part-time schedule, only the regular amount of scheduled hours will be paid. If normally scheduled to work a shift greater than 8 hours, the difference in hours must be made up throughout the remainder of the week or taken as vacation leave.

Whenever a holiday, as herein referenced:

- Falls upon a Sunday, the following Monday is the recognized holiday; or
- It falls upon a Saturday; the preceding Friday is the recognized holiday.



## Resolution 2022-19

**WHEREAS**, The Washington State Association of Counties Board of Directors is charged with adopting and maintaining the WSAC Comprehensive Policy Manual; and

**WHEREAS**, The Washington State Association of Counties Board of Directors acknowledges its responsibility to periodically modify and amend WSAC Comprehensive Policy Manual; and

**WHEREAS**, The Washington State Association of Counties Board of Directors is charged with:

- Adopting and maintaining policies governing the general supervision over the affairs of the Association (WSAC Bylaw 3.1.a)
- Adopting and maintaining personnel policies for the Association staff (WSAC Bylaw 3.1.e)

**WHEREAS**, Juneteenth was established as the 12th federal holiday on June 17, 2021, through the [Juneteenth National Independence Day Act](#); and

**WHEREAS**, Juneteenth commemorates when the last enslaved African Americans learned they were free in 1865 in Galveston, Texas, where Union soldiers brought them the news two years after the Emancipation Proclamation; and

**WHEREAS**, In 2021, the Washington State Legislature passed a measure ([House Bill 1016](#)) that makes Juneteenth a legal state holiday, and

**WHEREAS**, the WSAC Comprehensive Policy Manual stipulates which paid holidays are provided to full-time WSAC employees; and

**WHEREAS**, WSAC policy has historically provided that WSAC employees received the same paid legal holidays that state and county employee receives; and

**WHEREAS**, WSACs' Employee Retention policy notes the significance of "**providing appropriate and competitive salary and benefits to WSAC employees...**"; and

**WHEREAS**, Staff recommends, in consultation with the WSAC Executive Committee, amending the WSAC Comprehensive Policy Manual to include Juneteenth as a paid holiday for WSAC employees:

**WHEREAS**, the WSAC Board of Directors has reviewed and discussed the merits of this proposed amendment;

**NOW, THEREFORE, BE IT RESOLVED** that the Washington State Association of Counties Board of Directors approves amending the WSAC Comprehensive Policy Manual to include Juneteenth as a paid holiday for WSAC employees.

Approved by the Board of Directors of the Washington State Association of Counties on May 11, 2022.

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**Jamie Stephens, WSAC President**

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**Lisa Janicki, WSAC Second Vice President**

**May 11, 2022**

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

**FROM:** Eric Johnson, WSAC Executive Director

**SUBJECT:** Statewide Board and Committee Appointment Process Review

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### **Background**

The Washington State Association of Counties Board of Directors is responsible for adopting and maintaining a Comprehensive Policy Manual to guide the administration of the Association's business processes and functions.

One specific Policy within the Comprehensive Policy Manual is currently subject to review:

#### ***Part 8 – Board and Commissions***

Specifically, the Washington State Association of Counties Board of Directors is charged with two areas associated with appointments and nominations to statewide boards and committees:

Adopting and maintaining policies governing the general supervision over the affairs of the Association (WSAC Bylaw 3.1.a)

The Board shall review and approve nominations to state boards and commissions as required by law or when requested by the State of Washington, NACo, or other organizations, or may delegate such authority to the Executive Committee. All vacancies will be announced in the Association publications before action. Interested Active Members may submit their names and resumes for any position. (WSAC Bylaw 3.1.d)

WSAC Comprehensive Policy Manual currently has a "Boards & Commissions" policy section. This section describes and guides the manner WSAC Board of Directors solicits self-nominations and selects members to serve as a county representative on one or more of the many statewide boards, commissions, committees, task forces, and workgroups as stipulated in statute or by request of an authorizing body.

WSAC's 2022-2023 Strategic Plan created several actions related explicitly to WSAC's role in appointing and nominating members to statewide boards and committees, including the following direction:

"Review WSAC Boards and Commissions Appointment Process to reflect the need to incorporate newly elected officials and address the participation of more members, diversity of member nominees and appointments, length of the representation, etc."

### **Discussion**

The WSAC Executive Committee asked several WSAC members, comprising both "tenured" WSAC members and more recently elected members, to participate in a *WSAC Boards and Commissions Appointment Process Review Committee*. The following WSAC members (joined periodically by WSAC Executive Committee Members) have met five times since March 9 to review the current WSAC Board and Commissions Policy and initiate a DRAFT revised Boards and Committee Policy for consideration by the WSAC Board of Directors:

Kitsap County Commissioner Rob Gelder  
Klickitat County Commissioner Dave Sauter  
Snohomish County Councilmember Megan Dunn  
Clallam County Commissioner Mark Ozias  
Stevens County Commissioner Wes McCart  
Thurston County Commissioner Carolina Mejia  
Lewis County Commissioner Lindsey Pollock

Initial meetings of the *WSAC Boards and Commissions Appointment Process Review Committee* focused on:

- Review the current Boards and Commissions' Policy;
- Discuss Policy, procedures, and other areas to consider in our review;
- Scoping areas and issues to consider during the policy review and update.

The scoping process identified vital areas and elements for consideration:

- **Principles** – the importance of stating clear, intentional principles to guide both the development of a boards and committee policy but guidance to staff and members in implementing Policy.
- **Terms** – Should an incumbent get an automatic additional term/or should there be limits on the length of service on anyone's board/commission/committee; reasons not to reappoint? Meeting attendance? Providing reports or not? Representing WSAC Policy or not?
- **Authorities** – of the Board, the Executive Committee, any independent authority that might be granted to the Executive Director or other delegated authorities.
- **Recruitment and Nomination Process** – assure that we adequately reach members and eligible nominees/applicants. Provide for direct recruitment—targeted outreach.
- **Application Process** – Reviewing the existing manner WSAC members and others apply to serve on a statewide board and committee, including collecting application materials, demographic information, and questions that need to be consistently asked.
- **Selection Process** – Establish considerations that provide objective, intentional, and Policy-driven criteria that reflect association goals associated with qualifications, balance, newly elected officials, participation and engagement of more members, diversity of member nominees and appointments, length of the representation, etc.

Our initial goal was to bring a proposed/draft policy for consideration at the May 11, 2022, WSAC Regular Board of Directors meeting. While the Committee has a proposed DRAFT for your consideration (attached), there is more work to do. At this meeting, we will seek your feedback and input on the current proposal with the intent of bringing forth a final proposal for consideration by the WSAC Regular Board of Directors meeting on September 22, 2022, in Kittitas County.

It is also envisioned that this Policy will work in conjunction with some additional tools we are working on to "Create a Board and Commission dashboard for those - WSAC nominates or appoints - with front-facing data to show upcoming openings, current incumbents, and other information." We will be starting work on this in late 2022.

Please review the attached DRAFT of a revised Boards and Committee Policy and come prepared to offer your thoughts, ask questions, seek clarification, and provide input as the *WSAC Boards and Commissions Appointment Process Review Committee* works to finalize a proposal for consideration by the WSAC Board of Directors on September 22, 2022, in Kittitas County.

## **DRAFT UPDATE as of 5.4.2022**

### **Part 8 – Boards & Committees**

The Washington State Association of Counties (WSAC) endeavors to establish, maintain and implement a Statewide Boards and Committees Policy that reflects the values of our organization. Collectively, Washington's counties derive strength from their diversity. It is important that this policy, and the appointment and nomination to statewide boards and committees be guided by these principles:

- Develop and implement a statewide boards and committee recruitment, nomination and appointment process that is fully transparent and understood by the WSAC membership and agencies and organizations to which we nominate and appoint.
- Active and intentional recruitment of potential applicants and nominees to seek a broad pool of applicants representing the diversity of county elected and appointed officials' expertise, lived experiences and geographic regions.
- Assure that membership on statewide boards and committees represents the different geographic regions and political affiliations of the state.
- Intentional effort and outreach to integrate new members into the nomination and appointment process.
- Creating a culture to balance the importance on incorporating new WSAC members into statewide boards and committees while also recognizing the value of having tenured and experienced county elected and appointed officials who have expertise to serve on statewide boards and committees.
- Consideration of the racial, ethnic, socio-economic status, gender, religion, sexual orientation, gender identity, national origin, and disability of nominees and appointments in order to assure county representation on statewide boards and committees reflects the diversity in the state.
- Encourage members that have interest, experience, skills, and expertise to serve on relevant and related statewide boards and committees.
- WSAC staff and current members of statewide boards and committees will work to orient new WSAC members and others on the opportunities to represent counties on statewide boards or committees.
- WSAC members serving on statewide boards and committees are responsible to provide reports to fellow WSAC members to include online updates, posting meeting recaps, attending meetings to report and answer questions, working with Board/Committee staff to provide updates on actions taken and upcoming issues relevant to counties.



- WSAC staff shall develop online tools that shall assist members in identifying the statewide boards and committees that WSAC makes appointments and nominations to, when terms are expiring, and assists in application, nomination, and selection process.
- It is the intent that nominees and appointees represent the adopted policies and positions of the Washington State Association of Counties.

### **Terms of Service**

It is the intent of the Association to limit each WSAC members participation on any one statewide board or committee to no more than 8 years. Current statewide board or committee members are encouraged to re-apply for consecutive terms for a maximum of 8 years of consecutive service. When re-applying, applicants must describe the importance of their ongoing participation and the key issues facing the board/committee during their next term.

While there are no restrictions to serving or being appointed/nominated to more than one Statewide Board or Committee at a time, the WSAC Board of Directors, Executive Committee, and Executive Director shall make every effort to provide opportunities to all WSAC members interested in serving. In particular, recently elected and newer WSAC members are encouraged to apply but need to be made aware that the current board/committee member may be seeking an additional term.

Members that are interested in serving on a specific statewide board and committee are encouraged to understand, investigate, and learn about the organization and group they are seeking appointment and or nomination to. To the degree possible, applicants are encouraged to explore, attend, and or participate with the activities, actions, programs, and services of the statewide board or committee prior to seeking nomination or appointment.

Whenever possible WSAC should attempt to appoint alternates that can be available or serve as a replacement to assure continuity of representation.

### **Authorities**

Unless otherwise identified in statute, the WSAC Board of Directors is the primary appointing authority for all statewide boards and committees requiring WSAC appointments and nominations. While it is the intent of the Association to have these appointment and nomination decisions be made by the WSAC Board of Directors, it is recognized that timing for such action is not always possible. As such, delegated authority is provided to the Executive Committee, or the Executive Director as herein described.

To the degree possible, all positions that are vacant or that will become vacant prior or soon after a scheduled WSAC Board of Directors' meeting shall be nominated or appointed by the WSAC Board of Directors.

Vacant statewide board and committee positions that emerge or exist in the interim between meetings of the WSAC Board of Directors, the WSAC Executive Committee, or WSAC

Executive Director are granted authorities to make appointments. The primary reasons for an appointment to be made under these conditions are:

1. To assure county representation exists on statewide board and committee.
2. The initial or next meeting needing county representation of the statewide board or committee is prior to the next WSAC Board of Directors Meeting.
3. Assure a quorum of the statewide board or committee is maintained.
4. Significant policy or action is pending.

