SKAMANIA COUNTY BOARD OF COMMISSIONERS

240 NW Vancouver Ave. Stevenson, WA 98648 Agenda for March 22, 2022

Commissioner Meetings are open to public attendance with limited available seating to ensure physical distancing. Meeting attendees must wear a proper face covering regardless of vaccination status and maintain 6 feet of physical distance between other persons. Seating will be on a first come, first serve basis. If there is more attendance than seating, you will be asked to leave the Courthouse and phone in using ZOOM with the following numbers:

1 346 248 7799 US

1 312 626 6799 US

1 646 558 8656 US

1 669 900 9128 US

1 301 715 8592 US

Meeting ID: 889 0632 1210 - New Meeting ID as of 06/01/2021

Join Zoom Meeting

- Audio only from your computer https://us02web.zoom.us/j/88906321210

WRITTEN PUBLIC COMMENTS ACCEPTED AND ENCOURAGED BY MONDAY PRECEDING THE MEETING AT NOON. If you wish written comments to be listed on the agenda, they need to be submitted to the Clerk of the Board by noon on Thursday preceding the Tuesday/Wednesday meeting, otherwise they will be held for the following Tuesday/Wednesday. Email comments to: slack@co.skamania.wa.us When a holiday falls on Monday, the regular meeting is held on Wednesday of that week.

Tuesday, March 22, 2022

9:00 AM

Staff Meeting

9:30 AM

Call to Order

Pledge of Allegiance

Public Comment (3 minutes)

<u>Consent Agenda</u>, Items will be considered and approved on a single motion. Any Commissioner may, by request, remove an item from the agenda prior to approval. (13 items)

- Re-appointment of Dave Kuhn to the Mosquito Control Board
- 2. Re-appointment of James Martin to the Mosquito Control Board
- 3. New liquor licenses approved for RML, 168 LLC
- Liquor license renewals for Bungalow Bar & Grill, Skamania General Store, and Martha's Vineyard of Skamania County
- Resolution 2022-18, Authorizing an Interfund Loan from ER & R Road Fund to ER & R Sheriff's fund and authorizing the Public Works Director to order the patrol vehicle, and to add spending authority to the Sheriff's ER & R Budget 5010.102 in 2022 Budget Supplemental #2
- 6. Letter of Engagement with William F. Almon, P.S. to represent the County in real estate purchases
- Resolution 2022-12, Rescinding Resolution 2022-03, Declaring Local Emergencies Due to Winter Storm Activities
- 8. Interlocal agreement with Pend Oreille County for delivery of Onbase Administrator services
- Contract with Imagesoft to add enhancement to current program
- Modification of Cooperative Agreement with U.S. Army Corp of Engineers, extending the period of performance and adding funding
- 11. Agreement with Community in Motion to provide Medicaid transportation
- 12. Contract with Zac Browning to pay rental fees for the purpose of holding a Tae Kwan Do class
- Contract renewal with HR Answers, Inc. to purchase 2022 Advantage Plan Agreement for personnel resources provide Human Resources personnel assistance

Continued on page 2

Note: Agenda subject to change. Times listed are estimates only. The Commission reserves the right to move agenda items as needed and during the meeting, and may add and act on any item not included in the above agenda. Minutes are available at www.skamaniacounty.org on the Commissioners web page. If necessary, the Board may hold executive sessions on scheduled meeting days. \Board of Commissioner meetings are recorded, and audio may be heard at www.skamaniacounty.org

Continued from page one

Non-Consent Agenda Items, each requires a separate motion (3 items)

- Voucher Approval
- 2. Payroll Approval
- Job Description and set salary at Range 26 for Deputy Public Records Officer/Deputy Prosecuting Attorney I

WSU Extension Report

Meeting Updates

10:00 AM Department Head Reports

10:30 AM Workshop to discuss the Planning Commissions recommendations for Carson Zoning

11:30 AM Workshop to discuss County Real Property surplus property

Lunch

1:30 PM Workshop with Financial Management Office, Elected Officials and Department Heads to discuss County

Finances

2:30 PM Quarterly Updates - Wind River Advisory Board

3:30 PM Columbia River Gorge Commission Report – Tamara Kaufman

4:15 PM Workshop to discuss COVID 19 resolutions and policies

Resolution 2022-19, A resolution to rescind resolution 2020-18 declaring a local emergency relating to the

COVID-19 Pandemic

Adjourn



SKAMANIA COUNTY BOARD OF COMMISSIONERS

Skamania County Courthouse 240 NW Vancouver Ave | PO Box 790 Stevenson, WA 98648

> (509)427-3700 (509) 427-3708 Fax

Richard Mahar District 1

> Tom Lannen District 2

Bob Hamlin District 3

March 22, 2022

Dave Kuhn PO Box 247 12 Franz Road Stevenson, WA 98648

Dear Mr. Kuhn:

We are pleased to inform you that on March 22, 2022, the Board of County Commissioners re-appointed you to serve in Position 4 on the Skamania County Mosquito Control District Board. This position is a two-year term that expired on January 6, 2022. Your current term will expire on January 6, 2024.

Thank you for your continued interest in serving on this Board.

Sincerely,

Richard Mahar Chair

Cc:

Mosquito Control Board

Nels Madsen

22 Farnsworth Road Skamania, WA 98648



March 8/2022

Att.board of County Comnissor's

I Dave Kuhn would like to serve on the mosquito

Board for 2 more years.

Thank you

<u>Dave Kuhn</u>

DRK 3/1/22

MOSQUITO CONTROL DISTRICT

Authority

RCW 17.28 Resolution 2000-12

Requirements

The district is situated entirely in one county and includes both incorporated and unincorporated territory. One member shall be appointed from each commissioner district lying wholly or partly within the district by the county commissioners of the county, and one member from each city, the whole or part of which is situated in the district by the governing body of the city; but if the district board created consists of less than five members, the county commissioners shall appoint from the district at large enough additional members to make a board of five members. The term of each member is two years.

Appointee		2 Year Terms-Expiration
#1 At Large within the District	Nels Madsen	01/01/2023
#2 At Large within the District	James Martin	01/06/2024
#3 At Large within the District	Paul Willis	01/01/2023
#4 At Large within the District	Dave Kuhn	01/06/2024
#5 City of North Bonneville	Tom Jermann	01/02/2023 City appoints



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Richard Mahar District 1

> Tom Lannen District 2

> Bob Hamlin District 3

March 22, 2022

James Martin 22 Franz Road Stevenson, WA 98648

Dear James:

We are pleased to inform you that on March 22, 2022, the Board of County Commissioners re-appointed you to serve in Position 2 on the Skamania County Mosquito Control District Board for a two-year expired term that expired on January 6, 2022. This term expires on January 6, 2024.

Thank you for your continued interest in serving on this Board.

Sincerely,

Richard Mahar Chair

Cc: Mosquito Control Board Nels Madsen 22 Farnsworth Road Skamania, WA 98648



March 8/2022

Att.board of County Comnissor's

I James Martin would like to serve on the mosquito

Board for 2 more years.

<u>Thank you</u>

James Martrin

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SKAMANIA COUNTY BOARD OF COMMISSIONERS

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> (509)427-3700 (509) 427-3708 Fax

Richard Mahar District 1

> Tom Lannen District 2

Bob Hamlin District 3

March 22, 2022

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Thank you for your continued interest in serving on this Board.

Sincerely,

Richard Mahar Chair

Cc:

Mosquito Control Board

Nels Madsen

22 Farnsworth Road Skamania, WA 98648



March 8/2022

Att.board of County Comnissor's

I Dave Kuhn would like to serve on the mosquito

Board for 2 more years.

Thank you

<u>Dave Kuhn</u>

DRK 3/1/22

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#4 At Large within the District	Dave Kuhn	01/06/2024
#5 City of North Bonneville	Tom Jermann	01/02/2023 City appoints



NOTICE OF LIQUOR LICENSE APPLICATION

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

License Division - P.O. Box 43098 Olympia, WA 98504-3098 Customer Service: (360) 664-1600 Fax: (360) 753-2710

Fax: (360) 753-2710
Website: http://icb.wa.gov
RETURN TO: localauthority@sp.lcb.wa.gov

TO: SKAMANIA COUNTY COMMISSIONERS

RE: NEW APPLICATION

DATE: 3/15/22

UBI: 604-431-575-001-0001

License: 433191 - 6A County: 30

Tradename: RML 168

APPLICANTS: RML 168 LLC

Loc Addr: 9491 COOK UNDERWOOD RD

UNDERWOOD WA 98651

Mail Addr: 522 CONNECTICUT ST

SAN FRANCISCO CA 98107

KASELITZ, MELISSA ANN 1974-09-29 LANGE, RYAN DAVID 1973-04-03

Phone No.: 510-408-8039 MELISSA KASELITZ

Privileges Applied For:

DOMESTIC WINERY < 250,000 LITERS

As required by RCW 66.24.010(8), the Liquor and Cannabis Board is notifying you that the above has applied for a liquor license. You have 20 days from the date of this notice to give your input on this application. If we do not receive this notice back within 20 days, we will assume you have no objection to the issuance of the license. If you need additional time to respond, you must submit a written request for an extension of up to 20 days, with the reason(s) you need more time. If you need information on SSN, contact our CHRI desk at (360) 664-1724.

1. Do you approve of applicant?	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	YES	NO
	,		
3. If you disapprove and the Board c	ontemplates issuing a license, do you wish to	ш	
request an adjudicative hearing be (See WAC 314-09-010 for information)	fore final action is taken?		
* * * * * * * * * * * * * * * * * * * *	4.010(8) you MUST attach a letter to the Board ction and a statement of all facts on which your		
DATE	SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR I	DESIGN.	£E

C091080-2

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

DATE: 03/06/2022

LICENSED ESTABLISHMENTS IN UNINCORPORATED AREAS COUNTY OF SKAMANIA (BY ZIP CODE) FOR EXPIRATION DATE OF 20220630

LICENSEE		BUSINESS NAME AND ADDRESS		LICENSE NUMBER	PRIVILEGES	
1.	PATS TIME LLC	BUNGALOW BAR & GRILL B12 WIND RIVER HWY CARSON	WA	98610 0000	355188	SPIRITS/BR/WN REST LOUNGE - KEGS TO GO
2.	SKAMANIA GENERAL STORE LLC	SKAMANIA GENERAL STORE 33001 STATE ROAD 14 STEVENSON	WA	98648 6100	350139	GROCERY STORE - BEER/WINE
3.	ASPITARTE, THOMAS L	MARTHA'S VINEYARD OF SKAMANIA 182 BLUE HERON RD WASHOUGAL	WV Z CON	NTY 98671 7162	430151	DOMESTIC WINERY < 250,000 LITERS



Washington State Liquor and Cannabis Board PO Box 43098

, Olympia WA 98504-3098, (360) 664-1600 www.liq.wa.gov Fax #: (360) 753-2710

March 06, 2022

Dear Local Authority:

RE: Liquor License Renewal Applications in Your Jurisdiction - Your Objection Opportunity

Enclosed please find a list of liquor-licensed premises in your jurisdiction whose liquor licenses will expire in about 90 days. This is your opportunity to object to these license renewal requests as authorized by RCW 66.24.010 (8).

1) Objection to License Renewal

To object to a liquor license renewal: fax or mail a letter to the Washington State Liquor and Cannabis Board (WS-LCB) Licensing Division. This letter must:

- o Detail the reason(s) for your objection, including a statement of all the facts upon which your objection or objections are based. You may include attachments and supporting documents which contain or confirm the facts upon which your objections are based.
- o Please note that whether a hearing will be granted or not is within the Board's discretion per RCW 66.24.010 (8)(d).

Your letter or fax of objection must be received by the Board's Licensing Division at least 30 days prior to the license expiration date. If you need additional time you must request that in writing. Please be aware, however, that it is within the Board's discretion to grant or deny any requests for extension of time to submit objections. Your request for extension will be granted or denied in writing. If objections are not timely received, they will not be considered as part of the renewal process.

A copy of your objection and any attachments and supporting materials will be made available to the licensee, therefore, it is the Local Authority's responsibility to redact any confidential or non-disclosable information (see ACW 42.56) prior to submission to the WSLCB.

2) Status of License While Objection Pending

During the time an objection to a renewal is pending, the permanent liquor license is placed on hold. However, temporary licenses are regularly issued to the licensee until a final decision is made by the Board.

3) Procedure Following Licensing Division Receipt of Objection

After we receive your objection, our licensing staff will prepare a report for review by the Licensing Director. The report will include your letter of objection, as well as any attachments and supporting documents you send. The Licensing Director will then decide to renew the liquor license, or to proceed with non-renewal.

4) Procedure if Board Does Not Renew License

If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The licensee also has the right to request a hearing to contest non-renewal of their liquor licensee. RCW 66.24.010 (8)(d). If the licensee makes a timely request for a hearing, we will notify you.

The Board's Licensing Division will be required to present evidence at the hearing before an administrative law judge to support the non-renewal recommendation. You may present evidence in support of your objection or objections. The administrative law judge will consider all of the evidence and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

5) Procedure if Board Renews License Over Your Objection

If the Board decides to renew the license over your objection, you will be notified in writing. At that time, you may be given an opportunity to request a hearing. An opportunity for a hearing is offered at the Board's discretion. If a hearing is held, you will be responsible for presenting evidence before an Administrative Law Judge in support of your objection to license renewal. The Board's Licensing Division will present evidence in support of license renewal. The Licensee may also participate and present evidence if the licensee desires. The administrative law judge will consider all of the evidence, and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

For questions about this process, contact the WSLCB Licensing Division at (360) 664-1600 or email us at welcb@liq.wa.gov.

Sincerely,

Rebecca Smith

Rebecca Smith, Director, Licensing and Regulation Division

LIQ 864 07/10



Washington State Liquor and Cannabis Board PO Box 43098,

, Olympia WA 98504-3098, (360) 664-1600

SKAMANIA COUNTY COMMISSIONERS PO BOX 790 STEVENSON, WA 98648-0790 COMMISSIONER'S AGENDA ITEM COMMENTARY.

SUBMITTED BY Public Works

Department AGENDA DATE March 22, 2022

SUBJECT Authorize an Interfund Loan from the ER&R Road Fund

> (5010.101) to the ER&R Sheriff's Fund (5010.102) in the amount of \$49,250.48 \pm 10% with an interest rate of 0.5% to be

Signature

paid back in three years.

ACTION REQUESTED Approve Resolution No. 2022-18 authorizing the Interfund Loan

SUMMARY/BACKGROUND

The Sheriff's Office has an emergent need for a new patrol vehicle, but does not have the funds in their ER&R Fund to purchase a new vehicle. This resolution will allow the Road ER&R Fund to loan the Sheriff's ER&R Fund the money needed for a new patrol vehicle. The loan is to be paid back in three years at a 0.5% interest rate.

FISCAL IMPACT

 $$49,250.48 \pm 10\%$ at a 0.5% interest rate over three years.

RECOMMENDATION

Authorize Interfund Loan and direct Treasurer to establish the loan; authorize the Public Works Director to order the patrol vehicle and direct the Public Works Director to add spending authority to the Sheriff's ER&R Budget 5010.102 in 2022 Budget Supplemental #2.

LIST ATTACHMENTS

Resolution

RESOLUTION NO. 2022 – 18

(Interfund Loan from ER&R Roads Fund (5010.101), a Special Revenue Fund, to ER&R Sheriff Vehicle Replacement Fund (5010.102) a Special Revenue Fund)

WHEREAS, the Sheriff's Office has an emergent need for a patrol vehicle and does not have the funds to pay for the vehicle in the Sheriff ER&R Vehicle Replacement Budget (5010.102); and

WHEREAS, the estimated cost for the new vehicle with aftermarket build-out is \$49,250.48; and

WHEREAS, the ER&R Road Fund (5010.101) currently has a fund balance that is sufficient to loan the needed monies; and

BE IT HEREBY RESOLVED by the Board of County Commissioners of Skamania County Washington, that the County Treasurer is directed to establish a loan from ER&R Road, a Special Revenue Fund (5010.101); to ER&R Sheriff, a Special Revenue Fund (5010.102) for a new vehicle in the amount of \$49,250.48 \pm 10%; that this transaction shall be considered an interfund loan and is to be repaid in three years, together with interest at 0.5%, and the Public Works Director is authorized to order the patrol vehicle and directed to place spending authority in the Sheriff's ER&R fund in the next budget supplemental.

PASSED IN REGULAR SESSION this 22nd day of March, 2022

BOARD OF COUNTY COMMISSIONERS			
SKAMANIA COUNTY, WASHINGTON			
Chair			
Commissioner			
Commissioner			
	For		
	Against		
	Abstain		
	Absent		
	Chair Commissioner		



AUTHORIZATION TO PURCHASE

(FOR PURCHASE OF NON-BUDGETED TOOLS/EQUIPMENT OVER \$5,000.00)

SKAMANIA COUNTY

DATE OF REQUEST:3	/17/2022		
ITEM REQUESTED FOR PURCHAS	E:	Patrol Vehicle for Sheriff	
PURPOSE OF ITEM TO BE PURCH.	ASED:	Use as Patrol Vehicle	
	-		
PROPOSED VENDOR:	Peterson	n Caterpillar	
APPROXIMATE AMOUNT OF PURC	HASE:	\$49,250.48	
REQUESTED BY:		SUPERVISOR APPROVAL:	
BUDGET OKAY:		SUPPLEMNTAL BUDGET	YES NO
SOURCE OF FUNDING:	ER&R	1.11	
DEPARTMENT HEAD APPROVAL:	-	Smull	
		COMMISSIONER APPROVAL (2	Signatures required)

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY	Prosecutor]
	Department	Signature
AGENDA DATE	March 22, 2022	
SUBJECT ACTION REQUEST	Letter of Engagement with Willian ED Approve	m F. Almon

SUMMARY/BACKGROUND

The Prosecutor has engaged William F. Almon to represent Skamania County in efforts to enter into contract to purchase real estate within the county from present owners, upon terms and conditions satisfactory to the county in its sole discretion.

FISCAL IMPACT

Fees for service upon completion of service

RECOMMENDATION

Acknowledge and approve letter of engagement

LIST ATTACHMENTS

Letter agreeing to represent Skamania County

William F. Almon, P.S. Attorney-at-law 132 Indian Cabin Rd. Stevenson WA 98648-6608 (509) 949 1800

Bill.Almon@BillAlmonLaw.com

May 10, 2021

Mr. Adam Kick, Prosecutor Skamania County P.O. Box 790 Stevenson WA 98648-0790

via email: Kick@Co.Skamania.Wa.US

Dear Mr. Kick:

In response to your request, I would be pleased to represent Skamania County in efforts to enter into contract to purchase real estate within the county from present owners, upon terms and conditions satisfactory to the county in its sole discretion.

Fee for my service, at present hourly rate of \$300.00, would be payable upon completion of my service, at which time I will present a statement setting forth my efforts in detail. The County would be free to terminate our relationship at any time, with or without cause, upon written notice to me, which could be by U.S. Mail, email or facsimile transmission.

If you and the commissioners find this acceptable, please advise, at which time I will be pleased to meet with you and other county officials to get the matter underway.

Sincerely,

William F. Almon

William F. Almon

RESOLUTION 2022-12

(Rescinding Resolution 2022-3 Declaring Local Emergencies Due To Winter Storm Activity)

WHEREAS, WHEREAS, the Skamania County Director of Emergency Management reported to the Board of County Commissioners that beginning January 3, 2022, Severe Winter Storm Conditions were having significant impacts throughout Skamania County; and

WHEREAS, the Board of Commissioners of Skamania County declared a local emergency on January 3, 2022 due to significant winter storm conditions which could cause closure of roads, possible evacuation, and damage to roads, bridges, homes, businesses and utilities; and

WHEREAS, the County has now completed its emergency response to that event;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Skamania County that the local emergencies related to the winter storm issues of January 2022 no longer exist, and Resolution 2022-3 is hereby rescinded.

APPROVED this 1st day of March 2022.

	SKAMANIA COUNTY, WASHINGTON
	Chairman
ATTEST:	Commissioner
Clerk of the Board	Commissioner
APPROVED AS TO FORM ONLY:	
Prosecuting Attorney	

RESOLUTION NO. 2022-03 RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO WINTER STORM

WHEREAS, the Skamania County Director of Emergency Management has reported to the Board of County Commissioners that beginning January 3, 2022, Severe Winter Storm Conditions are having significant impacts throughout Skamania County; and

WHEREAS, expected accumulations of snow and ice have many roads impassable including State Hwy 14 and 184, which are closed to all traffic; and

WHEREAS, under the above referenced conditions there is substantial likelihood of risk to persons, property and the environment unless further efforts are taken to reduce the threat; and

WHEREAS, the conditions stated above constitute an emergency/disaster for all areas of the County, necessitating activation of the Skamania County Comprehensive Emergency Management Plan and the utilization of emergency powers granted pursuant to RCW 36.40.180, 38.52.070(2), and 38.52.110(1);

NOW THEREFORE, the Board of County Commissioners of Skamania County, Washington, do resolve as follows:

Section 1. There is hereby declared an emergency, as defined in the Skamania County Comprehensive Emergency Management Plan (CEMP), due to the ongoing threat of Extreme Winter Storm impacts on Skamania County.

Section 2. Pursuant to the emergency declared in Section 1, County departments and offices, as designated pursuant to the CEMP, are authorized to enter into contract and incur obligations necessary to combat such emergency with approval of the Chair of the Board of County Commissioners to protect the health and safety of persons, property, and the environment, and provide emergency assistance to the victims of such emergency, consistent with the CEMP.

Section 4. The declaration of a local emergency set forth in Section 1 shall terminate by the issuance of a subsequent rescinding Resolution which shall follow when the Board determines that the extraordinary measures contained herein are no longer required for the protection of the public peace, safety, and welfare.

APPROVED this 3th day of January 2022.

Dated this day of an 2022.

SKAMANIA
COUNTY
WASHINGTON
Debbie Slack, Clerk of the Board

BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON

Richard Mahar, Chairman

T.W. Lannen, Commissioner

Robert Hamlin, Commissioner

Approved as to form only:

Adam Kick,

Skamania County Prosecuting Attorney

Aye O Nay O Abstain O Absent O

Approved in emergency meeting 1/3/22 Ratified in regular meeting 1/6/22

Debbie Slack

From:

Bob Hamlin

Sent:

Monday, January 03, 2022 12:07 PM

To:

Richard Mahar

Cc:

Tom Lannen; John A. Carlson; Sheriff Dave Brown; Debbie Slack

Subject:

Re: 1-22 Emergency Declaration

I'loi make it unanimous and also approve the emergency declaration. Bob Hamlin.

Sent from my IPhone

On Jan 3, 2022, at 11:55 AM, Richard Mahar <mahar@co.skamania.wa.us> wrote:

I approve the Winter Storm Emergency Declaration of 1/3/22.

Richard Mahar Commissioner District 1 Skamania County, WA 509-427-3701

"Grateful to the Supreme Ruler of the universe for our liberties"

From: Tom Lannen lannen@co.skamania.wa.us

Sent: Monday, January 3, 2022 11:53 AM

To: John A. Carlson < johnc@co.skamania.wa.us>; Bob Hamlin < Hamlin@co.skamania.wa.us>; Richard Mahar <mahar@co.skamania.wa.us>; Tom Lannen <lannen@co.skamania.wa.us>; Sheriff Dave Brown <daveb@co.skamania.wa.us>; Debbie Slack <slack@co.skamania.wa.us>

Subject: FW: 1-22 Emergency Declaration

I approve the Winter Storm Emergency Declaration as attached. T.W. Lannen Skamania County Commissioner

T.W. Lannen (Tom) Skamania County Commissioner District 2 Office = 509-427-3702

Cell = 360-216-5883

From: John A. Carison <johnc@co.skamania.wa.us>

Sent: Monday, January 3, 2022 11:44 AM

To: Commissioners <commiss@co.skamania.wa.us> Subject: 1-22 Emergency Declaration

BOCC,

Due severe winter storm conditions, the Sheriff/DEM Director recommends adoption of the enclosed Emergency Declaration.

Respectfully, John Carlson

Coordinator Skamania County Emergency Management 509/427-8076

Debbie Slack

From:

Richard Mahar

Sent:

Monday, January 03, 2022 11:55 AM

To:

Tom Lannen; John A. Carlson; Bob Hamlin; Sheriff Dave Brown; Debbie Slack

Subject:

Re: 1-22 Emergency Declaration

I approve the Winter Storm Emergency Declaration of 1/3/22.

Richard Mahar Commissioner District 1 Skamania County, WA 509-427-3701

"Grateful to the Supreme Ruler of the universe for our liberties"

From: Tom Lannen < lannen@co.skamania.wa.us>

Sent: Monday, January 3, 2022 11:53 AM

To: John A. Carlson < johnc@co.skamania.wa.us>; Bob Hamlin < Hamlin@co.skamania.wa.us>; Richard Mahar

<mahar@co.skamania.wa.us>; Tom Lannen <lannen@co.skamania.wa.us>; Sheriff Dave Brown

<daveb@co.skamania.wa.us>; Debbie Slack <slack@co.skamania.wa.us>

Subject: FW: 1-22 Emergency Declaration

I approve the Winter Storm Emergency Declaration as attached.

T.W. Lannen

Skamania County Commissioner

T.W. Lannen (Tom)
Skamania County Commissioner
District 2
Office = 509-427-3702
Cell = 360-216-5883

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Respectfully, John Carlson Coordinator Skamania County Emergency Management 509/427-8076

Debble Slack

From:

Tom Lannen

Sent:

Monday, January 03, 2022 11:54 AM

To:

John A. Carlson; Bob Hamlin; Richard Mahar; Tom Lannen; Sheriff Dave Brown; Debbie

Slack

Subject:

Attachments:

FW: 1-22 Emergency Declaration 1-22 Emergency Declaration.docx

I approve the Winter Storm Emergency Declaration as attached.