All appointments made by the Executive Committee, or the Executive Director will be reported to the WSAC Board of Directors.

### **Recruitment and Nominating Committee**

For those Statewide Board and Committee appointments and nominations coming before the WSAC Board of Directors, WSAC shall utilize a nomination committee comprised of the two most immediate past presidents, and three Active Members, one who shall be in their first two years of office, one who shall be in their third or fourth years in office, and one who shall be in their more than five years in office. Nominating Committee shall review self nomination materials and may also recruit and seek others for consideration. The Nominating Committee shall make recommendations to the WSAC Board of Directors regarding statewide board and committee nominations and appointments that may include ranking, preferences, and considerations.

For those appointments and nominations being made by the WSAC Executive Committee, the Executive Committee itself shall serve as the Recruitment and Nominating Committee.

### **Applying to Serve**

All WSAC Active Members are encouraged to self-nominate to serve as a county representative on statewide boards, committees, commissions, task forces, work groups or other bodies for which positions are available for county representation and WSAC appointment.

WSAC shall utilize a variety of recruitment and outreach tools to inform and identify potential applicants and nominees including direct marketing and contact, solicitation notices, member to member contact, as well as accessible information that includes listings of current and pending opportunities to serve, a comprehensive list of county representatives on boards and committees that includes county representatives, and terms of service information.

Application procedures:

- Active Members must apply through the Association's online application process. Application process shall seek to collect information helpful in the decision making process including:
  - Demographic information
  - Relevant knowledge, experience, and expertise

- Capacity to attend the meeting schedule for the Board/Committee
  - Interest to serve and represent broader county government interests as well as adopted WSAC policy positions where pertinent
  - Willingness to fulfill responsibility to report back to membership
  - Other Statewide Boards and Committees currently serving on
  - If seeking re-appointment, to a statewide board or committee, applicants must describe the importance of their ongoing participation and the key issues facing the board/committee during their next term.
  - Express their knowledge, understanding, past or current engagement with the statewide board or committee to which they are seeking nomination or appointment.
- WSAC staff shall notice all recruitments, vacancies and pending openings and provide reasonable notice to apply.
  - For all positions that are vacant or that will become vacant prior to the following scheduled WSAC Board of Directors' meeting, WSAC staff shall initiate recruitment no later than 3 weeks prior to the next regularly scheduled Board of Directors meeting via the Association's communication system and/or email to the Active Members, applicable affiliate members, and other interested parties.
  - The deadline for submitting application materials using the WSAC online application process is 10 days prior to the next regularly scheduled WSAC Board of Directors meeting.
  - For positions that open between regularly scheduled Board of Directors meeting and that have immediate deadlines, staff will strive to provide at least one week recruitment period.

Members that are seeking nomination or appointment to a statewide board or committee shall, if selected, regularly provide reports to fellow WSAC members to include online reporting updates, posting meeting recaps, attending WSAC meetings to report and answer questions, working with Board/Committee staff to provide updates on actions taken and upcoming issues relevant to counties.

### **Board Appointment/Nomination Process**

Each regular meeting of the WSAC Board of Directors shall include appointments and nominations to statewide boards and committees as well as time for reports from current members of statewide boards and committees.

The WSAC Board of Directors shall provide oversight to assure a consistent, transparent, and fair application, nomination, and selection process to statewide boards and committees. This shall include a systematic Board of Directors approach to include:

- Advanced meeting materials prepared by staff
- Nominating Committee Briefing
- An opportunity for each applicant to briefly speak and be available to answer any questions from members of the WSAC Board of Directors. WSAC shall make this opportunity both virtually as well as in person.
- Follow voting procedures as outlined herein

For positions that WSAC is solely providing nominations, and unless otherwise directed, the WSAC Board of Directors shall pass through to the Governor or applicable appointing authority, all nominees who meet the qualifications to serve on the statewide board or committee. WSAC may prioritize these nominations based on the recommendation of the nomination committee. In this instance, the following process is authorized:

Board of Directors' may approve that all nominees, or a selected subset of the nominees, be forwarded to the appointing authority for further review via voice vote.

For statewide boards and committees where the WSAC Board of Directors is the appointing authority, or must narrow a list of nominees, the following process will be used:

For positions receiving two statements of interest, the WSAC Board of Directors shall conduct a hand or electronic vote that captures how each member votes to determine which candidate is the nominee/appointee. For positions receiving more than two statements of interest and where it is necessary to reduce the number of nominees, the board shall conduct an exhaustive ballot voting system until it is determined which candidate(s) are the nominee/appointee.

The exhaustive ballot voting system provides that each board member cast a single vote for his or her selected nominee. If no candidate is supported by an overall majority of the Board of Directors present to vote (fifty percent plus one of the established quorum) of votes then the candidate with the fewest votes is eliminated and a further round of voting occurs. This process is repeated for as many rounds as necessary until one nominee has a majority of the Board of Directors present to vote. If more than one nominee needs to be selected, the Board shall continue to vote until a second nominee has a majority, and so on.

### **Notification of Board Appointment/Nomination**

WSAC staff is responsible for notifying applicants of the Board's decision(s) no later than 7 days after the board's vote.

A letter detailing the Board's action will be provided to the managing agency, authority, or director no later than 7 days after the board's vote.

Those nominated to the Governor for appointment by the WSAC Board of Directors must complete an online statement of interest with the Governor's Office. WSAC Staff will provide a link to this form via email no later than 7 days after the board's vote.

### **Upon Appointment**

Appointees of WSAC will represent the interests and positions of the Association and act in the best interest of all counties.

Those appointed to represent the Washington State Association of Counties on statewide boards and committees must be prepared to provide reports to fellow WSAC members to include online updates, posting meeting recaps, attending meetings to report and answer questions, working with Board/Committee staff to provide updates on actions taken and upcoming issues relevant to counties.

### **IN PROGRESS**

#### **Supporting Members on Statewide Boards and Committees**

- Facilitate orientation to statewide board or committee.
- Knowledge exchange from one committee member to the next – assist in continuity of knowledge and representation.
- Orientation for appointee/nominee to WSAC policy/relation to statewide board or committee.
- Provide a mechanism for county representatives on statewide boards and committees to seek input and guidance from WSAC Members on issues.
- Creating ability to poll WSAC members
- Broader policy document that applies to not just legislative process but statewide boards and commissions as well.
- Provide staff support and assistance to members understanding WSAC Policy
- Answering questions and seeking feedback for members on statewide board or committee.

May 11, 2022

**TO:** WSAC Board of Directors  
**FROM:** Eric Johnson, WSAC Executive Director  
**PREPARED BY:** Paul Jewell, Policy Director  
**SUBJECT:** Encumbered Lands 2022 State Supplemental Operating Budget Proviso

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**Background**

The 2022 State Supplemental Operating Budget included the following proviso on page 570, Section 310:

- (48)(a) \$10,000,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to purchase state forestland, as described in RCW 79.22.010, to begin a program to benefit counties who have lost revenue from existing state forestlands encumbered by wildlife species listed as endangered or threatened by the federal endangered species act. The department must transfer the appropriated amount into the natural resources real property replacement account in accordance with RCW 79.17.210 to purchase state forestlands.
- (b) Of the amounts provided in this subsection:
- (i) \$5,000,000 must be used to purchase state forestland for the benefit of Clallam county and Jefferson county; and
- (ii) \$5,000,000 must be used to purchase state forestland for the benefit of Pacific county, Skamania county, and Wahkiakum county.
- (c) The purchased forestlands shall be owned and managed by the department as state forest transfer lands and shall be placed in trust for the benefit of the counties. The purchase of these state forestlands is not limited to lands within the geographic bounds of the counties listed in this subsection.
- (d) The purchase of state forestlands must be made in concurrence with the Washington state association of counties before a transaction is finalized.
- (e) The department shall work with the Washington state association of counties to determine if any statutory changes are necessary to address issues regarding beneficiary revenue distribution or any other fiscal matters related to state forestlands. The department and the Washington state association of counties shall report to the legislature on any needed statutory changes by December 31, 2022.

State Forest Lands (as opposed to state forestlands) are held and managed by the Department of Natural Resources (DNR) to generate revenue for the counties (approximately \$65 million annually) in which the lands are located. There are two types of State Forest Lands – State Forest Transfer and State Forest Purchase. Counties currently receive 75% of the revenue generated on State Forest Transfer lands and 25% of the revenue generated on State Forest Purchase lands. Many counties depend on this revenue to provide services to county residents.

DNR also holds and manages State Grant Lands. State Grant Lands were granted to Washington at statehood by the federal government and benefit the construction of K-12 schools, among other various beneficiaries. Counties receive additional revenue from timber harvest on State Grant Lands through the timber excise tax.

State Forest Lands and State Grant Lands are often referred to as state trust lands.

In 1997, DNR adopted the State Trust Lands Habitat Conservation Plan (HCP) to meet the state's obligations under the federal Endangered Species Act (ESA). The long-term plan outlines how DNR will provide habitat for species, such as the northern spotted owl, that are listed as threatened or endangered under the ESA while carrying out forest management and other activities on state trust lands it manages for revenue to the beneficiaries. The adoption of the HCP created greater certainty for the state in forest harvestability and reduced liability from ESA requirements. However, it also resulted in many state trust lands that once generated funding for counties and beneficiaries becoming "encumbered" by restrictions to harvest. These encumbered state trust lands produce little or no revenue.

DNR estimates that approximately 40% of all state trust lands cannot be harvested due to various restrictions, including the HCP. Nearly 60% of the marketable timber on state trust lands exists within the restricted areas. That leaves only 40% of the commercial timber on state trust lands available for harvest.

In 2017, DNR began working with three counties – Pacific, Skamania, and Wahkiakum – to develop strategies to address the disproportionate economic impacts these communities have experienced as the state has worked to meet its obligations to comply with the ESA. These counties receive legislative capital funding (about \$4 million per year) to pay for essential community services once funded by timber revenue generated from the various state trust lands. The Legislature directed DNR to work with the three counties and other stakeholders to develop a long-term solution to the funding losses.

DNR convened the Encumbered Lands Steering Committee, which developed the Encumbered Lands Pilot Project. The proposal is to purchase replacement forestland in the counties or use a trust land exchange and reinvestment strategy to replace the loss of revenue-generating capacity on the impacted lands. The DNR Encumbered Lands proposal for the 2022 Legislative Session was \$28.3 million. The total cost identified by the steering committee is much greater.

Relevant statutes that guide State Forest Land replacement and the encumbered lands counties are:

- RCW 79.22.060
- RCW 79.22.140
- RCW 79.22.150

In 2018, DNR submitted an amendment to the HCP to adopt a long-term conservation strategy (LTCS) for the marbled murrelet. The marbled murrelet, a pigeon-sized seabird that lives along the Pacific coast of North America, is federally listed as threatened in Washington, Oregon, and California. An interim strategy to protect the marbled murrelet was included in the original HCP but never updated.