T.W. Lannen

Skamania County Commissioner

T.W. Lannen (Tom)
Skamania County Commissioner
District 2
Office = 509-427-3702
Cell = 360-216-5883

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Subject: 1-22 Emergency Declaration

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Coordinator Skamania County Emergency Management 509/427-8076

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number					
2.	Contract Status: (Check appropriate box)	Original Renewal Amendment				
3.	Contact Title: Address Address	etor: Onbase Administrator Person: Tammie Ownbey Pend Oreille County Clerk s: P.O. Box 5020 s: Newport, Washington 99156 (509)447-2435				
4.	Brief description of purpose of the contract at	nd County's contracted duties:				
5.	Term of Contract: From: Date of executi	on To: Until termination				
6.	Contract Award Process: (Check appropriate General Purchase of materials, equipment	box) t or supplies - RCW 36.32.245 & 39.04.190				
	Exempt (Purchase is \$2,500 or less upon order of the Board of Commissioners Informal Bid Process (Formal Quotes between \$2,500 and \$25,000) Formal Sealed Bid Process (Purchase is over \$25,000) Other Exempt (explain and provide RCW) Public Works Construction & Improvements Projects – RCW 36.32.250 & 39.04.155 (Public					
	Works, B&G, Capital Improvements Only Small Works Roster (PW projects less than					
7.	Total Non-County Funds Committed: 5 Total County Funds Committed: 5	Source: ARPA FUNDS Source: S Source:				
8.	*	Name: Grace D. Cross Fitle: County Clerk				
9.	Department Approval:	DD. WOM nent Head or Elected Official Signature				

10. Special Comments: There are seven Washington counties that use the Onbase document management system. Due to the complexity of needed program functionality counties have joined to remove themselves as information technology experts and hire an Onbase Administrator. This would provide Court Clerks the technical expertise needed as changing technology evolves.

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY

Clerk

Suca D. Cropy

Signature

AGENDA DATE

March 22, 2022

SUBJECT: OnBase System

ACTION REQUESTED Approve

SUMMARY/BACKGROUND

Ongoing support and maintenance for the Onbase document/workflow management system used by Superior Court Clerk's Offices. Assistance in OnBase software configuration, workflows, automate manual processes in the application. This in essence is a technical support expert that can take on the complex technology to problems, create needed programing and projects within the system, which will also alleviate the disruption to local IT to address system problems.

FISCAL IMPACT

There will be an annual fee of \$7,700.00. Currently the Clerk's office has some projects to complete and hope that the use of the OnBase administrator would be used up to three years or revisit the need of services in the future.

RECOMMENDATION

Skamania County Clerk will join other Washington Clerk's offices to streamline the management of documents and archival records according to law. We ask for approval.

LIST ATTACHMENTS

Interlocal Agreement between Skamania County and Pend Oreille County for Delivery of OnBase Administrator services.

OnBase Admin Cost

Salary	\$100,000.00
Benefits	\$16,800.00
Certification Annually	\$1,650.00
Lap Top/ Equip	\$2,000.00
Total Cost	\$120,450.00

County	# of Licenses		Base Rate	Price of License	Total Annually
Chelan		20	\$5,000.00	\$6,000.00	\$11,000.00
Douglas		19	\$5,000.00	\$5,700.00	\$10,700.00
Ferry		12	\$5,000.00	\$3,600.00	\$8,600.00
Klickitat		21	\$5,000.00	\$6,300.00	\$11,300.00
Lincoln		26	\$5,000.00	\$7,800.00	\$12,800.00
Skamania		9	\$5,000.00	\$2,700.00	\$7,700.00
Walla Walla		40	\$5,000.00	\$12,000.00	\$17,000.00
Total		147	\$35,000.00	\$44,100.00	\$79,100.00
Pend Oreille		13			\$41,350.00 \$120,450.00

INTERLOCAL AGREEMENT BETWEEN SKAMANIA COUNTY AND PEND OREILLE COUNTY FOR DELIVERY OF ONBASE ADMINISTRATOR SERVICES

THIS IS AN AGREEMENT, entered into under the authority of the Interlocal Cooperation Act, Ch 39.34 RCW, between Skamania County, Washington, a political subdivision of the State of Washington (hereinafter "Skamania County" and Pend Oreille County, Washington, a political subdivision of the State of Washington, through its Superior Court Clerk's Office (hereinafter "Pend Oreille"). Each a "Party" or together the "Parties". This AGREEMENT provides for the Skamania County to contract for specified OnBase Administrator services from Pend Oreille County and for Pend Oreille County to provide such OnBase Administrator Services upon the Terms and Conditions agreed to herein.

NOW THEREFORE.

SKAMANIA COUNTY AND PEND OREILLE COUNTY agree as follows:

TERMS AND CONDITIONS

SECTION 1-PURPOSE.

The purpose of this Agreement is to define the services to be provided and the terms and conditions under which they will be provided to Skamania County by Pend Oreille County.

SECTION 2-TERMINOLOGY.

As used in this Agreement, certain terms shall have the following meanings:

"Day/Days' shall mean calendar days.

"Force Majeure" means an occurrence that is beyond the control of a party and the effects of which could not have been avoided or mitigated by exercising reasonable diligence. Force Majeure shall include acts of nature (including: fire, floods, earthquakes, epidemics, or other natural disasters), acts of war, labor disruptions acts or omissions or defaults by third parties, and official governmental or judicial action not the fault of the party failing or delaying in performance, or other similar occurrences.

"Provider" shall mean the party to this Agreement as providing the service to the other party.

"Recipient" shall mean the party to this Agreement as receiving services from or through the other party.

"Services" shall generally represent the "Scope of Services" and may represent any combination of labor, whether by the Provider's employees, use of facilities, equipment, software or material goods utilized or consumed in providing the Services.

SECTION 3-EFFECTIVE DATE/TERM.

The effective date for this Agreement is on the date of execution by both parties and remains in effect until termination, as set forth in Section 4 of this Agreement.

SECTION 4-TERMINATION.

- 4.1 <u>TERMINATION FOR CONVENIENCE</u>- Either party may terminate this Agreement for convenience, after first providing written notice of the intent to terminate to the other party, 180 days in advance.
- 4.2 <u>TERMINATION FOR BREACH</u>- Except in the case of delay or failure resulting from circumstances beyond the control of and without the fault or negligence of a party, or of a party's suppliers or subcontractors, the Recipient shall be entitled, by written notice to cancel Agreement, for breach of any of its terms, and to retain all other rights against the Provider by reason of the Provider's breach as provided by law.

A breach shall mean one or more of the following events: (1) the Provider fails to perform the Services by the time and date required and such failure is not caused by a Force Majeure event; (2) the Provider breaches any warranty or fails to perform or comply with

any term or condition in this Agreement. If it is subsequently found that the Provider was not in breach, the rights and obligations of the parties shall be the same as if a Notice of Termination had been issued pursuant to subparagraph 4.1.

The Recipient shall issue a written notice of breach providing a period not to exceed thirty (30) days in which the Provider shall have an opportunity to cure. If the cure requires more than 30 days, the Provider shall provide a plan acceptable to the Recipient, and if exercising due diligence shall have a reasonable time to cure. Time allowed for cure shall not diminish or eliminate the Provider's liability for damages.

If the breach remains, after the Provider has been provided the opportunity to cure, the Recipient may do one or more of the following:

- (1) Exercise any remedy provided by law.
- (2) Terminate this Agreement or portions thereof, by written notice.
- (3) Seek damages.
- 4.3 <u>TERMINATION BY MUTUAL AGREEMENT</u>- The parties may terminate this Agreement in whole or in part, at any time, by mutual agreement.
- 4.4 In the event written notice of termination is given by either party, both parties shall work to accomplish a complete transition of services being terminated without interruption of, or adverse impact on, the services enjoyed by either party under this Agreement.

SECTION 5-OVERSIGHT AND ADMINISTRATION.

There shall be no separate legal entity created by this Agreement. The Pend Oreille County Superior Court Clerk and Skamania County Superior Court Clerk or their designees shall administer this Agreement.

The Administrators or their designees shall meet not less than annually (or otherwise mutually agreed) to review the performance of with regard to material aspects, as well as the effectiveness and value of the Services provided between the Provider and the Recipient.

The Administrators will review service levels and rates of compensation under this Agreement not less than annually.

SECTION 6-DISPUTE RESOLUTION.

In the event of a dispute between Pend Oreille County and Skamania County regarding the delivery of services under this Agreement, the Administrators noted in Section 5 above or their designees shall review the dispute and options for resolution. The decision of the Administrators of this Agreement or his/her designee, regarding the dispute shall be written as an addendum to this Agreement and shall be final as between the Parties.

Any controversy or claim arising out of or relating to the alleged breach of this Agreement that cannot be resolved by the Administrators, or their designees, may be submitted to mediation.

SECTION 7-VENUE AND CHOICE OF LAW.

In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action shall be in the courts of the State of Washington in and for the County of Pend Oreille. This Agreement shall be governed by the law of the State of Washington. Each party shall be responsible for its own attorney fees.

SECTION 8-RIGHTS AND REMEDIES.

The duties and obligations imposed by this Agreement and the rights and remedies available hereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law.

SECTION 9-INDEPENDENT CONTRACTOR.

Pend Oreille County is and shall at all times be deemed to be an independent contractor in the provision of the services set forth in this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between Skamania County and Pend Oreille County or any of the employees or agents of either party. Pend Oreille County shall retain all authority and responsibility for the provision of services, standards of performance, discipline and control of personnel, and other matters incident to the performance of services by Pend Oreille County pursuant to this Agreement.

The Parties shall comply with all relevant Federal, State, and municipal laws, rules and regulations. Nothing in this agreement shall make an employee of Skamania County an employee of Pend Oreille County or any employee of Pend Oreille County and employee of Skamania County for any purpose, including but not limited to, withholding of taxes, payment of benefits, workers' compensation pursuant to Title 51 RCW, or any other rights or privileges afforded to said employees by virtue of their employment.

This section 9 shall survive termination of this Agreement.

SECTION 10-HOLD HARMLESS/INDEMINIFCATION.

Each party agrees to indemnify, defend, save and hold harmless the other, its officials, employees and volunteers from any and all liability, demands, claims, causes of action, suits or judgments including costs, attorney fees and expenses, arising out of or resulting from the negligent acts, errors or omissions of Pend Oreille County relating to or arising out or in connection with, or incident to, its negligent acts or omissions under this Agreement. Without limiting the generality of the foregoing, the parties further expressly agrees to indemnify, defend, save and hold harmless the other party, its officials, employees, and agents from and against any and all liability, claims, demands, losses, damages, costs, causes of action, suits or judgments, including attorney fees, costs or expenses incurred in connection therewith, for deaths or injuries to person arising out of,

- in connection with, or incident to the performance of this Agreement by a Provider, its officials, employees or agents.
- 10.2 In the event that any suit based on such a claim, demand, loss, damage, cost or cause of action is brought against either party relating to a Service provided under this Agreement, the other party reserves the right to participate in said suit if any principal of government or public law is involved.
- 10.3 This indemnity and hold harmless shall include any claim made against a Recipient by an employee of the Provider or subcontractor or agent of the Provider, even if the Provider is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW; provided however, this paragraph does not purport to indemnify the Recipient against the liability for damages arising out of bodily injuries to person caused by or resulting from the sole negligence of the Recipient, its elected officials, officers, employees and agents.
- 10.4 This indemnity and hold harmless shall further include any claim made against either party regarding payment of any taxes other than state sales tax on tangible goods.
- 10.5 In the event of litigation between the parties to enforce the rights under this section, each party shall bear its own attorney's fees and costs.
- 10.6 This Section 10 shall survive the termination of this Agreement.

SECTION 11-ASSIGNMENT/SUBCONTRACTING.

Neither the Recipient nor the Provider shall transfer or assign, in whole or in part, any or all of their respective rights or obligations under this Agreement without the prior written consent of the other.

SECTION 12-NON-DISCRIMINATION.

In connection with the provision of services pursuant to this Agreement, the Parties shall not discriminate against any employee or applicant for employment or against any consumer of or applicant for services because of age, sex, race, creed, religion, color, national origin, marital status, pregnancy, veteran status, the presence of any physical, mental or sensory disability, or perceived or actual sexual orientation. The Parties certify that they are Equal Employment Opportunity Employers.

SECTION 13-NO THIRD-PARTY BENEFICIARY.

Skamania County and Pend Oreille County do not intend there by any third-party beneficiary under this Agreement. Neither party intends, by this Agreement, to assign any contractual obligations to or assume any contractual obligations by any party, other than between Skamania County and Pend Oreille County. However, this does not limit or restrict either party from engaging a third-party to provide similar services under separate agreements.

SECTION 14-NOTICE.

Any notices to be given under this Agreement shall be in writing and shall, at a minimum, be delivered, postage prepaid and addressed to:

If to Pend Oreille County:

PEND OREILLE COUNTY
PO Box 5020
Newport, Washington 99156
Attn: Tammie Ownbey, County Clerk

If to Skamania County:

SKAMANIA COUNTY PO Box 790 Stevenson, WA 98648 Attn: Grace Cross

Either party giving the other party notice of such change as provided in this Section 14 may change the name and address to which notices shall be directed.

SECTION 15-WAIVER.

No waiver by either Party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or conditions or any subsequent breach, whether of the same or different provision.

SECTION 16-CONFIDENTIALITY.

The Provider acknowledges that its employees may have access to sensitive and confidential materials. The Provider employees shall not disclose to a third-party any information accessed, downloaded, obtained, reviewed etc., as part of providing the services under this Agreement without the written permission of the Recipient, by court order, or if such disclosure is required pursuant to the Public Records Act (Chapter 42.56 RCW).

SECTION 17-ENTIRE AGREEMENT.

Except as provided in Section 20 (Services), this Agreement contains all of the agreements of the parties with respect to the subject matter covered or mentioned therein, and no prior Agreements shall be effective to the contrary.