Once DNR identified their preferred alternative for the marbled murrelet LTCS (2019 HCP Amendment), WSAC became concerned about DNR's economic impact evaluation. We provided written and verbal comments that we did not believe DNR's economic impact evaluation accurately captured all of the likely impacts on local government revenues and the broader direct, indirect, and induced effects on county economies.

To address the economic analysis deficits, WSAC solicited DNR and counties for funding to conduct a more thorough study. Mason Bruce & Girard were retained to perform the review, and a steering committee was formed to direct the work. The final report was completed and published in August 2021. Unfortunately, WSAC's study was completed too late to impact the adoption of the amendment to the HCP, which was finalized in December 2019.

During the 2022 Legislative Session, WSAC requested a joint legislative committee work session with the Senate Committee on Agriculture, Water, Natural Resources, & Parks and the House Committee on Rural Development, Agriculture, & Natural Resources. We presented our marbled murrelet LTCS economic impact analysis and a panel of stakeholders answered questions from committee members. After the work session, WSAC was asked to draft a budget proviso requesting funding to purchase replacement timberlands in Clallam, Jefferson, Pacific, Skamania, and Wahkiakum Counties. Senator Kevin Van De Wege (24<sup>th</sup> Legislative District) submitted the proviso for legislative consideration. The proviso was included in the final 2022 State Supplemental Operating Budget.

## Issues

The 2022 Supplemental State Operating Budget encumbered lands budget proviso is a significant return on investment considering the cost of the economic analysis WSAC produced (with Mason Bruce & Girard) on the 2019 HCP amendment. The proviso clearly states it is the beginning of a program to address this issue, opening a clear path for future appropriations. It is also the first significant investment by the state to provide funding to replace encumbered state forestlands.

The proviso also creates flexibility for when and where the replacement lands will be purchased beyond typical requirements. There is no time limit on the appropriation, and replacement lands need not be located within the same taxing district or even within the same county. WSAC is granted the authority to approve all purchases before a final decision is made, and counties will receive maximum value potential from the revenue generated on the lands. The purchased lands are designated as state forest transfer lands rather than state forest purchase lands.

The designated encumbered lands counties (Pacific, Skamania, and Wahkiakum) and stakeholders in the Encumbered Lands Steering Committee have raised concerns. Their ongoing work since 2017 has created program requirements and broad agreements among stakeholders that are not included in the proviso. The concerns include agreements about the conservation of encumbered lands once replacements have been purchased, decision-making authority for purchases, reductions in flexibility when comparing their program and the proviso, and other issues.

They have also pointed out that \$5 million is a very small portion of the total funding requirement identified by the committee to effectively address the financial impacts to the three counties alone without adding more counties to the program. They are also concerned the original encumbered lands issues have now been conflated with the identified impacts of the 2019 HCP amendment, diluting their messaging and undermining their efforts.

The proviso does raise additional issues and concerns which will need to be resolved, including:

1. While \$10 million is substantial, its application is limited to only a few of the counties impacted by the 2019 HCP amendment. It doesn't come close to meeting the revenue required to address the impacts on all affected counties effectively.
2. The proviso does not address short-term revenue reductions.
3. The proviso places a significant responsibility for implementation upon WSAC.
4. The proviso assumes there may be challenges in replacing state trust lands utilizing the current trust framework. The implementation may require creating a new trust framework.
5. If replacement lands are purchased outside of one of the five counties, what are the impacts to the "donor" counties, and how are those impacts addressed?
6. What is the process for WSAC to provide concurrence on purchase decisions?
7. How will we determine if any statutory changes are necessary to implement the program?
8. How will we address the concerns brought forward by the encumbered lands counties?



### **Next Steps**

WSAC staff plans to convene a workgroup of impacted and potentially impacted counties to consider the issues and develop recommendations and a policy for WSAC Board of Directors consideration. We plan to work closely with the DNR to sort through and identify each issue, evaluate it thoroughly, and work toward implementation of the proviso and purchasing replacement state forestlands.

We believe it is appropriate to include the impacted counties in a process that requires their engagement when purchase decisions are made, rather than leaving it up to WSAC alone. Additionally, considering the implications of a new trust model and the potential for state forestland purchases outside beneficiary counties and taxing districts will take time and discussion to evaluate and develop operating agreements.

It is also essential to fully understand the concerns expressed by the encumbered lands committee. Many of their program agreements could likely be incorporated into the implementation of the proviso.

Finally, WSAC must work with the DNR to identify any need for statutory changes and report to the legislature by the end of the year. Including a workgroup of impacted counties will improve this evaluation and provide a broad perspective of issues that may need addressing.

WSAC Comprehensive Policy Manual states that **“The President may appoint temporary committees and task forces...”**. As provided for, WSAC staff will work with President Stephens and the Executive Committee to establish a workgroup to review the issues and deliberate on the development of a decision making process for Board of Directors consideration.



**May 11, 2022**

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

**FROM:** Eric Johnson, WSAC Executive Director

**SUBJECT:** Strategic Legal Activities and Communication Program Review

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### **Background**

In May 2017, at Sun Mountain Lodge in Okanogan County, the WSAC Board of Directors and Legislative Steering Committee, with a pent-up high level of frustration with the Washington State Legislature and Executive Branch, directed the WSAC Executive Committee to develop a proposal and budget request to fund "Strategic Litigation and Communication." The WSAC Executive Committee and WSAC Board of Directors proposed a \$400,000 Strategic Litigation and Communication Program that, on November 16, 2017, the WSAC Membership unanimously supported.

### **Discussion**

WSAC staff went to work with the WSAC Executive Committee and LSC Co-Chairs on alternatives and options for program development, including the appointment of the *Strategic Litigation and Communication Workgroup* (SLAC) to recommend policies, procedures, and a 2018-2019 Action Plan.

The initial workgroup included the following membership:

Spokane County Commissioner Al French  
Wahkiakum County Commissioner Blair Brady  
Snohomish County Councilmember Brian Sullivan  
Pierce County Councilmember Derek Young  
Island County Commissioner Helen Price-Johnson  
Yakima County Treasurer Ilene Thomson  
San Juan County Councilmember Jamie Stephens  
Walla Walla County Commissioner Jim Johnson  
Thurston County Prosecuting Attorney Jon Tunheim  
Jefferson County Commissioner Kate Dean  
Mason County Commissioner Kevin Shutt  
King County Chief Civil Deputy Kevin Wright  
Whitman County Commissioner Michael Largent  
Kittitas County Commissioner Paul Jewell  
Clallam County Commissioner Randy Johnson  
Kitsap County Commissioner Rob Gelder  
Benton County Chief Civil Deputy Ryan Brown  
Lincoln County Commissioner Scott Hutsell  
Douglas County Prosecuting Attorney Steve Clem  
Douglas County Auditor Thad Duvall  
Stevens County Commissioner Wes McCart

Various staff from King, Pierce, Snohomish, and Spokane Counties participated.  
Matt Steuerwalt from Strategic Insight Partners facilitated the SLAC Workgroup.

- A Process Subcommittee developed a proposed process for how and when WSAC will utilize legal actions.
- A Strategy Subcommittee developed proposed integrated advocacy, communications, and litigation strategy.
- Other advocacy groups made presentations on their approach to legal activities, including:
  - Washington Farm Bureau
  - Washington Environmental Council
  - Washington Education Association
  - Association of Washington Business
- The SLAC Workgroup made recommendations for consideration by the WSAC Board of Directors and Legislative Steering Committee that were adopted one year later at the May 10 joint meeting at Rosario in San Juan County, including:
  - DRAFT 2019 Legislative Agenda
  - INTERIM Integrated Strategic Legislative Advocacy, Litigation and Communication Program Policy
  - DRAFT Communication and Legal Program 2018-2019 Action Plan

WSAC committed to ensuring that as we developed and implemented the SLAC program (later named Strategic Legal Activities and Communication Program), policy, and any proposed actions, we effectively communicated and engaged the “courthouse family.” We worked to regularly communicate and engage WSAC members and our partner organizations as transparently as possible as program implementation moved forward.

WSACs initial Action Plan contained measures to pursue increased communication and a variety of legal tools, including the potential for litigation.

What was abundantly clear from the discussions leading to the establishment of the SLAC Program was that it was important to members that the Association have a range of tools available to assist counties in accomplishing these goals that county leaders have for their counties:

- To keep their constituents safe.
- Provide high-quality services that citizens rely on and
- Promote strong and vibrant communities.

## Issue

It has been five years since WSAC initiated the Strategic Legal Activities and Communication Program development. During each WSAC Board of Directors meeting and at our Annual Membership Meeting, SLAC program reports are provided. Legal counsel is present to update on the current status of pending litigation. Recently, some Association members have asked for the opportunity to think about the program. If it is performing how we have intended, met our goals and expectations, are there program changes or modifications to recommend, or is there even a need for the program at all.

A small group of members, including several Executive Committee members, met to discuss the current status and merits of the program and concluded, with staff encouragement, that WSAC should conduct a systematic review of the Strategic Legal Activities and Communication Program. To that end, the WSAC Executive Committee is interested in seeking WSAC Members interested in participating in a SLAC Program Review Committee.

WSAC Staff will work with committee members to design and conduct a program review along with these anticipated parameters:

1. Defined Scope of the Program Review/Evaluation/Audience
2. Quick SWOT – Strengths, Weaknesses, Opportunities, Threats for the Program
3. Identifiable Program Goals/Objective/Process/Outcomes
  - i. How have goals been achieved?
  - ii. Are there defined outcomes?
  - iii. Are the program goals clearly stated and measurable?
  - iv. Are there other goals or outcomes that are unstated or can be identified?
  - v. Can they be evaluated or measured?
  - vi. Is there information or data to collect, and from where?
  - vii. Quantitative Analysis
  - viii. Qualitative Analysis
  - ix. Cost/benefit Analysis
  - x. Efficiency and effectiveness
  - xi. Program Alternatives

Once completed, the report, conclusions, and recommendations will be presented to the WSAC Board of Directors for consideration and deliberation.

Attached are the following materials:

- September 2017 Executive Committee Litigation and Strategic Communications Program Proposal
- May 2018 INTERIM Integrated Strategic Legislative Advocacy, Litigation and Communication Program Policy
- Strategic Legislative Advocacy, Communication, and Litigation Program 2018-2019 Action Plan
- 2018 Strategic Litigation and Communication Program Report



## Strategic Legislative Advocacy, Communication and Litigation Program

### Recommended 2018-2019 Action Plan

The Washington State Association of Counties will deploy a set of strategies and actions to assure there is an integrated and interwoven approach to:

- Legislative advocacy and government relations;
- Communication; and
- Where appropriate, legal or litigation activities.

These strategies and actions are implemented with the intent to support and advance the Association's policy agenda.

#### 2019 Legislative Advocacy Recommendation to WSAC Membership

- Request full funding (\$300 million a biennium) for indigent defense to ensure constitutional due process for all Washingtonians and to provide fiscal relief for county governments
- Support request (anticipated at \$70 million for 2019-2021 biennium) in funding for Foundational Public Health Services
- Resist new unfunded costs associated with proposed legislation or executive or judicial branch rules based on fiscal merits
- Other issues as recommended by the Legislative Steering Committee and approved by WSAC Membership

#### Communications

- Initiate significant efforts to educate legislators in their communities to support legislative advocacy priorities
- Support potential or actual WSAC legal action by communicating the county fiscal plight and how the legislature continues to fail to provide resources and tools for counties to deliver high quality public services
- Continue to aggressively communicate and highlight that
  - The state regularly imposed mandates without the necessary funds to implement;
  - The state continually shirks its responsibility to provide services and requires counties to provide them instead;

- The state forces counties to shift the county taxpayers' money that fund new state required services and programs while the state keeps its money for its own pet projects.
- Conduct public opinion research to develop key messages for communications work
- Prepare advocacy materials
- Prepare strategy and materials to communicate to Internal, External, and Stakeholders on the progress of the Strategic Legislative Advocacy, Litigation and Communication Program
- Identify and secure resources and tools to assist with expanding WSAC's Digital Media Presence & Brand Awareness

## **Litigation**

- Direct the Legal Committee to initiate review of two issues for potential legal action against the State:
  - Challenging the constitutionality of SHB 2887 requiring Spokane County to elect five County Commissioners by District. This legislation violates the uniformity clause of Article XI and creates a precedent for the legislature to impose different requirements on different counties over county objections.
  - Challenge Senate Bill 5472 (Ballot Drop Box Bill) as a violation of RCW 43.135.060, Prohibition of new or extended programs without full reimbursement as a means of getting judicial review of the strength of the unfunded mandate law and signaling to the legislature the strength of our opposition to those unfunded mandates.
- Direct Legal Committee to prepare but not file lawsuit against state for failure to provide indigent defense funding, such that legislative inaction in 2019 could result in litigation in 2020.
- Direct Legal Committee to begin research around additional causes of action, be they administrative rule, statute or constitutional.

## **Administration**

- Bylaws Review and Proposed Amendments
  - 3.17.3 Bylaws Committee
    - President Appoint Bylaws Committee
    - 3.13 Manner of Acting

- Review Bylaws for Other Necessary Amendments
- Comprehensive Business and Policy Manual Review and Amendments
  - Interim Strategic Litigation and Communication Program Policy
    - Define Vetting Procedures and Statement
    - Legal Advocacy Strategy
    - Development of Policies and Procedures for Legal Program:
      - Legal Committee
      - Board of Directors
      - Legislative Steering Committee
      - Case Management Committees
      - WSAC Staff
      - Refinement of Litigation and Legal Program Criteria
  - Legal Committee Charter Revision
  - Assess how to integrate Amicus process into the Legal Committee
- Communication with Members on Litigation Proceedings
  - Open and Transparent Process as Possible
    - Understanding the Nature of Privileged Communication
    - Guidance from Legal Counsel on under what conditions is information covered by Attorney Client Privilege
      - WSAC Executive Committee
      - Board of Directors
      - Legislative Steering Committee
      - Legal Committee
      - Case Management Committee
      - WSAC Staff, etc.
- Staffing
  - Communications
  - Attorney
  - Research Director
- Contractors
  - Communications
  - Outside Counsel
- Committee Structure
  - Legal Committee Appointments
- Fiscal and Budget
  - 2019 Budget Preparation



# **LITIGATION & STRATEGIC COMMUNICATIONS**

*Proposed by the WSAC Board of Directors*

For the past several years, WSAC members have discussed, explored and implemented activities and strategies to advance our Association's policy objectives beyond our traditional legislative advocacy approach. During the 2016 Legislative session, for example, WSAC partnered for the first time with an outside communications firm to assist with strategic messaging and communications.

In 2017, WSAC, with the lead of King County, dramatically increased its commitment to strategic communication for targeted legislative advocacy activities. WSAC undertook restructuring internal resources to add an external communication manager to increase our social media presence and support legislative advocacy. WSAC used market research, coordinated editorial board meetings throughout the state, worked with independent elected officials on public safety messaging, took on targeted legislative advocacy, and improved upon partnerships to further leverage and advance our policy goals.

In May, the WSAC Board of Directors and Legislative Steering Committee members directed the WSAC Executive Committee to prepare a preliminary 2018 budget that would allow us to continue our communication activities and implement a litigation program as a method to advance WSAC's policy goals. The consensus was that WSAC would continue to struggle to accomplish our policy objectives using only traditional legislative advocacy.

After reviewing a number of options, the WSAC Executive Committee recommends to the WSAC Board of Directors a dues supported program to carry out a new WSAC Litigation Advocacy Program and continue the enhanced communication services to support both our legislative and litigation advocacy.

The WSAC Board of Directors is set to review and discuss this proposed investment as part of the overall 2018 WSAC budget during their September 22nd meeting in Kittitas County. This is a significant decision for the Association, and we have prepared the following information for your review in advance of our meeting. We will also be reaching out and communicating with you before the meeting to better understand what your questions and thoughts are on the proposed Litigation Advocacy Program. We ask that you do everything you can to attend the meeting on September 22nd, and in the meantime, please let us know if you have any questions.

## ***WSAC Executive Committee***

***Kittitas County Commissioner, Obie O'Brien, President***

***Wahkiakum County Commissioner, Blair Brady, 1st Vice President***

***Lincoln County Commissioner, Scott Hutsell, 2nd Vice President***

***Snohomish County Councilmember, Stephanie Wright, Immediate Past President***

***Eric Johnson Executive Director***



## Litigation

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For the past several years, the WSAC Board of Directors and Legislative Steering Committee have discussed new strategies to advance our policy agenda and assure Washington's 39 Counties are fiscally sustainable. One such action that has garnered the most discussion and attention is to develop a proactive legal strategy that is integrated with legislative and communication strategies to advance WSAC's policy agenda. This proposed litigation program includes:

- Coordinating WSAC processes for making litigation decisions;
- Coordinating with WSAC members and partners (WAPA, WACO, etc.);
- Conducting financial and legal research and/or managing research projects to support litigation;
- Submitting amicus briefs on existing cases;
- Coordinating member counties' participation in litigation;
- WSAC intervention in litigation;
- WSAC serving as lead plaintiff to initiate litigation;
- Managing outside counsel when utilized, and;
- Participating in settlement negotiations.

Our objective is to utilize litigation as a tool to advance WSAC's policy goals by creating leverage with the legislature and executive branch. In some cases, the legislature and executive branch are only likely to act on WSAC's specific policy objectives, such as blocking new unfunded mandates or providing adequate funding for indigent defense, under the threat of litigation or after a court mandate. A permanent litigation program within WSAC will make the legislature and state agencies think more carefully about the needs of counties. For this to work, the state must know that WSAC is willing and able to challenge any adverse action or enforce that their action be consistent with established case law.

### Legal Strategy

We recommend incrementally increasing WSAC's involvement in litigation over time between 2017 and 2019, and continuing thereafter by:

- Supporting unfunded mandate litigation on the 2017 ballot box legislation;
- Bringing at least one additional unfunded mandate type lawsuit (potentially to include a challenge to indigent defense funding) or a challenge to a state agency rule making action, late in 2018;
- Researching and developing a potential lawsuit challenging the constitutionality of the legislature's provision for counties in 2019, and;
- Maintaining these lawsuits and developing others as needed over time.

### Costs

There are new and ongoing costs for WSAC to manage and support a new litigation program, including internal staff costs. At the outset, these cases will require fairly intensive research. Most of these cases will likely include some argument about funding county government. This will require unique financial research, potentially even in the forensic accounting field. While we will work closely with counties to garner information, there will be significant coordination effort involved.

WSAC will also incur costs for maintaining lawsuits including: legal research; discovery (interrogatories, depositions, document production); drafting; motions practice; settlement negotiation; expert witnesses; exhibit preparation; courtroom time; court records, appeals; court filing fees; expert witness fees; court reporter fees; copying; and mailing.

## Litigation *Continued*

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### Costs Continued

The WSAC Litigation Advocacy Program would be integrated with legislative and communications tactics. The program would be implemented by:

1. Hiring a full-time staff attorney for the majority of the legal work. If WSAC need outpaces the capacity of a full-time litigator, outside counsel could be retained with specific member approval;
2. Shifting the responsibilities of the Director of Policy and Legislative Relations/General Counsel out of day-to-day lobbying in order to manage the legal and legislative advocacy activities. The current day-to-day lobbying would be shifted to a new ½ time contract lobbyist, and;
3. Purchasing ½ of the current Research Director's time that is currently paid by the Washington State Association of County Engineers to focus on supporting litigation.

In 2018 the total cost to implement the litigation strategy described would be \$297,000.

## Strategic Communications

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Staff has identified three strategies that will

- Increase WSAC's overall brand awareness,
- Create more public awareness of county services, and
- Support an issue specific campaign focused on policy makers and interest groups to advance our policy agenda.

### Brand Awareness

**Objective:** Create more awareness of the WSAC brand throughout the state.

**Delivered Value:** More awareness of the brand will increase the reputation of WSAC among peer associations, the legislature, and the public.

**Approaches:** Targeted campaigns on various media platforms about who WSAC is and the importance of county services.

**Budget Allocation:** \$10,000

### Public Awareness ("why counties matter")

**Objective:** Campaigns focused on what counties do with an emphasis on the county services provided and the role they play in the daily lives of citizens.

**Delivered Value:** Increase awareness of services provided by counties organizations.

**Approaches:** Develop informational resources for members to utilize at community events. Create a "counties matter" campaign on various media outlets. Provide more informational videos and online tools for members and the public.