SECTION 18-AMENDMENT.

The provisions of this Agreement may be amended with the mutual consent of the parties. No additions to, alterations of, the terms of this Agreement shall be valid unless made in writing and formally approved by and executed by the Pend Oreille County Board of Commissioners, or their designee and the Skamania County Board of Commissioners or their designee.

SECTION 19-SEVERABILITY/CAPTIONS.

If any section or provision of this Agreement is held by a court to be invalid, such action shall not affect the validity of any other section or provisions of this Agreement. The captions in this Agreement are for convenience only and do not in any way limit or amplify particular provisions.

SECTION 20-SERVICES.

- 20.1 Pend Oreille County shall provide on-going support and maintenance for the OnBase document/workflow management system used by the Superior Court Clerk's Offices. Services include but are not limited to:
 - Configuring OnBase software to create workflows and automate manual processes in the application.
 - b. Plan and test software updates. Assists in troubleshooting and resolving update issues.
 - c. Assist with e-filing related to the OnBase software.
 - d. Assist with the integration of other software/applications to the OnBase software.
- 20.2 Where the Recipient requests services under this Agreement, such services should be requested via email or phone to the Provider's assigned employee who will document the request in the form of an E-Ticket which will be generated by the Provider's employee.
 - The intent of this provision is to ensure clear communication and documentation of the service(s) being requested prior to either party taking action or incurring costs. Both parties will act in good faith to identify requirements, expectations and to adhere to the commitments specified with this Agreement.
- 20.3 All service requests are subject to the terms and conditions of this Agreement.
- 20.4 Duration of a service request shall be defined in the email or phone communication and may be (1) of a limited time period which is concluded upon accomplishment of specified deliverables or (2) of a continuing service with regular renewal review.

SECTION 21-RATES FOR SERVICE AND BILLING PROCESS.

- 21.1 Rates for Service. During the term of this Agreement, and in consideration for the Services provided by the Pend Oreille County as set forth herein, Skamania County promises to pay Pend Oreille County a quarterly sum determined according to Exhibit A, which is attached and incorporated by reference. Rates may change from year to year and will be discussed between the parties as provided in Section 5 during the annual review.
- 21.2 If it is necessary for Provider's employee to travel by motor vehicle to the Recipient's Facilities in order to provide Services under this Agreement, the Recipient shall reimburse Provider at the current Standard Mileage Rate set by the IRS. If it is necessary for a Provider's employee to drive to a location other than the Recipient's facilities for the purposes of this Agreement, the Provider shall first obtain permission from Recipient prior to incurring any travel costs.

- 21.3 Recipient shall be responsible and liable for all costs incurred in the acquisition of its own equipment (data processing and telecommunication) and third-party vendor fees.
- 21.4 <u>Billing Process.</u> Skamania County will be billed in equal quarterly amounts for services rendered. The payments are due within 30 days after invoicing by Pend Oreille County. Payments shall be made to:

Pend Oreille County Clerk's Office P.O. Box 5020 Newport, WA 99156

SECTION 22-REQUEST FOR SERVICES OUTSIDE OF THIS AGREEMENT.

Recipient may desire to have Provider perform additional services, not covered by this Agreement. In such case, Recipient may solicit a response and cost proposal from Provider for the performance of specified services. If the services provided or risks involved are deemed significantly different than those under the current Agreement, a separate memorandum of understanding may be jointly developed by Recipient and Provider to identify the terms and conditions for these additional services, including terms for termination. Recipient may accept or reject Provider's proposal for services.

SECTION 23-PERSONNEL.

- 23.1 <u>Assigned Staff.</u> Provider shall designate the personnel to provide services to Recipient. Recipient reserves the right to review the qualifications of personnel providing services under this Agreement.
- 23.2 If Recipient believes that the performance or conduct of any person employed or retained by the Provider to perform obligations under this Agreement, is unsatisfactory for any reason, or is not in compliance with the provision of this Agreement, Recipient shall notify the Provider designated in Section 5 of this Agreement. The Provider will establish a plan to resolve the issue with a deadline mutually agreed upon by the Recipient. If a mutually acceptable solution is cannot be reached, parties to follow the dispute resolution procedures outlined in Section 6 of this Agreement.
- 23.3 Access to Recipient Facilities. Recipient, depending on requirements of the request for service, in its sole discretion, may approve any Provider employees requiring access to any Recipient facility. Should Recipient refuse access to any Provider employee attempting to act in accordance with this Agreement, the Provider shall not be held in breach of the Agreement as to the Services affected.
- 23.4 <u>Background Checks.</u> As may be required by the Recipient and the requirements of a request for service, the Provider shall be responsible for conducting a background check on all personnel hired after the effective date of this Agreement. The background investigation shall include but not be limited to a credit check and criminal records check for misdemeanors and felonies. Limited background checks will be performed on current employees that have access to the Recipient's sensitive data.

- 23.5 <u>Staff Substitution</u>. In the event that Recipient notifies Provider that it wishes Provider to replace an employee of the Provider providing services to Recipient, Recipient and Provider shall meet to attempt to resolve Recipient's concerns. If the parties are not able to resolve Recipient's concerns within ten (10) days after Recipient's notice to Provider (or such later date agreed upon by both parties), Provider shall exercise reasonable diligence to honor Recipient's requests to replace the staff member.
- Staff Direction. In situations where Skamania County staff receives directions from Pend Oreille County's staff or Pend Oreille County staff receives direction from Skamania County staff that may be in conflict with Pend Oreille County or Skamania County policy, guidelines, terms and conditions of this Agreement, or that may result in potential risk to either Party, the involved staff will notify one another and the Administrators noted in Section 5 of this Agreement of such potential conflict and of the relevant policy, guideline, term or condition of this Agreement or risk and delay action implementing such direction, unless immediate action is required to ensure business continuity, until the direction can be confirmed with the Administrators in consultation. The Administrators will make best efforts to expedite identification and resolution of conflicts and provide prompt directions to their respective staff members. If they are unable to resolve the conflict, the provisions of Section 6 shall apply.
- 23.7 Employees physically working at a facility of the other party will act in accordance with all policies and procedures regarding appropriate conduct in that party's workplace.

SECTION 24-WARRANTY.

The Provider warrants and represents that the services provided shall be performed in a good, workmanlike and professional manner in accordance with industry standards and practices. Except as expressly stated herein, there are no express or implied warranties, including but not limited to the warranties of merchantability and fitness for a particular purpose respecting this agreement or the services provided.

SECTION 25- REAL OR PERSONAL PROPERTY.

The terms of this Agreement do not contemplate the acquisition of any real or personal property. In the event that joint property is acquired, then it shall be distributed, when the Agreement is terminated, to the parties in proportion to that party's monetary contribution to purchase such property.

SECTION 26- RECIPIENT COUNTY RESPONSIBILITIES.

To meet its obligations under this Agreement, Skamania County will:

- 26.1 Work cooperatively with the appropriate Pend Oreille County staff to define and set priorities for Skamania County OnBase projects to be accomplished.
- 26.2 Compensate Pend Oreille County for services provided within this Agreement.

26.3 Provide or fund upgrades, replacement or additional equipment authorized within the scope of this Agreement and if possible, as recommended by the Pend Oreille County OnBase Administrator as necessary to keep a current infostructure.

SECTION 27-DOCUMENTATION.

Pend Oreille County will maintain documentation accessible by Skamania County that contains up to date documentation regarding activities, schedules and processes related to the services provided under this Agreement.

SECTION 28-DOCUMENT EXECUTION.

The parties agree that there shall be two (2) duplicate originals of this Agreement procured and distributed for signature by the necessary officials of the parties. Upon execution, one executed original of this Agreement shall be retained by each County Clerk of the Board. This Agreement shall be filed pursuant to the provisions of RCW 39.34,040.

IN WITNESS WHEREOF: The parties have caused respective names by their duly authorized officers as of the day of, 2022.	sed this Agreement to be executed in their and have caused this Agreement to be dated
BOARD OF COUNTY COMMISSIONERS PEND OREILLE COUNTY, WASHINGTON:	BOARD OF COUNTY COMMISSIONERS SKAMANIA COUNTY, WASHINGTON
John Gentle, Chair	Richard Mahar, Commissioner
Robert Rosencrantz, Commissioner	Bob Hamlin, Commissioner
Brian Smiley, Commissioner	Tom Lannen, Commissioner
Attest:	
Crystal Zieske, Clerk of the Board	Debbie Slack, Clerk of the Board

Recommended for Signature by:	Recommended for Signature by:
	Snade De Com
Tammie Ownbey	Grace Cross
Pend Oreille County Superior Court Clerk	Skamania County Superior Court Clerk
Approved as to Form:	Approved as to Form:
MARKANIA MANAMANA MANAMANA MANAMANA MANAMANA MANAMANA	
Dolly N. Hunt	[insert name] Adam Kic/C
Prosecuting Attorney	Deputy/Prosecuting Attorney

EXHIBIT A

Services and Rates for Budget Year 2022

Rate(s) associated with the OnBase Administrator Services provided by Pend Oreille County:

Skamania County	# of Licenses	Price Per OnBase License	Base Rate	Price of License	Totally Annually
Linda World Land	9	\$300.00	\$5,000	\$2,700	\$7,700
	770 0700 1 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1		1111.1111.1111.1111.1111.1111.1111.1111.1111		

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number	•
2.	Contract Status: (Check appropriate t	pox) Original Renewal Amendment
3.		Contractor: Imagesoft Contact Person: Paul Maple Title: General Counsel & Secretary Address: 40 Burton Hills Blvd, Ste 415 Address: Nashville, TN 37215 Phone: (616)465-4487
4.	Brief description of purpose of the co	ntract and County's contracted duties:
5.	Term of Contract: 3 year minimum	From: March 2022 To: until termination
6.	Contract Award Process: (Check appropriate General Purchase of materials, eq	opriate box) uipment or supplies - RCW 36.32.245 & 39.04.190
	Informal Bid Process (Formal Sealed Bid Pro Other Exempt (explain Public Works Construction & Imp	2,500 or less upon order of the Board of Commissioners Formal Quotes between \$2,500 and \$25,000) cess (Purchase is over \$25,000) and provide RCW) provements Projects – RCW 36.32.250 & 39.04.155 (Public
		onts Only) We projects up to \$200,000) ess than \$10,000 upon order of the Board of Commissioners)
7.	Amount Budgeted in Current Year: Amount Not Budgeted in Current Year Total Non-County Funds Committed: Total County Funds Committed: TOTAL FUNDS COMITTED:	\$ \$42,500 Source: _ARPA FUNDS AWARD_ \$ Source: \$ \$42,500
8.	County Contact Person:	Name: Grace D. Cross Title: Skamania County Clerk
	Special Comments: Adding this enhant filing to work within the DMS app	Department Head or Elected Official Signature accement to our current ImageSoft DMS program would allow elication to import and process e-filing in one system. We would ing in this direction and better assist those filing remotely with the
	court. There will be an annual cost	of \$7,500 but may be reduced by those using the system.

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY

Clerk Department

Signature

AGENDA DATE: March 22, 2022

SUBJECT: ImageSoft

ACTION REQUESTED: Approve

SUMMARY/BACKGROUND

A department request for ARPA funding was made and approved on March 8, 2022 to authorize adding an enhancement to the current ImageSoft document management system (DMS) to support E-filing knows as TrueFiling. This will allow parties to file legal pleadings remotely maintaining access to the courts throughout the pandemic and legislative expectations to increase technical support for filers of specific protection orders.

FISCAL IMPACT

This will be a one-time payment of \$35,000. with an annual fee of \$7,500. The annual fee can be reduced by the number of filers paying to use the system.

RECOMMENDATION

Approved on March 8, 2022, request the Board sign the contract.

LIST ATTACHMENTS

ImageSoft Statement of Work

Statement of Work

Statement of Work No. 22180

Revision No. 0

Customer Name: Skamania County

Project Name: Washington Counties Shared TrueFiling Solution

ImageSoft Contact: Steve Dale

Contract Type: Fixed Price

Submitted Date: 3/3/2022

This Statement of Work ("SOW") is made and entered into by and between i3-ImageSoft, LLC., a Delaware limited liability company with its principal offices at 25900 W. 11 Mile Rd, Suite 100 Southfield, MI 48034 ("ImageSoft"), and Skamania County with its principal offices at 240 Vancouver AveStevenson, WA 98648 ("Customer"):

This SOW is to be attached to and is hereby made a part of the Professional Services Agreement ("PSA" or "Master") entered into by and between Customer and ImageSoft dated 3-12-12-

Unless otherwise specified, the products and services provided within this SOW are hereby added to and covered for the duration and under the terms of the System Maintenance Agreement ("SMA") entered into by and between Customer and ImageSoft dated 322-20.

Capitalized terms are as defined in the PSA or herein. To the extent that any terms and conditions contained in the related PSA or SMA are in conflict with, or in addition to the terms and conditions of this SOW, the terms and conditions of this SOW shall control, except for terms and conditions that cannot be overridden as noted in Section 1.1 of the Master.

The pricing and terms in this SOW are valid for thirty (30) calendar days from the date of submission.

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1. Definitions

EFM - "Electronic Filing Manager" or "EFM" is a major component of an eFiling system, as defined in the OASIS ECF standard (https://www.oasis.open.org/standardsetsecf/s 01). The EFM primarily provides software components for the Clerk/court side of the solution.