**Budget Allocation:** \$25,000

### Issue Specific

**Objective:** Campaign focused solely on a specific policy issue or in support of WSAC priorities.

**Delivered Value:** Achieving the predetermined goal.

**Approaches:** All relevant strategies would be employed depending on what results are desired to be achieved.

**Budget Allocation:** \$65,000

## Proposed Dues

	<b>2018</b>
Total Dues	400,000
Basic Dues Rate:	2,500
Basic Dues Total:	97,500
Base POP Dues:	302,500
King Co Population Cap %:	25%
King Co Population Cap \$:	75,625
Dues Less Population Cap:	226,875

County	2017 Estimated Population (OFM - June 30)				2018 Proposed Dues			
	All Counties		Excluding King		Basic Dues	POP/Base Share	Total Dues	Cost Per Capita
	POP	%	POP	%				
Adams	19,870	0.27%	19,870	0.39%	2,500	874	3,374	0.170
Asotin	22,290	0.30%	22,290	0.43%	2,500	981	3,481	0.156
Benton	193,500	2.65%	193,500	3.75%	2,500	8,513	11,013	0.057
Chelan	76,830	1.05%	76,830	1.49%	2,500	3,380	5,880	0.077
Clallam	74,240	1.02%	74,240	1.44%	2,500	3,266	5,766	0.078
Clark	471,000	6.44%	471,000	9.13%	2,500	20,723	23,223	0.049
Columbia	4,100	0.06%	4,100	0.08%	2,500	180	2,680	0.654
Cowlitz	105,900	1.45%	105,900	2.05%	2,500	4,659	7,159	0.068
Douglas	41,420	0.57%	41,420	0.80%	2,500	1,822	4,322	0.104
Ferry	7,740	0.11%	7,740	0.15%	2,500	341	2,841	0.367
Franklin	90,330	1.24%	90,330	1.75%	2,500	3,974	6,474	0.072
Garfield	2,200	0.03%	2,200	0.04%	2,500	97	2,597	1.180
Grant	95,630	1.31%	95,630	1.85%	2,500	4,207	6,707	0.070
Grays Harbor	72,970	1.00%	72,970	1.42%	2,500	3,210	5,710	0.078
Island	82,790	1.13%	82,790	1.61%	2,500	3,643	6,143	0.074
Jefferson	31,360	0.43%	31,360	0.61%	2,500	1,380	3,880	0.124
King	2,153,700	29.46%	capped at 25%		2,500	75,625	78,125	0.036
Kitsap	264,300	3.62%	264,300	5.13%	2,500	11,628	14,128	0.053
Kittitas	44,730	0.61%	44,730	0.87%	2,500	1,968	4,468	0.100
Klickitat	21,660	0.30%	21,660	0.42%	2,500	953	3,453	0.159
Lewis	77,440	1.06%	77,440	1.50%	2,500	3,407	5,907	0.076
Lincoln	10,700	0.15%	10,700	0.21%	2,500	471	2,971	0.278
Mason	63,190	0.86%	63,190	1.23%	2,500	2,780	5,280	0.084
Okanogan	42,110	0.58%	42,110	0.82%	2,500	1,853	4,353	0.103
Pacific	21,250	0.29%	21,250	0.41%	2,500	935	3,435	0.162
Pend Oreille	13,370	0.18%	13,370	0.26%	2,500	588	3,088	0.231
Pierce	859,400	11.76%	859,400	16.67%	2,500	37,811	40,311	0.047
San Juan	16,510	0.23%	16,510	0.32%	2,500	726	3,226	0.195
Skagit	124,100	1.70%	124,100	2.41%	2,500	5,460	7,960	0.064
Skamania	11,690	0.16%	11,690	0.23%	2,500	514	3,014	0.258
Snohomish	789,400	10.80%	789,400	15.31%	2,500	34,731	37,231	0.047
Spokane	499,800	6.84%	499,800	9.69%	2,500	21,990	24,490	0.049
Stevens	44,510	0.61%	44,510	0.86%	2,500	1,958	4,458	0.100
Thurston	276,900	3.79%	276,900	5.37%	2,500	12,183	14,683	0.053
Wahkiakum	4,030	0.06%	4,030	0.08%	2,500	177	2,677	0.664
Walla Walla	61,400	0.84%	61,400	1.19%	2,500	2,701	5,201	0.085
Whatcom	216,300	2.96%	216,300	4.19%	2,500	9,517	12,017	0.056
Whitman	48,640	0.67%	48,640	0.94%	2,500	2,140	4,640	0.095
Yakima	253,000	3.46%	253,000	4.91%	2,500	11,131	13,631	0.054
<b>Totals</b>	<b>7,310,300</b>	<b>100.00%</b>	<b>5,156,600</b>	<b>100.00%</b>	<b>97,500</b>	<b>302,500</b>	<b>400,000</b>	<b>0.055</b>

## 2018 Strategic Litigation and Communication Program Report

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After several years of discussion, the WSAC Membership authorized funding for 2018 to implement a Strategic Litigation and Communication Program (SLAC). The intent of this new program is to build the Association's capacity to use legal activities in coordination with advocacy and communications, to advance Association policies.

In early 2018, WSAC Members, in partnership with other county elected and appointed officials, worked to provide guidance on both the process for the Association to determine how and when to undertake legal activities, as well as a recommending legislative and communication priorities and what initial legal activities to consider and pursue. Upon the recommendation of this group, the WSAC Board of Directors adopted an interim policy to guide the SLAC program through its early phases of implementation as well as 2018-2019 Action Plan.

WSAC has retained the services of several outside firms to assist in both legal and communication activities.

Legal – WSAC retained the Pacifica Law Group to represent and provide guidance to the Association on the following:

- Challenge Senate Bill 5472 (Ballot Drop Box Bill) as a violation of RCW 43.135.060, Prohibition of new or extended programs without full reimbursement.
- Challenging the constitutionality of SHB 2887 requiring Spokane County to elect five County Commissioners by District. This legislation violates the uniformity clause of Article XI and creates a precedent for the legislature to impose different requirements on different counties over county objections.
- Initial legal review of viability/arguments of a constitutional challenge that the state is failing to meet its constitutional duty to provide indigent defense funding.
- Research and counsel on other potential causes of actions.

Communication – WSAC is currently working with two outside firms to assist with the following items which focus on expanding WSAC's digital media presence & brand awareness:

- Aligning WSAC's digital presence and print marketing is essential to brand visibility. These two had become disjointed, and a design firm was brought in to assist with a brand refresh. With this refresh, WSAC will be able to fine-tune its brand and expand its reach using both digital and print media.

- Using new branding guidelines, Spry Digital Marketing is contracted to assist with developing a website that easily conveys information and resources for the public, legislators, and WSAC members.
- Spry Digital Marketing will also be assisting with building and expanding an online community that understands why counties are important and advocates on their behalf. This work will be part of a 6-month campaign that will begin in December 2018.
- Both digital marketing and design firms will develop style guides and resources for WSAC staff to utilize during the 2019 Legislative Session. These resources will assist in maintaining WSAC's brand across all digital and print media.

## 2018 Amicus Curie

WSAC submitted or has agreed to submit amicus curiae briefs in the five following cases:

- *Maytown Sand and Gravel v. Thurston County*, regarding whether a permittee can forego an appeal of a special use permit decision and instead pursue a damages action without exhausting administrative remedies. The Supreme Court ruled in August that the Land Use Petition Act's (LUPA) exhaustion requirement does not bar all tort claims that arise during the land use decision-making process.
- *Community Treasures v. San Juan County*, regarding whether an applicant for a county land use permit who is not satisfied with the amount charged as an application fee must follow the Land Use Petition Act's administrative process for review, or whether challenge can be brought directly to superior court. The Supreme Court ruled in October that the imposition of a permit application fee falls under the statutory definition of a land use decision under chapter 36.70C RCW (LUPA) and affirmed the lower courts' decisions that LUPA governed and the failure to file suit within the statutory requirement of 21 days barred the action.
- *End Prison Industrial Complex v. King County*, regarding whether levy lid lift measures can be challenged on non-constitutional grounds years after the proposition is approved by voters and after a county has levied the tax and expended the funds. A joint brief on behalf of WSAC and Washington State Association of Municipal Attorneys (WSAMA) was filed in September and oral arguments were heard by the Supreme Court on October 18, 2018.
- *Thurston County v. City of Olympia*, regarding 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. The Supreme Court accepted direct review, and the case may be set for the winter docket.
- *Kittitas County v. WSLCB*, challenging LSCB's determination that it does not need to consider local development regulations when reviewing applications for cannabis licenses. The case will be heard before Division III of the Court of Appeals. WSAMA filed a brief in September.

**May 11, 2022**



## **STAFF REPORTS**



**May 11, 2022**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, Executive Director

**SUBJECT:** Executive Director Report

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**National Association of Counties (NACo)**

Legislative Conference 20 WSAC members attended the NACo Legislative Conference, February 11 – 16 in Washington, DC. WSAC Officers and members did not meet with congressional delegation members and staff as most offices were closed due to the surging COVID 19 and a congressional recess.

Western Interstate Region (WIR) – This year's NACo WIR Conference is in Anchorage, Alaska, May 18-20. <https://www.naco.org/events/2022-western-interstate-region-conference>

NACo Annual Meeting – This year's NACo Annual Conference and Exposition is set for July 21-24 in Adams County, Colorado (Denver). <https://www.naco.org/events/2022-naco-annual-conference>

NACo Steering Committees – Currently, nearly 30 Washington State elected and appointed county officials are serving on NACo Steering Committees and Caucus'. Please contact me if you want to join a NACo Steering Committee or Caucus.

NACo County Elected Executives Forum: – King County will host this annual forum in early December 2022. Elected County Executives from around the nation generally attend this meeting, including County Executives for King, Pierce, Snohomish, and Whatcom counties.

NACo County Leadership Institute

The WSAC Executive Committee nominated a Mason County Commissioner to attend NACo's 18th Annual County Leadership Institute (CLI) to be held June 12-16 in person at NACo's headquarters in Washington, D.C.

<https://www.naco.org/resources/education-training/county-leadership-institute>

**Washington Counties Building**

The Washington Counties Building is co-owned by the Washington State Association of Counties WSAC and the Washington Association of County Officials (WACO). Washington Association of Prosecuting Attorneys is a tenant.

Oversight of the Washington Counties Building (WCB) is performed by the WSAC Executive Committee and WACO Officers. They generally meet at least two times each year, including to approve an operating budget for the WCB. They also provide guidance on capital improvement projects for the building. Currently, we are exploring building security options and adding EV charging stations. If you would like more information on WCB administration, please contact me.



## **Courthouse Briefings**

WSAC President Stephens and I have started our 2022 Courthouse Briefings sojourn with the intent to get to 22 counties in 2022. Our initial meetings were with Mason, Lewis, Cowlitz, and Wahkiakum counties. Here is a link to the Courthouse Briefing Document that guides our presentation as well as our legislative session report:

[http://www.wsac.org/wp-content/uploads/2022/04/WSAC\\_Courthouse\\_Briefing\\_Document\\_2022\\_Final-Web.pdf](http://www.wsac.org/wp-content/uploads/2022/04/WSAC_Courthouse_Briefing_Document_2022_Final-Web.pdf)

[http://www.wsac.org/wp-content/uploads/2022/04/WSAC\\_2022\\_End\\_of\\_Session\\_Report\\_Final-Web.pdf](http://www.wsac.org/wp-content/uploads/2022/04/WSAC_2022_End_of_Session_Report_Final-Web.pdf)

## **SWISS**

Five northwest Washington counties came together to form SWISS - Snohomish, Whatcom, Island, San Juan, and Skagit Regional Partnership (SWISS) *"to identify and advance shared priorities that will improve the quality of life of the people who live in the region."*

In early 2022, SWISS leaders reached out to WSAC to explore possible services. WSAC and SWISS have agreed on a fee for service scope of work in two program areas:

1. Meeting Management and Coordination
2. Partnership Management and Coalition Building

This work is set to start this month. Travis Dutton will be the primary assigned WSAC Staff member.

## **NACo Research Foundation (NACoRF)**

WSAC has received a \$10,000 grant from the NACo Research Foundation (NACoRF) partnership agreement to support statewide and county-based prenatal to three (PN-3) grants. Goals for NACoRF's PN3 peer learning community for state associations of counties:

- Support and provide continuing education for county leaders who are actively engaged/championing PN-3 efforts in their communities. Options WSAC staff is exploring
  - Virtual Assembly to discuss county programs in the state
  - Considering Keynote speaker – Robin Karr Morse for November to share the importance of PN-3 Programs
  - Breakout sessions at a conference with ACHS and WSALPHO
- Explore best practices and innovative PN-3 strategies among counties and increase their access to national and state reports/toolkits/peer learning experiences on PN-3, and
- Promote useful approaches and strategies for increasing state-local collaboration toward improved PN-3 outcomes.