EFSP – "Electronic Filing Service Provider" or "EFSP" is a major component of an eFiling system, as defined in the OASIS ECF standard (https://www.cesis-open.org/standende/jec/yet.01). The EFSP primarily provides software components for the Filer side of the solution.

ECF – "Electronic Case Files" or "ECF" system refers to a standard for content, format and messaging services used by the Clerks/courts' automated system to receive and store documents filed in electronic form.

2. Executive Summary

Customer has requested the following SOW for ImageSoft to implement a TrueFiling ECF-conformant electronic filing solution. This SOW has been created leveraging the existing Spokane County TrueFiling structure.

The TrueFiling solution will allow Customer's filers to submit Clerk filings (new and subsequent filings) through an online, hosted web interface (EFSP). Customer Clerks will use the Filing Review workflow to process these electronic filings (EFM).

The purpose of this SOW is for ImageSoft to assist Customer in implementing eFiling services within the constraints of the Master Agreement. ImageSoft's eFiling system is called TrueFiling™.

This SOW provides scope information for installing, configuring, testing, training, and hosting of the standard TrueFiling EFSP and Filing Review EFM systems. No customization of product is included. Any significant product or implementation changes will be managed through the *Project Change Authorization Procedure* described in Appendix A-1. If a change in scope occurs, ImageSoft will present to Customer the reasoning for the additional or reduced scope and an estimate of the changed effort. Customer will be given the option to accept the scope change, through a change order, or where feasible, to continue the project at the original scope.

The following are incorporated in and made part of this SOW:

- Appendix A: Project Procedures
- Appendix B: Case Types/Filing Types



3. Proposed Solution

This section provides details about the standard product offering and indicates the anticipated scope of the product.

3.1 Product Overview

ImageSoft's eFiling solution consists of two (2) main components: TrueFiling and OnBase Filing Review. TrueFiling is a web application that allows attorneys, organizations, and pro-se litigants to quickly and easily file documents to the Clerk. OnBase provides the Filing Review interface specifically for Clerks and Judges to review and markup new filings. All TrueFiling documents are generally converted and submitted to the Clerk as PDF, but Customer will receive in a .tif format

3.2 Case Initiation

TrueFiling supports case initiation of cases. Filers will login to the TrueFiling portal and fill out a basic form that indicates the case type and basic party information. From there, the filer will be able to upload additional documents and submit to the Clerk.

TrueFiling will be configured with a standard set of Case Types and Filing Types and the customer will be able to specify any applicable fees (statutory, convenience). See Appendix B: Case Types/Filing Types for a list of the case types and filing types included within this solution.

3.3 Subsequent Filings

TrueFiling supports subsequent filing of cases. The filer can search by either case number or a wildcard search of case title, and proceed to upload one or more documents. The filer can also select recipients for electronic servicing. Upon submitting the filings, recipients marked for eService will be served via email with download links to the documents. TrueFiling automatically generates a Proof of Service and submits this to OnBase with the rest of the filings that were served. The Proof of Service lists out all recipients where delivery was at least attempted. TrueFiling will be configured with a standard set of Case Types and Filing Types and the customer will be able to specify any applicable fees (statutory, convenience).

3.4 Payment Processing

TrueFiling uses Burton for its payment processing and supports all major credit cards. The filer is charged immediately upon submitting the filings (note rejected filing fees will be credited but the customer still pays the 3% credit card processing fee and disputed charges would also still result in the customer paying the 3% credit card processing fee). In respect to statutory fees, TrueFiling will support the configuration of up to five (5) Fee Waiver reasons with the ability to upload a Fee Waiver form provided by Customer. If a Fee Waiver is submitted, the statutory fees are waived for that filer. A Payment Receipt is generated and sent to OnBase to accompany the filings. In addition to any statutory fees Customer wishes to charge, ImageSoft charges and collects the following fees:

- 3% credit card processing fee
- \$3 eServicing fee per filing that is eServed (optional)

Staturory fees will be disbursed to the court the following business day and the court will be able to review funds distribution via the Burton Payment Processor web portal. Convenience fees will be collected by ImageSoft and applied to Customer's annual subscription fees. Any remaining balance will be billed to Customer during the annual billing period.

NOTE: Attorney pre-pay escrow accounts are not part of the standard product but are available as an addon for cost.



3.5 Filing Review

OnBase provides a Filing Review interface for documents that have been submitted via TrueFiling. The interface supports queues for Clerks and Judges. Work can be distributed to specific Clerks based on the type of filing, and a list of Clerk holidays can be specified by Customer to be configured in the final solution. While processing filings, the Clerk will be able to accept or reject those filings. Customer will be able to specify a list of rejection reasons the Clerk can choose from.

Customer will provide a Filed stamp and Clerk Seal that can be applied to documents throughout the filing review process.

3.6 Integrations

A daily feed of documents will be exported for each court and placed on an ImageSoft provided sFTP. These documents will be indexed by case number and docket code. Customer will be responsible for the extractation of documents from the designated sFTP location and ingestion into the court's own DMS for long term storage.

Customer will be responsible for providing an initial and ongoing (frequency TBD) case load which will be uploaded to the TrueFiling environment and will allow filers to search and file into open cases. Customer will provide a sample of the case data load to be validated during their User Acceptance Testing ("UAT"). If able, Customer will provide a full case data load of all open cases to be uploaded to Production at the time of Go-Live. Case data format will be determined by ImageSoft, and at a minimum will include the case number, case title, and case created date.

3.7 Retention

Both TrueFiling and OnBase support a retention period and are not the permanent storage for the case file. OnBase will purge documents after ninety (90) days, and TrueFiling will purge documents after ninety (90) days.

3.8 Hosting

ImageSoft will provide the OnBase solution in a SaaS hosting model through ImageSoft Cloud Services. ImageSoft will host the Customer solution Production environment in Microsoft Azure Government Cloud. Azure Government delivers a dedicated cloud, enabling government agencies and their partners to transform mission-critical workloads to the cloud. Azure Government services handle data that is subject to certain government regulations and requirements, such as FedRAMP, NIST 800.171 (DIB), ITAR, IRS 1075, DoD L4, and CJIS. To provide you with the highest level of security and compliance, Azure Government uses physically isolated datacenters and networks (located in U.S. only).

By leveraging Microsoft Azure Government for production systems, ImageSoft delivers enterprise security starting at the foundational physical layer, offering a holistic security management approach through the logical and application layers with options to match the strictest control. This includes access controls, data encryption at rest as well as in-flight, and data isolation. Microsoft leads the industry in establishing clear security and privacy requirements and then consistently meeting these requirements.

ImageSoft will host:

 One (1) Test environment. The Test environment will be secured in the same manner as Production with the exception that the Test environment leverages the Azure Commercial Cloud as opposed to Azure Government. One (1) Production environment.

ImageSoft will configure or verify the following:

- Use of Transport Layer Security ("TLS") for all communications to the Application Server and/or Web Server.
- Use of best-in-class encryption to ensure security of Data-at-Rest.

ImageSoft SaaS Cloud Services Assumptions

- Solution includes ImageSoft's Standard Class for Availability and Business Continuity for Production systems:
 - Monthly Uptime Percentage of 99% excludes the following: planned downtime (of which ImageSoft shall give advance electronic notice); any unavailability caused by circumstances beyond ImageSoft's reasonable control, including, for example, an act of God, act of government, flood, fire, earthquake, civil unrest, act of terror, strike or other labor problem (other than one involving ImageSoft employees), internet or third party Cloud service provider failure or delay, non-ImageSoft Application, or denial of service attack.
 - o Recovery Point Objective eight (8) hours
 - Recovery Time Objective forty-eight (48) consecutive hours
- ImageSoft will provide up to two (2) environments including:
 - o One (1) Production environment- Azure Government
 - One (1) Non-Prod Functionality Testing environment- Azure Commercial. This is the Test environment
- There is no SLA for non-production environments. ImageSoft will make reasonable efforts to make the non-production system available during normal business hours (Monday to Friday, 8am to 6pmPST, excluding holidays).
- System Availability:
 - TrueFiling Filers will be able to file into TrueFiling 24x7 within the described SLA terms.
 - OnBase / Filing Review Clerks will be able to access OnBase Filing Review 24x7, with ImageSoft support available Monday through Friday, 8am to 6 pm PST, within the described SLA terms.
- ImageSoft will initially configure the Production and Non-Production systems in the same configuration.
- Customer and ImageSoft will coordinate firewall and desktop security changes necessary to
 accommodate the OnBase Solution hosted in Azure Government. This includes, but is not limited
 to, whitelisting Azure Government IP addresses, the OnBase Unity Client, the Azure VPN
 software and other solution components in firewalls, web traffic filtering software, intrusion
 detection software, etc.
- Customer administrators will make necessary changes to their Active Directory infrastructure to accommodate ADFSintegration if required.
- Customer will ensure has adequate bandwidth to support reasonable data transfer rates between the source network and Azure Government. Customer understands that document download speeds are determined by multiple factors, including document size, available bandwidth, network saturation, workstation specifications, etc.
- The maximum supported file size is 25MB. Support for larger file sizes may require additional customizations that are out of scope.
- TrueFiting operates off a continuous delivery release model, typically releasing every few weeks rather than one (1) or two (2) large releases a year.



3.9 Project Implementation Construction and Build Factors

The following factors will impact the schedule for implementing TrueFiling for Clerk:

Clerk's technical readiness: IT infrastructure and connection to the internet.

Clerk/court's change readiness: acceptance of change and acceptance of technology.

3.10 Clerk/Court Tasks and Resources

ImageSoft requires participation by Clerk. Along with the chart below, ImageSoft expects the Clerk or county IT to provide a Project Manager who can attend status meetings, coordinate resources and customer activities or deliverables, build consensus, provide consolidated feedback and make decisions on behalf of the Customer stakeholders. Additional responsibilities of the Project Manager are detailed in section 3.12 — Clerk Project Responsibilities.

The following chart provides an estimate of the Clerk's required participation and/or activities for each phase to support a successful implementation:

Task Name	Role	Commitment / Work Products
Project Kickoff	IT, Clerk, Court Admin, Judge	Day meeting
Review Standard Solution and Configuration with Court	IT, Clerk, Court Admin	Technical review meetings, documentation reviews, demonstrations, requirements meetings
Create, test and share daily case data export		Development, testing, deployment, ongoing maintenance
Finalize Clerk Rollout Plan	IT, Clerk Admin	Day meeting, documentation review
Train the Trainer and UAT Kickoff and Support	IT, Clerk, Court Admin, Judge	Training, User Acceptance Testing
UAT Signoff	IT, Clerk and Court Admin	Day meeting
Smoke Test Migration in Client	IT, Clerk, Court Admin, Judge	Participate in testing
Provide Go Live Support to Court users	IT, Clerk, Court Admin	On demand support

The Clerk resources will be assigned their specific tasks and work products in the agreed-to project schedule. Both the ImageSoft and Clerk Project Managers will monitor and control the project work. Each task and work product (deliverable) will be assigned a time to complete.



3.11 Implementation Stages

The following sections describe the activities the Clerk can anticipate to participate in throughout the implementation:

Project Kickoff

The objective of this activity is to align the ImageSoft and Customer teams, ensure all parties understand the intended implementation approach and scope of the product sold. A kickoff meeting will be held during this period and a project plan will be created by ImageSoft and mutually reviewed and approved.

Case Type and Filing Type Requirements

The objective of this activity is to identify the required configuration of the standard solution for all case types and filing types. The Clerk will be responsible for completing a Configuration Workbook and returning it to ImageSoft within one (1) week of Project Kickoff.

Product Installation

The objective of this activity is to set up ImageSoft's development environment for the Clerk and get TrueFiling and Filing Review configured from a base solution standpoint based on the standard product offering for a single case type. ImageSoft will set up the development servers for OnBase, create a development instance of TrueFiling, and get all communication flowing between them so the system is ready for demonstration to the Clerk and configuration review.

NOTE: The Development environment will be the Clerk's live production system once the system is ready for filers. Following the Go-Live, the Production environment will be cloned to create a long-term Development environment.

Configuration Review

The objective of this activity is to review the baseline configuration of the standard solution. Clerk's business and IT Subject Matter Experts will participate in a solution demonstration and configuration review session to understand the major functionality of the baseline system and the processing of the Case Types and Filing Types.

System Testing

The objective of this activity is to test the system and ensure it is working as designed in accordance to the base solution and requested configuration changes.

This activity consists of the following subtasks:

- Conduct system testing
- Fix identified problems
- Retest as required

Training

ImageSoft will provide training for both the filers and Clerk staff. The following sections describe the included training:

. ImageSoft

Conduct OnBase Filing Review Training

The objective of this activity is to train up to ten (10) users for Clerks as well as Judicial Staff and Judges on the Filing Review workflow and Unity Client. Training will be provided over a GoToMeeting or GoToWebinar (or similar technology). As a prerequisite, users may be required to attend a Hyland end user web-based course. Refresher training will be made available to an additional group of users as part of the full roll-out.

The following Training Courses will be provided in accordance to this SOW:

- Clerk Training for OnBase Filing Review
- Judicial Staff and Judge Training for OnBase Filing Review

This activity consists of the following subtasks:

- Creation of UAT TrueFiling instance and UAT (AKA Development) environment on ImageSoft's servers.
- Provide Clerk with installation instructions for any machines to be used during training session.
- Review of a sample training machine to ensure training readiness.
- Purge system of unit testing data as needed.
- Load system with sample training documents.
- Plan and discuss with Clerk how and where the training will be conducted.
- Prepare ImageSoft training materials. All training materials are customized with screenshots of the user's solution, but these are not click-by-click end user guides.
- Review materials with Clerk.
- Schedule and conduct one (1) end user training for each of the training courses listed above.