## **Braver Angels**

For the past several months, I have been exploring with the WSAC Executive Committee about program options with an organization called Braver Angels, whose mission is to "bring Americans together to bridge the partisan divide and strengthen our democratic republic." For more information on Braver Angels, please view these resources:

- i. <https://www.braverangelswa.org/>
- ii. <https://www.seattletimes.com/seattle-news/how-can-we-heal-braver-angels-test-the-notion-of-healing-across-political-divides/>



I am starting to work with their partnership coordinator to model an agreement similar to the Minnesota Association of Counties' work. Potential programming opportunities include:

- iii. Introduce the work of Braver Angels at a virtual assembly
- iv. Red/Blue Workshop for LSC or at WSAC conference
  1. <https://braverangels.org/what-we-do/red-blue-workshops/>
- v. Have Braver Angels Co-Founder Bill Doherty as a County Leaders Conference Keynote
  1. <https://www.12geniuses.com/12-geniuses-podcast/the-future-of-political-healing>

### **Foundational Public Health Services**

I continue to participate (along with Jamie Bodden and local health jurisdiction representatives) on the Foundational Public Health Services (FPHS) Steering Committee, providing input and guidance on funding allocation and implementation. It continues to be a priority for WSAC that a basic set of capabilities and programs be present in every community to efficiently and effectively protect public health in Washington.

### **Timber Fish and Wildlife**

Washington State Counties have been an active participant in forest and fish policy for nearly three decades. WSAC is involved at varying levels, including the Cooperative Monitoring, Evaluation, and Research (CMER) Committee, Timber, Fish, and Wildlife Policy Committee, and the Principals Group. Paul Jewell, Court Stanley, and I have re-established robust and ongoing collaborative discussions and solutions. I will continue to play an active leadership role on behalf of Counties and Commissioner Raines (Forest Practices Board), Commissioner Peach, Commissioner Lannen, Court Stanley, Paul Jewell, and other members of the Timber Counties Group.

### **Executive Committee Calls**

The Executive Committee/Executive Director meets virtually every 2<sup>nd</sup> and 4<sup>th</sup> Tuesday at 8:00 a.m. This meeting keeps the Executive Committee apprised on current operational, administrative, and policy issues. They are very engaged in knowing where we are as an organization and providing guidance. They have some delegated authority to take action, but most of these meetings are informational. If you have items for the Executive Committee, please do not hesitate to contact one of the Officers or myself.

### **Public Records Requests**

One request was filled pertaining to WSAC staff salaries.

### **WSAC Membership**

Please join me in welcoming new WSAC members:

- Gov. Jay Inslee appointed Richard Rylander to the vacant District 5 seat on the Clark County Council vacated by the retirement of Eileen Quiring.

### **WSAC Staff**

We have completed the hiring of our last two staff members authorized in the 2022 WSAC Operating Budget:

Curtis Steinhauer joins the WSAC staff as our General Policy Analyst, most recently serving as the Grays Harbor Housing Program Manager.

Travis Dutton was appointed as our new Natural Resources Policy Analyst. Travis comes to WSAC from Clark County, where he oversaw solid waste programs.

Please join me in welcoming Curtis and Travis.

WSAC gathered as a 15 member team on April 19<sup>th</sup>-20<sup>th</sup> for an in-person facilitated staff workshop focusing on building organizational culture, understanding our organizational values, putting them into practice, and looking at the challenges of having virtual, remote, and in-person workplaces and looking at "big rocks" over the next 6-12 months.

**May 11, 2022**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, WSAC Executive Director

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

**SUBJECT:** Business, Finance, and Operations Report

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## **FINANCE AND ADMINISTRATION**

### **Cash**

WSAC ended the first quarter of 2022 with a total cash position of \$3,108,333. This is \$2.23 million more than the ending cash position of 2021. This is because of the collection of dues payments in the first quarter. Cash is over \$1.2 million higher as compared to the end of the first quarter of 2021; this is related to a higher beginning cash balance and the overall increase of budgeted dues. Of this amount, \$300,000 is invested in eConnectDirect CDs. Investment earnings in 2021 were not as strong as in 2020 due to lower interest rates. These investments yielded \$4,570 in 2021, \$10,273 in 2020, \$18,026 in 2019, \$6,116 in 2018 and \$3,350 in 2017.

### **Liabilities**

1st quarter total liabilities are highest this time of year due to booking deferred revenue for annual dues billed in January and not “earned” until the year progresses.

### **Budget to Actual Activity**

The combined All Funds Actual vs. Budget Summary 2022 report shows a positive bottom line of \$318,553. The virtual legislative session and some continued reduction in travel resulted in savings. The most significant source of savings was related to staff vacancies. As budgeted, the additional policy analyst positions were not filled in the first quarter. Variances highlighted in the financial report include:

- Payroll and Benefits – The YTD difference is mainly due to the vacancy of 2 positions.
- Meetings & Travel - This item is currently underspent as some meetings have remained virtual. They are expected to trend upward throughout the year now that most Covid restrictions are over.
- Conference and event over expenditures are not related to a specific event, but rather this category contains our credit card fees, which were substantially higher from some counties paying dues through a virtual card program.
- Contract Services – This category is currently underspent related to the timing of litigation activity not being as high in the first quarter. State contract spending is on target.

### **2022 Dues**

The 2022 dues billings were sent out the 2<sup>nd</sup> week of January. We have received most dues payments. Reminder statements will be sent out by the end of the month for any outstanding invoices.

Current tracking information is as follows:

#### **Dues**

General Dues – 95% collected (2 counties remaining)

Transportation Dues – 100% collected

Public Lands Dues – 92% collected (3 counties remaining)

Human Services Dues – 95% collected (2 counties remaining)  
Litigation & Communication Dues – 95% collected (2 counties remaining)  
Solid Waste Dues – 92% collected (3 counties remaining)  
Regional Planners – 95% collected (2 counties remaining)

#### Special Assessments

Coastal Counties Special Assessment – 86% collected (2 counties remaining)  
Blake Litigation – 92% collected (3 counties remaining)  
ARPA Assessment – 92% collected (3 counties remaining)

### **2022 Audit, Investment & Finance Committee**

According to the WSAC Bylaws, the Audit, Investment, and Finance Committee is set up to assist the Board of Directors in fulfilling its fiduciary, financial, investment, and compliance oversight responsibilities as defined in the Audit, Investment, and Finance Committee Charter. The committee helped to select a new audit firm. Johnson, Stone, & Pagano will now conduct annual audits and tax filings.

Activity for the Audit, Investment and Finance Committee in 2022 includes involvement in the 2020-2021 financials audit.

### **Investment Funds**

With the higher cash balance at year-end, we elected to move \$200,000 to a 3-year CD account at 1% earnings. Our other 2-year CD of \$100,000 matured in March and was rolled over into a one-year CD with a 1.15% interest rate. We will explore additional CD investments mid-summer to maximize our returns.

## **COMMUNICATIONS AND MEMBER SERVICES**

### **Meetings & Events**

#### **Virtual, Hybrid, and In-Person Events**

WSAC continues to provide conference planning support to several affiliate organizations. We did not seek to bid on continuing conference services to WSACA and lost our bid to ACCIS in 2022, so our conference load is lighter than in years past. Covid-19 considerations remain a factor in the delivery of conferences, which present several challenges for our groups.

Below you will find the current list of events WSAC staff will support in 2022:

WSALPHO Public Health Retreat | April 11-13 | Skamania County | In-Person (Completed)  
WCAA Annual Conference | April 13-15 | Chelan County | In-Person (Completed)  
WSACE Annual Conference | June 6-9, 2022 | Chelan County | In-Person  
WACSWM Annual Conference | June 13-15, 2022 | Kittitas County | In-Person  
WSALPHO Summer Meeting | June 6-8, 2022 | Chelan County | In-Person  
WSALPHO Environmental Public Health Meeting | Oct 11-13, 2022 | Chelan County | *Hybrid*  
County Leaders Conference | November 15-17, 2022 | King County | In-Person

### **Marketing and Social Media**

The WSAC social media channels participated in National County Government Month (NCGM) during April and launched a new campaign, *#WanderCounties*. WSAC sent out *#WanderCounties* marketing material, including window clings, decals, and native to Washington wildflower seed packets to all 39 counties. While NCGM has concluded, the *Wander* campaign will continue throughout the year. Counties are encouraged to participate in demonstrating the services that their counties offer and sharing the unique beauty of their region.

### **Business Partners**

The Business Partner program underwent a revitalization to create a cohesive menu of offerings for our participating partners. A newly streamlined application and contract tracking process throughout the year will now be utilized for improved transparency, communication, and administration.

## **County Development Institute of Washington (CDIW)**

Multiple new County Development Institute courses have been released this year, including *Risk Management for Counties*, *Authentic Leadership*, and *Media Relations & Communications*. An *Employment Law* course has been recorded and is currently in production with a planned release date in early June. Once released, all but the final course of the Certified Public Official (CPO) Certificate will be available. Non-CPO-related materials are now in production. The first class of *Water 101* has been recorded, while *Timber 101* and *Public Health* are in preproduction phases; all will offer general subject education to elected officials and staff. The *Learning* section of the WSAC website is also in its initial stage of being updated to become a more accessible training tool for students and the general public.

## **Job Board**

At the beginning of March, we successfully did a soft launch of the Job Board website with a limited group. As of May 1, we have over 30 employers registered throughout the state and over 25 job listings on the website. At the end of April, we sent out a survey to employers to help us identify any issues or features that could make it a more valuable resource. We plan to transition to a paid platform for employers towards the beginning of July. We are currently working on a marketing strategy for prospective job seekers.

## **Hybrid Technology**

We are excited with the initial performance of our new hybrid technology meeting kit that has been built in-house from the ground up specifically for the unique needs of WSAC for a very modest cost. It allows staff members from any technical skill level to conduct high-quality hybrid meetings for 24+ attendees on the road with an easy, intuitive, and lightweight kit that requires minimal setup and monitoring.

## **Data Management**

Collaborative research is now underway to find and implement Association Management Software for member data management and a Graphical Information System (GIS) solution for public display and integration. While this project is in its infancy, there are now monthly discovery meetings to ensure that staff can receive and provide input on the organization's data needs.