Conduct Filer Training

The objective of this activity is to provide a filer training course. Training will be provided over a GoToMeeting or GoToWebinar (or similar technology). A training link will be sent out in advance to a list of filers provided by the Clerk, allowing them to register for the course. Refresher training will be made available to an additional group of users as part of the full roll out.

ImageSoft will host one (1), one-hour TrueFiling webinar on the following schedule for the filers to choose from:

One (1) week prior to Go Live

The training will provide a demonstration of the TrueFiling website. Attorneys will have the opportunity to ask questions over the chat feature of the provided webinar software.

This activity consists of the following subtasks:

- Work with Clerk to send an invitation email to a list of attorneys that would use the TrueFiling system.
- Schedule and conduct one (1) Filing Review Training session.



User Acceptance Testing

The purpose of User Acceptance Testing ("UAT") is for the Clerk to test the solution to ensure the configuration changes requested have been successfully implemented. The UAT process is a cooperative effort facilitated by ImageSoft.

UAT requires heavy involvement from both the ImageSoft and Clerk teams; preparation for the UAT process starts early on in the project and culminates with the testing period. The duration of the testing period for this SOW is approximately two (2) weeks. A Project Change Request will be required for additional UAT duration.

ImageSoft will perform the following tasks as part of the UAT process:

- Provide UAT Issue Tracking system for Clerk to log defects.
- Provide support for UAT kickoff immediately following Filing Review Training and work with Clerk during a <u>pre-defined</u> period of time to guide UAT.
- Conduct daily status meetings during testing to assess test results and progress.
- Correct defects which Clerk demonstrates are behaving contrary to the Clerk Configuration Workbook.
 - All reported issues will be reviewed and discussed if requested functionality is not within the scope of the standard solution; project team will estimate any requested enhancements identified.

Clerk will perform the following tasks as part of the UAT process:

- Provide at least one (1) resource to perform a minimum of twenty (20) hours per week of testing during the testing period. Report results and issues to ImageSoft.
- Identify a single point of contact for internal testers to report defects.
- Identify a single point of contact to report defects and communicate with ImageSoft.
- Participate in daily UAT status meetings.
- Clerk's System Administration shall enter defects into the ImageSoft-provided Issue Tracking system. Details to be entered include a minimum of:
 - Detailed description of the problem (include screenshot(s) if applicable)
 - Steps needed to reproduce the issue
 - Troubleshooting steps which have already been taken to solve the issue
- Perform regular retest of ImageSoft resolved defects (at least every other day) and communicate resolutions to end users.
- Work with ImageSoft to prioritize issues that arise during UAT.

Go-Live

ImageSoft will assist Clerk in the rollout of the final system into Production. Production rollout is a joint effort, and will require significant effort from Clerk.

This activity consists of the following subtasks:

- Create Production cutover plan and communicate plan and status with Clerk.
- Coordinate with Clerk on Production cutover schedule and activities, including any required system outages.
- Promote configuration to Production (single environment only).
- Perform smoke test of Production system after promotion.

Post Go-Live Support

The purpose of this activity is to provide transition of the system from the implementation team into long term support for the newly implemented solution. The duration of the support period for this SOW is approximately two (2) weeks. A Project Change Request ("PCR") will be required for additional Post Go-Live Support duration. All work will be conducted remotely.

This activity consists of the following subtasks:

- Correct defects which Clerk demonstrates are behaving contrary to the Clerk Configuration Workbook.
 - All reported issues will be reviewed and discussed if requested functionality is not within the scope of the standard solution; project team will estimate any requested enhancements which identified.
- Perform ImageSoft internal transition readiness assessment (and create documentation as necessary).

ImageSoft will provide a comprehensive Maintenance and Support program for the system after it goes into live production as required by the provisions of the Master Agreement. As part of such services, ImageSoft will transition from implementation mode to production support mode. This transition includes internal ImageSoft meetings and knowledge transfer and notification of updated contact procedures to Clerk users through the Clerk Project Manager.

Ongoing support is available for filers through our TrueFiling Support team and available for Clerks and court personnel through our Cloud Services Support team. Support hours for filers and Clerk staff are weekdays from 5:00 AM – 6:00 PM PST.

Full Rollout Planning

All case types will include the activities described below:

- Kick-off
- Gather and finalize requirements
- Creation of Test environment
- System build and test
 - Configuration of case and filing types
 - Initial case load (Customer responsibility)



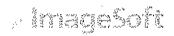
- Work toward automating the output and consumption at regular intervals via case feed (due by Go-Live)
- Build in progress demonstration(s)
- System testing
- User Acceptance Testing
 - Includes tester training to kick-off UAT
- Training To be hosted during UAT timeframe
 - OnBase Filing Review Trainings
 - Filer Training for Filers
 - Session will be recorded and made available to customers for future viewing
- Refresh of case types to Production
 - This includes setting up ongoing feed of case data
- Go Live
 - Clerk's office may choose to turn on or activate eFiling in batches of two to three (2-3) case types at a time to minimize Customer and staff change management impacts
- Post Go-Live Support
- Transition to Cloud Services Support

3.12 Clerk Project Responsibilities

The successful completion of the proposed scope of work depends on the full commitment and participation of Clerk management and personnel. The responsibilities listed in this section are in addition to those responsibilities specified in the Agreement and are to be provided at no charge to ImageSoft.

- Prior to the start of this SOW, Clerk will designate a Project Manager, who will be the focal point
 for ImageSoft communications relative to this project and who will have the authority to act on
 behalf of Clerk. The Project Manager will: attend all status meetings; provide access to Subject
 Matter Experts, Project Sponsors, and other Stakeholders; ensure communication is timely across
 Clerk organization, and support issue escalation and resolution.
- Clerk will respond in a timely manner (within three (3) business days) to questions and other requests from the ImageSoft project team.
- Clerk is responsible to select and provide knowledgeable personnel to manage the system after rollout. This includes both IT and business process skills transfer.
- Clerk will ensure that appropriate personnel are available to attend the scheduled trainings.
- Clerk is responsible for providing updated standards and procedures. Step-by-step user documentation on user processes will not be provided by ImageSoft as a part of this SOW.

- Clerk will provide adequate access to all systems (servers, systems, and/or workstations) required by the project on-site and/or remote via the internet.
- Clerk will ensure its staff is available to provide such assistance as ImageSoft reasonably requires.
 ImageSoft is given reasonable access to Clerk's Senior Management team, as well as any members of its staff to enable ImageSoft to provide Services. If any Clerk staff fails to perform as required, Clerk will make suitable additional or alternative staff available.
- Clerk will provide relevant information and documentation required for the engagement. Clerk
 agrees that all information disclosed or to be disclosed to ImageSoft is and will be true, accurate
 and not misleading in any material respect. ImageSoft will not be liable for any loss, damage or
 deficiencies in the services arising from inaccurate, incomplete, or otherwise defective information
 and materials supplied by Clerk.
- Clerk will ensure it has appropriate agreements in place with third parties to enable ImageSoft to
 perform the services under this SOW. This includes Clerk using or providing ImageSoft with third
 party information, software, support or materials for the project including but not limited to, where
 Clerk is employing other suppliers whose work may affect ImageSoft's ability to provide the
 services. Unless specifically agreed to in writing, Clerk will be responsible for the management of
 the third parties and the quality of their input and work.
- Unless otherwise specified, Clerk will provide the necessary software and licenses that ImageSoft will use for developing custom components and applications, where applicable.
- Clerk is responsible for ensuring that data is secure and protected at all times on Clerk computers.
 ImageSoft is not responsible for and cannot be held liable for inadvertent data disclosure or theft from Clerk computers.
- Clerk, at all times, during and after the performance of the Work, is responsible for maintaining adequate data backups to protect against loss of data on Clerk computers.
- Clerk is responsible for network performance and troubleshooting assistance including the ability to monitor network traffic and isolate bottlenecks.
- Clerk responsibilities when integrating to Clerk Systems:
 - Technical expertise and assistance with existing Clerk systems, which may include engaging third-party vendors for assistance where necessary.
 - o Provide all relevant documentation of their system that are to be integrated.
 - Unless otherwise described in a SOW, Clerk is responsible for any programming in legacy systems necessary to provide integration.
 - Third Party interfaces need to be available PRIOR to starting Design Phase of the project to ensure that we are designing against a stable interface. All documentation, interface access, and SMEs are required to be available to ImageSoft throughout the project lifecycle.



Project Management

Prior to the start of this SOW, Customer will designate a person, called the Customer Project Manager, identified at the beginning of this SOW, who will be the focal point for ImageSoft communications relative to this project and who will have the authority to act on behalf of Customer.

The Customer Project Manager's responsibilities include:

- Manage the Customer personnel and responsibilities for this project across all customer locations
- Serve as the interface between ImageSoft and all Customer departments participating in this project.
- Administer the Project Change Authorization Procedure with the ImageSoft Project Manager.
- Review with the ImageSoft Project Manager Customer invoice or billing requirements.
- In conjunction with the ImageSoft Project Manager, develop the project plan and maintain overall project schedules.
- Provide sign-off on project deliverables.
- Participate in project status meetings.
- Resolve deviations from the project plan that may be caused by Customer personnel.
- Help resolve project issues and escalate issues within Customer's organization, as necessary.
- Provide existing project pertinent documentation.
- Obtain and provide information, data, decisions and approvals, including problem resolution with base software, within two working days of ImageSoft 's request unless Customer and ImageSoft agree to an extended response time.
- Monitor and report project status on a regular basis to Customer management.
- Verify that all tasks assigned to Customer are performed according to the agreed upon project plan.
- Verify that all required Customer resources are available to the ImageSoft project team.
- Verify that all invoices are paid in a timely manner.

3.13 Completion Criteria

ImageSoft will have fulfilled its obligations under this SOW when one of the following first occurs:

- ImageSoft and Customer mutually agree that the solution has been delivered by signing a Project Acceptance Form; or
- Customer begins using the entire solution (all case types) in a live-production mode with no critical defects and general stability is attained for a period of thirty (30) days; or
- Customer or ImageSoft terminates the project in accordance with the provisions of the Agreement.

3.14 Project Schedule

The services in this SOW is estimated to be performed over a period of twenty (20) weeks from the agreed upon start date. A draft project plan will be delivered to the Customer early in the project planning phase and updated iteratively througout the project.



Note: ImageSoft's professional service team currently has a lead time of up to eight to ten (8-10) weeks to ramp-up project resources for a new Customer project. Customers should check with their Account Executive for current project lead times. During this time, ImageSoft will assign an ImageSoft Project Manager to perform some of the following Project Planning and Initiation activities defined in Section 3.11.

3.15 Investment

ImageSoft is providing the standard TrueFiling at the costs listed in the table below. ImageSoft will retain all fees to cover on-going maintenance costs.

Software		
ANIAN-LL .	Product	Cost
FrueFiling™ Clerk Annual Subscription - Hosted (Year 1)*		
 TrueFiling integrated OnBase software 		
 TrueFiling integrated iDocConverter software 		1
 TrueFiling integrated TrueCertify software for eNotice 		
 Hosted electronic filing clerk solution annual subscription 		
 Configurable solution that supports multiple case types 		ł
 Includes basic analysis, installation and training package 		1
 Annual agreement, pricing guaranteed for 5 years 		
 ImageSoft will retain all fees as follows: 		1
o eService Fees of \$3.00 (optional)	JS-TFS-SC1	\$7,500
o Credit Card Processing pass-through of 3% of fees		
Software Subtota	ıſ	\$7,500
Services		
		Cost
rueFiling Installation and Configuration (includes Project Management and Training)		\$35,000
The state of the s	***************************************	100,000
Services Subtota	ŧ .	\$35,000
Total Control		
Total Upfront Cos	t	\$42,500
Pricing valid for 30 days	S	, ,
rueFiling™ Clerk Annual Subscription - Hosted (Year 2)	THE WHOVE HE ARE LESS AS A SECOND OF THE SEC	AT 704
		\$7,500
rueFiling™ Clerk Annual Subscription - Hosted (Year 3)		\$7,500

^{*}Pricing is based off of a minimum three (3) year term.

ImageSoft retains the right to re-negotiate pricing and ongoing maintenance costs based upon changes to expected filer volume in years 1-3. Year 1 begins upon signature of this Statement of Work.

On-going maintenance costs for first three (3) years has been agreed to as follows:

- eService Fees of \$3.00 (optional)
- Credit Card Processing pass-through of 3% of fees

3.16 Payment Schedule

This project will commence upon a signed Statement of Work (SOW) and received payment for 50% of the initial software. The table below provides further details regarding the payment schedule.

All payments will be due on a Net-30 day basis.



Payment	When	Amount
Software Subscription		AND ACCOUNTS OF THE PARTY OF TH
Year One Subscription	Invoiced upon signature of this Statement of Work	\$7,500
Services	A THE STATE OF THE	
Project Planning	Invoiced upon delivery of project plan	\$30,000
Go Live	Involced upon approval for Production Go-Live	\$5,000
	Total (Year One)	\$42,500*

^{*}Does not include optional eService Fees (\$3.00/each) and 3% pass-through credit card processing fee. ImageSoft will retain all monies generated from Service Fees.