## **Appointments/Nominations to Statewide Boards & Commissions**

### **Capital Projects Advisory Review Board**

Erik Martin, Lewis County Manager

### **Community Outdoor Athletic Facilities Fund Advisory Committee**

Bob Bugert, Chelan County Commissioner

Carolina Mejia, Thurston County Commissioner

### **County Road Administration Board – Engineer 30k-150k**

Eric Pierson, Chelan County Engineer, and Public Works Director

### **Ecosystem Coordination Board**

Kevin Shutt, Mason County Commissioner

### **Ecosystem Coordination Board Alternate**

Ryan Mello, Pierce County Councilmember

### **Forensic Investigations Council (must reenter nomination once we have two nominees to forward)**

Arne Mortensen, Cowlitz County Commissioner

### **Public Defense Advisory Committee**

Tye Menser, Thurston County Commissioner

### **Washington Community Forestry Council**

Janet St. Clair, Island County Commissioner

**May 11, 2022**

**TO:** WSAC Board of Directors

**FROM:** Eric Johnson, WSAC Executive Director

**PREPARED BY:** Mellani McAleenan, Government Relations Director

**SUBJECT:** Policy & Legislative Report

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The 60-day legislative session, which adjourned sine die on March 10, was challenging this year. It was the second year in a remote-only format and tackled issues substantively more appropriate for the 105-day session in the first year of a biennium. The self-imposed limitations on bill introductions in 2021 were nowhere to be seen this year. While the Legislature only passed 340 bills in 2021's 105-day session, they still passed just over 300 bills this year - less than the historical average but high for a Zoom-based short session full of weighty topics.

Sixty-day sessions in the second year of the biennium are designed to supplement the initial 105-day session, addressing necessary caseload and budget adjustments. However, this year, the Legislature passed a \$64 billion operating budget, which was \$2 billion more than what the Governor proposed and a full \$5 billion more than the budget they passed just one year ago.

In addition to passing a historically sizeable operating budget, the Legislature did one other thing no one expected them to – they managed to pass a \$17 billion, 16-year transportation package. The so-called Move, Ahead WA package invests heavily in ferries, new and existing projects, state fish barrier removal, transit, preservation, maintenance, etc. It allocates \$80 million over the 16 years to the County Road Administration Board for local preservation.

Overall, the 2022 legislative session was relatively successful for water, land use, environment, timber, and solid waste policy. This year was likely the most robust for GMA and land use in decades.

As part of the FY 22-23 Operating Budget, the governmental public health system received an additional \$147 million for Foundational Public Health Services (FPHS), with \$49 million of this appropriation distributed in FY 23.

Exactly two months post sine die, WSAC staff remains as busy as ever. Beyond the significant achievement that is the completion of any legislative session, WSAC policy staff have accomplished the following:

**Progress Toward Implementing WSAC's 2022-2023 Strategic Plan – Policy Analyst Positions Filled**

- The two policy analyst positions authorized in last year's budget proposal were filled, and our new staff shared April 18 as their first day on the job.
  - Previously, the Housing Program Coordinator for Grays Harbor County, Curtis Steinhauer accepted the position as a general policy analyst and is rapidly coming up to speed on the American Rescue Plan Act as one of his core responsibilities.
  - Travis Dutton, formerly the Solid Waste Program Manager for Clark County Public Health, joined WSAC as a natural resources policy analyst.
- These two positions will assist WSAC with Strategic Focus #4 – Build Capacity for Data Collection, Tracking, Policy and Data Analysis, and Sharing.

### **Engagement with Other Associations, Affiliates, and Interested Parties**

- Weekly meetings during the legislative session with single county and contract lobbyists, along with the Washington Association of County Officials (WACO), Washington Association of Prosecuting Attorneys (WAPA), Washington Association of Sheriffs, and Police Chiefs (WASPC). Regular, unscheduled conversations during the interim as needs arise.
- Weekly legislative updates for the Washington Association of County Solid Waste Managers (WACSWM) and Washington State Association of County and Regional Planning Directors (WSACRP).
- The creation of bill-and budget-specific coalitions during the legislative session.
- Regular meetings with the contract lobbyist representative of the Public Works Board, during session and after that.
- Meetings with WACO, Association of Washington Cities (AWC), and WASPC regarding the state of the Local Government Fiscal Note (LGFN) process and unfunded mandates.
- There are semi-regular meetings with representatives of other local government associations, including certain particular purpose districts (quarterly outside of the legislative session, more often during the session as needed).
- Post-session coordination with the Municipal Research Services Center (MRSC).
- Bi-monthly Zoom-based discussions with the Washington County Administrators Association (WCAA).
- Post-session presentations to various entities.
- We are meeting with the Washington Technology Industry Association regarding broadband.
- 2022 Washington State Association of County Engineers (WSACE) Annual Conference planning and preparation.
- Numerous WSACE-related Board and staff meetings.
- Regular discussions with County Road Administration Board (CRAB) director.
- We meet with the AWC counterpart and others on the American Rescue Plan Act (ARPA).
- The Washington State Association of Local Public Health Officials (WSALPHO) hosted a local public health retreat in April and is now focusing on its June summer conference.
- WSALPHO has been working on mapping out a local-system workforce development plan, including partnering with the Washington State Public Health Association (WSPHA) and others.
- WSALPHO continues to work with the Department of Health, the Governor's office, federal partners, and others on COVID efforts, including pandemic response and funding.
- The FPHS steering committee is finalizing FY 23 concurrence in May.
- Continued engagement with ACHS and related workgroups.
- Work with the Prenatal-to-Three (PN-3) Peer Learning Community, part of the National Association of Counties (NACo)'s Counties for Kids program.
- Meetings with various public safety and health workgroups and committees, such as the Re-entry Work Group, Provider Rates Committee, Sex Offender Policy Board, 5790 implementation group (school to work), Court Recovery Task Force, and Juvenile Justice Detention Alternatives Initiative (JDAI).

### **Engagement with the State Branches of Government and State Agencies**

- Meetings with Department of Commerce (Commerce) staff regarding how to improve the Local Government Fiscal Note process and results.
- Continued discussion with governor staff regarding when to rescind the PRA/OPMA emergency proclamation.
- Bi-monthly meetings with the Office of Financial Management (OFM) and governor policy staff cover various issues.
- We are meeting with the new state broadband office director and local government director at Commerce.
- Meetings with transportation-related agencies regarding regulatory challenges, such as the Dept. of Ecology's (DOE) renewal of the 2017 Bridge and Ferry Terming Washing Permit.
- Presentation to the Washington State Transportation Commission and Joint Transportation Committee regarding the state/local split for Bipartisan Infrastructure Law funds.
- Engagement with the Capital Projects Advisory Review Board, Fish Barrier Removal Board, UTC's Rail State Action Plan, Washington State Highway Systems Plan Update, Pedestrian and Bicycle Program (PBP) and Safe Routes to School Program (SRTS) Update, and the State Transportation Innovation Council (STIC).

- The project management contract for DOE to do a feasibility study on soil banks.
- Participation in the GMA Roadmap Phase III project.
- Participation in the Dept. of Natural Resources (DNR) adaptive management program meetings.
- Work with Commerce on strategies for local governments to address climate change, implementation of HB 1220 from 2021, and the Low Carbon Siting Advisory Board.
- WSALPHO engagement with the State Board of Health rulemaking and the Technical Advisory Group for immunization.
- Continued engagement with the Administrative Office of the Courts (AOC) and others regarding implementing the *Blake* decision.
- We are meeting with the University of Washington regarding a survey of the 1/10<sup>th</sup> tax for mental health and developmental disabilities.

### **WSAC Specific Endeavors**

- Weekly meetings with the WSAC Legislative Steering Committee (LSC) during the legislative session.
- Two optional legislative trainings for LSC members.
- Weekly topic-specific blog posts during the legislative session.
- Development of multiple reports throughout the legislative session and the End of Session Report.
- Procurement of guests for Monday Virtual Assemblies.
- Successful onboarding of the new policy analysts, including their participation in WSAC's recent staff retreat.
- Meetings with attorneys for represented counties in the opioids litigation and discussion with the non-represented counties regarding a potential memorandum of understanding regarding settlement terms.
- Attendance at Tax Structure Work Group meetings and related discussions with Representative Frame (co-chair).
- Discussions regarding how to operationalize portions of the Strategic Plan.
- We are planning for the development of the 2023 legislative agenda.
- Fielding ARPA questions.
- We are beginning the development of a data repository/library to assist in developing and supporting WSAC's legislative agenda and improvements to local government fiscal notes.
- Two Timber Caucus meetings in March.



# 2022-2023 STRATEGIC PLAN

NOVEMBER 2021

## OUR VISION

Healthy, safe, vibrant counties across Washington State.

## OUR MISSION

To be a voice for Washington State's 39 counties through advocacy, education, programs, services, and collaboration.

## OUR VALUES

### Leadership

We are the go-to organization for counties in Washington State. We seek to boldly represent counties as they build strong communities. We endeavor, whenever possible, to collaborate to advance our mission.

### Integrity

We build and establish strong foundations of trust and credibility in order to work together effectively and be a valued partner for counties.



## **Ethics**

We seek to make decisions that show respect for each other and our communities.

## **Trust**

We trust each other's good intentions and seek to understand diverse positions in order to support each other.

## **Collaboration**

We strive to strengthen our collective voice by being inclusive of and acknowledging diverse ideas, solutions, viewpoints, interests, and perspectives. When working together to advance our mission, we focus on solutions that strengthen the "whole." We focus on areas where collaboration and concurrence are most possible.

## **Financial Stability**

We manage the organization responsibly and efficiently. We focus on building the resources needed to fulfill the mission and ensure the value of the organization is sustainable.

## **Vision**

We keep our vision at the forefront of everything we do to remain proactive in our work. It is paramount that we remember who we serve.

## Respect

We work to earn each other's respect and value each other's efforts. We seek to listen, understand, and assume positive intentions.

## 2022 WSAC Goals and Objectives

- i. Increase and Strengthen Member Engagement
- ii. Support and Enhance WSAC Engagement with Affiliate Organizations and External Partners
- iii. Ensure WSACs' Financial Stability and Sustainability
- iv. Build Capacity for Data Collection, Tracking, Policy and Data Analysis, and Sharing
- v. Effective Staff Retention Strategies

**STRATEGIC FOCUS #1:****INCREASE AND STRENGTHEN MEMBER ENGAGEMENT IN WSAC****GOALS & OBJECTIVES**

- A. County officials acknowledge the value of membership in WSAC.
  - 1. Increase the number of counties who have all Commissioners/Councilmembers participating in at least one or more WSAC activities.
  - 2. Increase repeat attendance in activities and events.
- B. New WSAC members are intentionally integrated into WSAC programs, services, committees and activities.
  - 1. 100% Participation in Newly Elected Officials Training.
  - 2. Increase participation in County Development Institute.
  - 3. Increase percentage of new members who continue regular participation with WSAC.
  - 4. Increase new member satisfaction of orientation and inclusion.
- C. WSAC offers substantial opportunities for member networking, relationship building, collaborations, and ongoing learning.
  - 1. Increase numbers/variety of networking and training opportunities.
  - 2. Increase attendance and participation in networking and training opportunities.

**STRATEGIC ACTIONS - 2022**

	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>
1. Create additional, ongoing, and intentional virtual and in-person activities and opportunities: <ul style="list-style-type: none"><li>- Formal/structured and informal/social networking.</li></ul>	Mellani Eric Bridget	WSAC Staff	Outline by March 2022	Networking ideas: mix-up mealtime groups, have a variety of activities, include ice breakers that help people get to know each other, speed-dating, structure down time at conferences/meetings, assign a small cohort of people to get to know each other, give people a sign to put at their table asking others to join them, include low pressure networking opportunities.  Learning ideas: Teach networking skills/tips/hints for people who may be less experienced, training on building local partnerships, industry specific training, renewed focus on specific areas (ie water, GMA, etc) especially for new members and as continuous education, broaden existing trainings to all members (ie. CRAB, state audit, etc.), offer CLE's or certified county official program.
2. Assure learning opportunities into WSAC's events, programs, and services.				