Out-Of-Pocket Expenses

Customer shall reimburse ImageSoft for all reasonable out-of-pocket expenses that ImageSoft incurs in performing the Work described herein. Out-of-pocket expenses shall include travel costs, meals, and lodging expenses and must be supported by proper invoices or other appropriate documentation.

Customer shall reimburse ImageSoft for travel time at an hourly rate equal to 50% of the Standard Hourly Rate.

3.17 Additional Considerations

Reference Considerations

One of ImageSoft's core values is to provide exceptional Customer services. To that end ImageSoft strives to make every Customer project one in which the customer is willing to attest to the quality of the work. Customer agrees that if they are completely satisfied with the work that ImageSoft may, on occasion, ask for Customer to spend a few minutes talking to another prospective Customer about the project. ImageSoft will always ask permission before using Customer as a reference.

Third-Party Software Procurement

Unless otherwise specified, the third-party software that is being provided within this SOW will be ordered by ImageSoft immediately following the acceptance of this SOW.

3.18 Project Assumptions

The following assumptions were made by ImageSoft while preparing this SOW for Customer. A significant change in any of the below assumptions may directly affect the work, schedule, and cost of this project.

- This is managed hosting ImageSoft will act as the System Administrator. Courts / County IT will
 not have access to the backend servers, configuration, or OnBase Studio.
- Courts have not purchased 24x7 support. This means ImageSoft will be available from 5:00 AM –
 6:00 PM PST for Courts and from 5:00 AM 6:00 PM PST for Filers.
- All counties will be in a single shared instance of OnBase, hosted in the ImageSoft Cloud.
- All counties will have the same functionality and features.
- All counties will progress simultaneously through the project. There will be a single configuration migration. While it is acceptable for counties to announce this to filers at their own pace, all technical migration must be promoted simultaneously.
- All courts are Superior Courts.



- A daily feed of documents will be provided to each court via an ImageSoft sFTP. Courts will need
 to process ingestion into the court's own DMS for long term storage.
 - This folder will be purged every seven (7) days.
- All eight (8) case types are included in the WA Counties solution:

S1 - Criminal, S2 - Civil, S3 - Domestic, S4 - Probate/Guardianship, S5 - Adoption/Parentage, S6 - Mental Illness/Alcohol, S7 - Juvenile Dependency, and S8 - Juvenile Offender

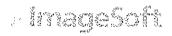
- Two (2) environments are included in pricing Test and Production
- All counties/courts handle taxes and statutory fees in the same manner. If there is deviation, there
 may be impact to cost.
- All courts have the same case types and filling types and associated fees.
- Filing fees are per filing.
- Each court will receive a daily ACH report and daily deposit for filings which have paid fees.
- If the courts elect to use the eService feature, there is a charge of \$3/filing that is eServed.
- An e-filing Go-Live date has not been determined or agreed to, a mutually agreeable Go-Live date will be determined once the project has officially kicked off.
 - A project plan will be created upon start of the project, and all parties are expected to do
 their best to work within the agreed to timelines. If significant delays occur to the schedule
 due to inactivity on the part of one or more courts, additional fees may be considered to
 split the project out into multiple migrations.
- The courts will agree upon a single stakeholder for final decisions between the four (4) courts (The
 four (4) courts will need to decide as one (1) single voice). This person will act as a coordinator
 across all counties as well when shared trainings and/or discovery sessions need to be scheduled.
- System setup and configuration data, such as case types and filing types, will be provided in an ImageSoft specified format.
- ImageSoft will provide the case feed format that all courts will adhere to for the historical case load and incremental updates.
- Each county must limit its customer project team members to three to four (3-4) representatives max per court for meetings, trainings, etc.
- Case feed development will be the same flat file with SFTP (ISI hosted), not web service.
- ImageSoft will provide standard user documentation only. This documentation will be product focused and will not be a work-manual for the Clerks or Judges.
- Filer training will be offered via webinars one (1) week ahead of Go-Live, the week of Go-Live, and one (1) week after Go-Live.
- All Customer project members need to watch intro training videos on TruFiling & Filing Review before discovery sessions.
- Courts are responsible for promoting the use of eFiling to their user and filer base.
- Records will be retained for ninety (90) days, after which period ImageSoft has the rights to purge records from the system.
- Pricing is based upon the assumption that all courts will happen simultaneously. Any change in the number of participating courts, or the ability for all courts to work on this project at the same time will require a review of the pricing.
- Administrating the hosted OnBase Filing Review does not make ImageSoft responsible for any
 court which may have OnBase on-premise. Issues / support for the on-premise system will need
 to be worked through with your partner/reseller.
- Deliverable Materials will be accepted or written feedback delivered within five (5) business days
 of receipt. If ImageSoft receives no response from the Customer Project Manager within five (5)
 business days, then the deliverable Material will be deemed accepted. Revisions not agreed to by
 ImageSoft or Customer will be managed in accordance with Project Change Authorization
 Procedure and/or Escalation procedure.



4. Approval

Signature is required to accept this SOW. By signing below each party agrees to the proposed project scope and authorizes work to begin.

Agreed to: Skamania County 240 Vancouver AveStevenson, WA 98648	Agreed to: i3-ImageSoft, LLC. 25900 West 11 Mile Road, Suite 100, Southfield, MI 48034
By: <u>Marka D. Canno</u> Authorized Signature	By:Authorized Signature
Date: March 15, 2022	Date:
Name (Type or Print): <u>Grace D. Coss</u>	Name (Type or Print):
Title (Type or Print): Caunty Clerk	Title: (Type or Print):
Project Name: Washington Counties Shared TrueFiling Solution	
Internal Use:	Opportunity #; 22180
	Sales Order #;
	Doc Control #: 20201223



Appendix A: Project Procedures

A-1: Project Change Authorization Procedure

A Project Change Request ("PCR") will be the vehicle for communicating change and will describe the change and the effect the change will have on the project.

The following process will be followed if a change to this SOW is required:

- A change is proposed by either party's Project Manager and discussed.
- The Project Team will investigate scope, schedule, and cost impacts of the proposed change.
- A PCR will be created by ImageSoft Project Manager and submitted for internal review and approval.
- The Account Executive and/or ImageSoft Project Manager will submit the PCR to the Customer Project Manager for review.
- A PCR must be signed by authorized representatives from both parties to authorize investigation
 of the recommended changes. ImageSoft will invoice Customer for any such charges when
 incurred as per the PCR deliverables.
- Until a change is agreed in writing, both parties will continue to act in accordance with the latest agreed version of the SOW.

A-2: Escalation Procedure

The following procedure will be followed if resolution is required to a conflict arising during the performance of this SOW.

- When a conflict arises between Customer and ImageSoft, the project team member(s) will first strive to work out the problem internally.
- Level 1: If the project team cannot resolve the conflict within a reasonable timeframe, the Customer Project Manager and ImageSoft Project Manager will meet to resolve the issue.
- Level 2: If the conflict is not resolved within three (3) working days after being escalated to Level 1, the Customer Project Lead will meet with the ImageSoft Team Lead to resolve the issue.
- Level 3: If the conflict is not resolved after being escalated to Level 2, the Customer Project Sponsor and ImageSoft Executive Sponsor will meet to resolve the issue.
- If the conflict remains unresolved after Level 3 intervention, either party may terminate this SOW. If the conflict is addressed by termination, Customer agrees to pay ImageSoft for the following:
 - All Services ImageSoft provides and any Products and Materials ImageSoft delivers through termination;
 - o All expenses ImageSoft incurs through termination; and
 - Any charges ImageSoft incurs in terminating the Services.
- During any conflict resolution, ImageSoft agrees to provide Services relating to items not in dispute, to the extent practicable pending resolution of the conflict. Customer agrees to pay invoices per the Agreement.

Appendix B: Case Types and Filing Types

Case Types

CaseTypeId

Description

- 1 Criminal
- 2 Civil
- 3 Domestic
- 4 Probate/Guardianship
- 5 Adoption/Paternity
- 6 Mental Illness
- 7 Juvenile Dependency
- 8 Juvenile Offender

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Case Initiation Filings

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WA Spokane County Superest Chris	2 Order Approving \$410 propriet	TARNE	7110 Only	20	97	ě	u .	
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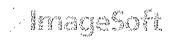
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Dated this day of2022.	
ATTEST:	BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON
	Richard Mahar, Chairman
	T.W. Lannen, Commissioner
Debbie Slack, Clerk of the Board	Robert Hamlin, Commissioner
Approved as to form only:	
Adam Kick, Skamania County Prosecuting Attorney	Aye
	Nay Abstain Absent

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number: W9127N-20-2-000	01
2.	Contract Status: (Check appropriate be	Original Renewal X Modification
3.	C A A H	Contractor: U.S. Army Corps of Engineers Contact Person: Patrick P. Collins Fitle: USACE Grants and Agreements Officer Address: 333 SW First Avenue Address: Portland, OR 97204 Phone: 541-808-4625 Fax Impatrick.P.Collins@usace.army.mil
4.	Brief description of purpose of the con The purpose of this modification is to modification will also add \$64,575.00	extend the period of performance through March 11 2023. The
5. 6.	Contract Award Process: (Check approgeneral Purchase of materials, equal Exempt (Purchase is \$2 Informal Bid Process (Formal Sealed Bid Process This contract was award Please provide a summa Or the exemption and was award Please provide as Improvement Small Works Roster (PV)	ipment or supplies - RCW 36.32.245 & 39.04.190 ,500 or less upon order of the Board of Commissioners Formal Quotes between \$2,500 and \$25,000) less (Purchase is over \$25,000) led under RCW or Skamania County Code ary of the competitive process by which this contract was awarded by it applies. Ovements Projects - RCW 36.32.250 & 39.04.155 (Public ts Only) W projects up to \$200,000)
7	# - 2	ss than \$10,000 upon order of the Board of Commissioners)
7.	Budget Committed in Current Year: Amount Not Budgeted in Current Year Total Non-County Funds Committed: Total County Funds Committed: TOTAL FUNDS COMITTED:	\$64,575 Source: US Army Corps of Eng. \$ Source: \$64,575 Source: US Army Corps of Eng. \$ \$64,575
8.	County Contact Person:	Name: David S. Brown Title: Sheriff
9.	Department Approval:	Dan & Brown
10.	Special Comments:	epartment Head or Elected Official Signature

COMMISSIONER'S AGENDA ITEM COMMENTARY

Skamania County Shertif

AGENDA DATE

SUBJECT

US Army Corps of Engineers Work Crew

ACTION REQUESTED

Authorize contract

SUMMARY/BACKGROUND

Work Crew to perform natural resource and recreation maintenance on Corps of Engineers lands at Bonneville Lock and Dam

FISCAL IMPACT

\$64,575.00 Annually

RECOMMENDATION

Authorize Contract

LIST ATTACHMENTS

Face sheet Contract x 2 Signature Authorization

MODIFICATION OF COOPERATIVE AGREEMENT between U.S. Army Corps of Engineers (USACE), Portland District and Skamania County Sheriff Corrections Office

COOPERATIVE AGREEMENT NUMBER: W9127N2020001

MODIFICATION NUMBER: P00002

SHORT TITLE: Bonneville Lock and Dam Skamania County Vegetation Management Work Crew

AUTHORITY: 33 USC 2339(a) - Conservation and Recreation Management

PURPOSE: The purpose of this modification is to bilaterally exercise the second option period of this cooperative agreement.

The Option Year 1 period of performance end date for this cooperative agreement is 11 March 2022. This modification will exercise Option Year 2 and extend the period of performance from 12 March 2022 through 11 March 2023. See attached Scope of Work (SOW) for details.

FUNDING: The total obligated amount is increased by \$64,575.00, from \$129,150.00 to \$193,725.00.

PERIOD OF PERFORMANCE: The period of performance is 12 March 2022 through 11 March 2023.

ADMINISTERED BY: Melanie Barrett (503) 808-4617

Melanie.A.Barrett@usace.army.mil

Patrick Collins (503) 808-4594
Patrick P.Collins@usace.army.mil

All other terms and conditions of Cooperative Agreement W9127N2020001 between the USACE, Portland District and the Skamania County Sheriff Corrections Office remain the same and are in effect for the duration of this modification.

Effective Date: 11 March 2022

SIGNATURE OF GRANTS OFFICER
COLLINS.PATRICK. COLLINS.PATRICK.PETER.12262
PETER.1226258406 58406
Date: 2022.03.09 11:28:41 -08'00'
Patrick Collins
USACE Grants and Agreements Officer
Patrick.P.Collins@usace.army.mil

SIGNATURE OF RECIPIENT

DATE

Tom Lannen
Chairman, Skamania County Board of County Commissioners
Skamania County

Attachment 1 - SF 424A - Skamania Budget 2022

Addition Description and Information:

Statement of Work 2022

- 1. **Schedule:** The period of performance of this cooperative agreement is extended from 12 March 2022 through 11 March 2023, Option Year 2.
- During this period of performance, the recipient will provide one work crew to perform handpulling/manual removal of invasive weeds, removal of brush/shrubs/small trees, and trail construction/maintenance as described below at Bonneville Lock and Dam, Skamania County WA and Multnomah County OR

The specific dates scheduled for the work crew will be determined through coordination between the recipient and the Government representatives.