	Lead	Participants	Timeframe	Details
3. Establish a mentoring and advising program to create bilateral connections between members.	Eric	Executive Committee	March 2022	
4. Evaluate the effectiveness and content of courthouse briefings and determine future implementation methods.	Eric	WSAC Executive Committee	By April 2022	Can virtual be an option at times?  Every other year in person?  Is content appropriate?
5. Establish performance metrics for member engagement.	Bridget	WSAC Executive Committee	Initial Review - August 2022  Consideration and Review	Define what should be measured Define adaptive management strategies policy/procedure
6. Review WSAC Boards and Commissions Appointment Process to reflect need to incorporate newly elected officials and address participation of more members, diversity of member nominees and appointments, length of representation, etc.	Eric	Executive Committee  Selected Members for a Review Committee  Jessica	Draft for May 2022 Board Meeting Review	
7. Operationalize Justice, Equity, Diversity and Inclusion Policy	Mellani		Draft policy for Executive Committee Review in August 2022	

### STRATEGIC ACTIONS - 2023

8. Implement a communication strategy about the value of WSAC's programs and services	Mitch		Launch in January 2023	Create short, easy to understand messages and videos that communicate the value of participation in WSAC.
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9. Consider conducting an annual county lobby day that includes all county officials.	Mellani	LSC Co-Chairs	2023 Legislative Session	
10. Create tool to systematically measure: - member and county participation and engagement. Member satisfaction in programs and services.	Bridget	Tyler, Mitch, Jessica	August 2023	Dashboard to show member activity and participation by county, affiliate group, elected officials, etc
11. Conduct data collection to evaluate barriers and impediments associated with minimal or non-participation or counties and members.	Bridget		Initiate September 2023	

## STRATEGIC FOCUS #2: SUPPORT AND ENHANCE WSAC ENGAGEMENT WITH AFFILIATE ORGANIZATIONS AND EXTERNAL PARTNERS

### GOALS & OBJECTIVES

- A. There are clear paths of communication and engagement with state agencies.
  - 1. Develop collaboration and cooperation agreements, memorandum of understandings, that reflect the important partnership between county government, the State of Washington, other organizations and associations.
  - 2. Complete and implement the Ruckelshaus Center's County/Health Care Authority Communication Framework B. There are strong, supportive connections between and among WSAC members and affiliate organizations.
    - 1. Increase in awareness about the roles of affiliate organizations among WSAC and affiliate members.
    - 2. 100% of affiliate organizations are integrated into WSAC's organizational structure by 2023.
- C. WSAC regularly engages with external partners, groups, and committees to engage in creating a unified voice and developing solutions for shared interests.
  - 1. Identify external partners to develop shared policy agendas with.

### STRATEGIC ACTIONS - 2022

	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>
1. Implement quarterly listening sessions with affiliates.	Eric	Policy Staff	July 2022	Need to better understand how to facilitate this - and what is needed. Listening with staff? Elected Official interaction with affiliates. Affiliate Presidents and WSAC Executive Committee Interaction?
2. Create a Board and Commission dashboard for those - WSAC nominates or appoints - with front facing data to show upcoming openings, current incumbents, and other information	Bridget	Jessica Tyler	Operational by December 31, 2022	
3. Support and communicate partner positions with WSAC membership regularly.	Mellani	LSC Co-Chairs Policy Staff	Initiate Discussion with LSC May 2022	

4. Conduct outreach campaign with affiliates and external partners to invite them to engage with WSAC in creating "one agenda, one voice" together on agreed upon issues.	Mellani	LSC Co-Chairs Policy Staff	Initiate Discussion with LSC May 2022	
	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>

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#### STRATEGIC ACTIONS - 2022

5. Establish plan for services to affiliate organizations.	Eric	Bridget, Policy Directors	For WSAC Executive Committee to Review August 2023	
6. Identify potential ala carte/caucus, committee, affiliate initiatives and services.				Example: Marbled Murrelet Study

### STRATEGIC FOCUS #3: ENSURE WSAC's FINANCIAL STABILITY AND SUSTAINABILITY

#### GOALS & OBJECTIVES

- A. WSAC's financial resources support and align with the advancement of the mission.
  - 1. 100% of Washington's counties are "Active Members" as provided for in WSAC Bylaws
    - Pay all Dues
    - Pay all Assessments
- B. WSAC's administration, programs, and services are supported by a variety of funding sources that reduce dependence on a single source.
  - 1. Increase the portion of the annual budget made up of non-dues revenue.
  - 2. Increase the percentage of programs that have more than one fund source.

#### STRATEGIC ACTIONS - 2022

	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>
1. Establish a policy on the management of financial reserves and incorporate and update <i>Section III Cash and Investment Policy</i> in WSAC Comprehensive Policy Manual  Update Audit Investment and Finance Committee Charter	Bridget	Audit, Finance and Investment Committee	For Executive Committee Review, August 2022	
2. Identify and increase resources, grants, studies, partnerships, and non-governmental funding sources (i.e. grants, etc.)	Mellani	Policy Directors, Advisors, Analysts	Ongoing - Reporting Progress to WSAC Executive Committee August 2022	<ul style="list-style-type: none"> <li>- Identify alternative resources to support program initiatives.</li> <li>- Check with other assoc.</li> <li>- Research potential opportunities and sources</li> </ul>



### STRATEGIC ACTIONS - 2022

3. Sell marketable services (ie data, research services, regional program coordination)	Mellani	Policy Directors, Advisors, Analysts	August 2023 Review options with WSAC Executive Committee	Define product Understanding market
4. Review and revise if necessary WSAC's current dues structure through a transparent process that fosters and highlights the value provided by WSAC to members.	Bridget	Eric  Executive Committee	August 2023	Research re: other models Run scenarios recommendation
5. Conduct succession planning	Executive Committee  Eric	Board of Directors	Initiate Plan discussion with WSAC Board in August 2023	Defining succession planning for organizational leadership and staff Establish path to leadership positions, leadership succession plan, maintain institutional memory.

## STRATEGIC FOCUS #4: BUILD CAPACITY FOR DATA COLLECTION, TRACKING, POLICY AND DATA ANALYSIS, AND SHARING

### GOALS & OBJECTIVES

- A. WSAC maintains a foundation of consistent, useful data and measures that help tell the story of Washington's counties and WSAC's efforts in an effective and informative way.
1. Build capacity to develop data and information to support counties, policy development and analysis, legislative agenda and legal activities.
  2. Measurable progress on advocacy goals can be easily shared and viewed.
  3. Publish research, data and information.

### STRATEGIC ACTIONS - 2022

	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>
1. Invest in data capacity building (staff, technology, etc.)	Eric	Mellani Jamie Paul	Complete by March 1, 2022 for -FPHS Advisors - Policy Analyst: Natural Resources -Policy Analyst: General	-Staff Recruitment and Onboarding -Staff Work Plans -Data/research plans -Initiate review of software, platforms, tools
2. Identify and prioritize what data to collect based on issues, needs, and narrative we want to tell.	Mellani	Policy Directors, Policy Advisors, Policy Analysts	Initiate discussion/frame issue for LSC, May 2022  County Administrators, April 2022	Framework for decision making & prioritization Develop Work plan for 2022 -23 Tools to transform data into support for the story
3. Increase knowledge, information, and outreach about current data related to policy decisions.	Mellani	WSAC Staff, Partners WSAC Leadership, Board, LSC	Ongoing  Reporting quarterly	Data - Baseline and regular updates  Date - current issues, horizon issues

As of January 1, 2022

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	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>
			Initiate discussion/frame issue for LSC, May 2022	
4. Implement dashboard for legislative bill progress/success scoring.	Mellani		Review with LSC, May 2022	

#### STRATEGIC ACTIONS - 2023

6. Present and communicate data using methods that are user friendly and easily accessible.	Mellani Mitch	Other WSAC staff, LSC, Board, Affiliates	Ongoing	Create the basic framework & branding Understanding timelines Develop workplans Additional training? Tools needed? Consultants? Communications subcommittee?
7. Develop a data profile that highlights the partnership counties have with state and federal agencies.	Mellani	Other WSAC Staff, LSC, counties, state agencies, external partners	Ongoing	Better understand purpose of Strategic Action Where will data reside? How will it be displayed/communicated/etc. Who has permission to use it? Policies development Efficiency
8. Implement regular updates and progress reporting with built in feedback loops.	Communications Staff	Other WSAC staff, members	Ongoing	

#### STRATEGIC FOCUS #5: EFFECTIVE RETENTION OF CURRENT STAFF EXPERTISE

## GOALS & OBJECTIVES

A. WSAC is considered an employer of choice in Washington State who recruits and retains high quality employees committed to the mission and vision.

1. Staff turnover is less than 10% annually.
2. Employee satisfaction

STRATEGIES	Lead	Participants	Timeframe	Details
1. Review, revise, and implement policies to create and maintain a quality, supportive work environment.	Eric	Mellani, Bridget, WSAC staff	By WSAC Executive Committee August Planning Meeting	<p>Present a suite of staff recruitment and retention policies and activities for consideration by the WSAC Executive Committee and Board of Directors:</p> <ul style="list-style-type: none"> <li>- Review existing Retention Policy to assure tools are available to create and maintain quality work environment - Association Employer of Choice</li> </ul> <p><b>COMPENSATION</b></p> <ul style="list-style-type: none"> <li>- Budget for and Prepare Biennial Compensation Study</li> <li>*Consider Step Increase Plan</li> <li>*Consider Longevity Compensation</li> <li>*Consider mid year 2021 dues increase to provide COLA for staff</li> </ul> <p><b>BENEFITS</b></p> <ul style="list-style-type: none"> <li>- Increased alternatives, provide flexibility in what options can be chosen</li> <li>- Consider compensation alternatives - Potential alternatives: *Sabbatical Policy</li> <li>*Leave policy options - PTO</li> <li>*Education/School Assistance (time or \$)</li> <li>*School Loan Payments</li> <li>*Flexible/remote work</li> <li>*Hiring Bonus</li> </ul>
	<i>Lead</i>	<i>Participants</i>	<i>Timeframe</i>	<i>Details</i>

2. Salary Adjustments: Budget a onetime lump sum to align employee compensation with market levels.				
3. Conduct biennial salary/compensation study to stay competitive with the market.				
4. Establish internship program that works with WSAC programs and affiliates.				
5. Restore previous staffing levels.	Eric	Bridget	To WSAC Executive Committee at August Planning Meeting	Staff shall prepare information, alternatives, and recommendation on appropriate staffing resource needs to include restoring the Research Director position
6. Create a directory of staff and program responsibilities	Bridget	Mitch, Tyler	Spring 2022	Create print and online staff directory that provides information to assure member understanding of the program responsibilities of each staff member