105 total targeted workdays for the period of performance consisting of 47 workdays in Oregon and 58 workdays in Washington.

January: 5 Workdays

February: 4 Workdays

March: 8 Workdays

April: 12 Workdays

May: 14 Workdays

June: 12 Workdays

July: 14 Workdays

August: 11 Workdays

September: 9 Workdays

October: 7 Workdays

November: 4 Workdays

December: 5 Workdays

3. Work Projects:

 Vegetation Management: This includes removal of vegetation from project site areas and dam structures and invasive species removal. Vegetation removed may include Blackberry, Knapweed, Scotch Broom, Poison Hemlock, Teasel, and other invasive weeds, grasses, small shrubs, and small trees. Work will require hand tools and small motorized equipment and will be used by experienced chainsaw and motorized equipment operators only. Estimate: 57 days.

- Park and Trail Maintenance: Work may include removing live or dead trees/ limbs, shrubs, and plants, trimming rock bollards, brushing back existing trails, managing property boundary lines, etc. Use of hand tools and/or small motorized equipment will be necessary and will be used by experienced chainsaw and motorized equipment operators only. All refuse and cut materials will be placed per the United States Corps of Engineers instructions.
 Estimate: 40 days.
- Litter Removal: Remove litter from along roadways and project site areas. All material collected will be placed and/or disposed of as coordinated with a USACE representative. Estimate: 8 days.

Dated this day of 2022.	
ATTEST:	BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON
	Richard Mahar, Chairman
	T.W. Lannen, Commissioner
Debbie Slack, Clerk of the Board	Robert Hamlin, Commissioner
Approved as to form only:	
Adam Kick, Skamania County Prosecuting Attorney	
	Aye Nay Abstain Absent

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number	=:
2.	Contract Status: (Check appropriate l	box) Original Renewal Amendment
3.	Contractor Information:	Contractor: Community In Motion Contact Person: Jessica Michael Title: Contracts Program Aide Address: 312 SE Stonemill Dr Suite 115 Address: Vancouver, WA 98684 Phone: 360-735-5739
4.	Brief description of purpose of the co Contract to provide Medicaid tran	ontract and County's contracted duties:
5.	Term of Contract: From:	4/1/2022 To: 12/31/2023
6.	Exempt (Purchase is \$ Informal Bid Process (Formal Sealed Bid Process (Other Exempt (explain Public Works Construction & Imports, B&G, Capital Improvement Small Works Roster (I	\$2,500 or less upon order of the Board of Commissioners (Formal Quotes between \$2,500 and \$25,000) ocess (Purchase is over \$25,000) n and provide RCW) provements Projects – RCW 36.32.250 & 39.04.155 (Public
7.	Amount Budgeted in Current Year: Amount Not Budgeted in Current Year Total Non-County Funds Committed: Total County Funds Committed: TOTAL FUNDS COMITTED:	(1994) (1
8.	County Contact Person:	Name: Sophie Miller Title: Program Manager
9.	Department Approval:	Department Head or Elected Official Signature
10.	Special Comments:	Department Head of Elected Official Signature
	TO TOTAL MONEY	

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY

Senior Services

Department

<u>AGENDA DATE</u>

March 22, 2022

SUBJECT

Community In Motion Contract

ACTION REQUESTED

Sign contract

SUMMARY/BACKGROUND

Contract with Community In Motion for Senior Services to provide Medicaid non-emergency transportation for the residents of Skamania County. The pricing proposal does show the increased rates that I applied for.

FISCAL IMPACT

Fee for Service

RECOMMENDATION

Sign contract

LIST ATTACHMENTS

Community In Motion Contract Agreement Pricing Proposal Reimbursement Summary Board Signature Page



AGREEMENT FOR TRANSPORTATION SERVICES

CONTRACT NO: 2022-TSB-15

A HCA HIPAA Business Associate

This Agreement is entered into by and between **Community in Motion**, a non-profit 501(c)3 agency in Washington State, hereinafter referred to as "Agency," in its capacity as the Transportation Services Brokerage, hereinafter referred to as "TSB," and **SKAMANIA COUNTY SENIOR SERVICES**, hereinafter referred to as the "Subcontractor" or the "Transportation Provider." The purpose of this Agreement is to assure the provisions of **NON-EMERGENCY MEDICAL TRANSPORTATION** services to eligible residents of TSB's service area in the county of **SKAMANIA** Washington.

RIGHTS AND OBLIGATIONS: The rights and obligations of the parties are subject to and governed by the terms and conditions contained in the following sections of this Agreement, herein incorporated by reference:

- I. Transportation Profile
- II. Standard Terms and Conditions
- III. Special Terms and Conditions
- IV. Statement of Work

- V. Contractor Profile
 - Administrative Profile
 - B. Service Profile
- VI. Service Pricing
 - A. Pricing Proposal
 - B. Reimbursement Summary

DURATION: This Agreement will be in effect from APRIL 1, 2022 through DECEMBER 31, 2023, unless changed, amended, or terminated according to the Standard Terms and Conditions.

ALL WRITING CONTAINED HEREIN: This Agreement, including Sections I through VI, and all other referenced attachments and incorporations, contains all the terms and conditions agreed upon by the parties. No other understanding, oral or otherwise, regarding the subject matter of this Agreement will be deemed to exist or to bind the parties.

IN WITNESS WHEREOF, the parties have executed this A	greement:
	The second secon
Signature	Similare
11 Kirch 22, 2022	m Z
Richard Makar Chair	Date
Printed Name and Title.	Jeananne Edwards, Executive Director Printed Name and Title
Skamania County Commissioners	Community in Motion
Organization (Organization
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APPROVED AS TO FORM

Skamania County Prosecutor

VI.A. PRICING PROPOSAL -ZONE RATES

(REVISED:01/18/2022)

Provider: Skamania County Senior Services	Date: 2/11/2022
Please indicate the type of transportation ser- the appropriate boxes.	vice(s) you would like to provide, and in which counties, by checking
Non-Emergency Medical Transportation	☐ Clark County ☐ Cowlitz County ☐ Klickitat County ☐ Wahkiakum County
For the transportation services you have indic each mode and type of trip. (Individual/Regula supports any "Per One-Way Trip" cost proposi	cated above, please list your proposed transportation charges for arror Group/Shared). Please submit fiscal documentation that

Mode of Transportation	PICK-UP RATE (1-WAY RIDE) ZONE 1	PICK-UP RATE (1-WAY RIDE) ZONE 2	PICK-UP RATE (1-WAY RIDE) ZONE 3	PICK-UP RATE (1-WAY RIDE) ZONE 4	AUTHORIZED ATTENDANT
Ambulatory Regular/Individual	\$ 42	\$86	\$122	\$134	\$25
Ambulatory Shared/Group ²	\$33	\$63	\$92	\$99	\$
Non-Ambulatory (Wheelchair) Regular/Individual	\$43	\$87	\$123	\$135	\$
Non-Ambulatory (Wheelchair) Shared/Group ²	\$34	\$64	\$93	\$100	\$
Mode of Transportation	PICK-UP RATE	PER-MILE RATE			
Volunteer Regular/Individual	\$7.50	\$1.00			
Volunteer Shared/Group ²	\$	\$			
Pharmacy Access ³	\$		The state of the s		

- 1. Authorized Attendant WILL NOT be assigned a separate authorization number. They will be listed as an "Attendant" on the daily Dispatch Log. You may only have one rate for an Attendant, whether the client is ambulatory or not.
- 2. Group/Shared Rides will have separate authorization numbers. "Shared Ride" = Same Pick-up and Drop-off locations. "Group Ride" = either the pick-up addresses or the drop-off addresses differ per client. Please note that the Pick-up fee per Zone will be the same for both shared and grouped rides. The Group/Shared Pick-up fee per Zone must be less than the Regular/Individual Pick-up fee per Zone for the client's authorized mode of transport.
- 3. Note for Pharmacy Access: Separate Pharmacy Access Trips must be pre-approved and pre-authorized through Community in Motion. This applies to areas where the local pharmacy does not accept Medicaid.

ZONE 1 List all cities and zip codes in Zone 1

CITIES		ZIP CODES
Stevenson	Stevenson	98648
Stevenson	Carson	98610
Stevenson	North Bonneville	98639
Stevenson	Skamania	98648
Stevenson	Home Valley	98648

ZONE 2

List all cities and zip codes in Zone 2

CITIES		ZIP CODES		
Stevenson	Underwood	98651	TO 100 TO	
Stevenson	Mill A	98605	1771.L.L.L.L.L.L.L.L.L.L.L.L.L.L.L.L.L.L	
Stevenson	Hood River	97031		
Stevenson	White Salmon	98672	- mananana anana	
Stevenson	Washougal/Camas	98671	THE THIRD SECOND AS A SECOND S	

ZONE 3

List all cities and zip codes in Zone 3

CITIES		ZIP CODES	
Stevenson	Vancouver	98664	The state of the s
Stevenson	Portland	97239	
Stevenson	Troutdale/Gresham	97060	The second secon
Stevenson	The Dalles	97058	THE STANDARD AND A ST
Skamania	Hood River	97031	111111111111111111111111111111111111111
Upper Washougal	Hood River	97031	

ZONE 4

List all cities and zip codes in Zone 4

CITIES					
Hood River	Vancouver/Portland	98664/97239			
Underwood/Mill A	Camas/Washougal/Vancouver/Portland	98671/98664/97239			
Skamania	The Dalles	97058			
Upper Washougal	The Dailes	97058	11 11 11 11 11 11 11 11 11 11 11 11 11		

ZONE - GENERAL PUBLIC (PRIVATE PAY) AND OTHER TRANSPORTATION CONTRACT SERVICES: Please list similar transportation services, units, rates or zonal charges offered by your business, either under contracts with other entities or to the general public (private pay). Remember that services offered under contract to other entities or to the public cannot be reimbursed at a lower rate than that reimbursed by Community in Motion. Submit fiscal documentation that supports any "Per One-Way Trip" rates. (IE: Your posted or published rates)

Contract Or Payor (Including "Public"):	Mode of transportation:	Units	RATES
August 1	Ambulatory (Passenger Car/Van/Taxi) Per Pick-Up Fee Per Zone		
		Per Mile Rate	
		Per Shared Ride (Same Address)	85
		Per Authorized Attendant (Same Address)	
TOTAL THE STATE OF		Per One-Way Trip	135
· · · · · · · · · · · · · · · · · · ·		Per Shared Ride (Different Address) Per After Hours Pick-Up Rate	
	*************************	Other:	
THE PROPERTY AND ADMINISTRAL TO A STATE OF THE PROPERTY AND ADMINISTRATION AND ADMINISTRATION AND ADMINISTRATION ADMINISTRATION ADMINISTRATION ADMINISTRATION AND ADMINISTRATION ADMINIS	Non-Ambulatory (Wheelchair	Per Wheelchair Pick-Up Fee Per Zone	
HTHINVLINA	Van/Cabulance)	Per Mile Rate	
MATTERNA I SATA AND AND AND AND AND AND AND AND AND AN		Per Shared Ride (Same Address) Per Authorized Additional Wheelchair Pick-Up (Same Address)	86
		Per One-Way Trip	136
		Per Shared Ride (<i>Different Address</i>) Per After Hours Pick-Up Rate	
		Lift Fee (if any)	
	Volunteer Agency	Per Pick-Up Fee Per Zone	7.50
		Per Mile Rate	1.00
		Per Shared Ride (Same Address)	
		Per Shared Ride (Different Address)	
THE PROCESS OF THE PR		Per Authorized Attendant	

SECTION VI.B REIMBURSEMENT SUMMARY

TRANSPORTATION SERVICES BROKERAGE

SKAMANIA COUNTY SENIOR SERVICES CONTRACTOR

APRIL 1, 2022 - DECEMBER 31, 2023

CONTRACT PERIOD

Name of Service Service Unit	Reg Unit	Shared Unit	Funding Source	Contract Form	Subrecipient/ Vendor Status
NON-EMERGENCY MEDICAL TRANSPORTATION					
assenger Car of Ambalatory Transpsort					
Zone I	\$42 00	\$33.00	IICA	FFS	Vendor
Zone 2	\$86.00	\$63.00	HCA	PFS	Vendor
Zone 3	\$122.00	\$92.00	HÇA	FFS	Vendor
Zone 4	\$134.00	\$99.00	HCA	FFS	Vendor
Volunteer Pick-up	\$7.50		HCA	FFS	Vendor
Volunteer Per Mile	\$1.00		HCA	FFS	Vendor
heelchair Transport					
Zone I	\$43.00	\$34.00	HCA	FFS	Vendor
Zone 2	\$87.00	\$64.00	HCA	FFS	Vendor
Zone 3	\$123.00	\$93.00	HCA	FFS	Vendor
Zone 4	\$135.00	\$100.00	HCA	FFS	Vendor
Volunteer Pick-up	\$7.50		нса	FFS	Vendor
Volunteer Per Mile	\$1.00		HCA	FFS	Vendor

Contract Form: FFS-Fee for Service

Section VLB Reimbursement Summary

Contract No: 2022-TSB-15 Effective Date: April 1, 2022

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number MD010114						
2.	Contract Status: (Check appropriate	box)	al Renewal	Amendment # 1			
3.	Contractor Information:	Contractor: Contact Person: Title: Address: Address: Phone: Email:	Zac Browning Instructor 3 Wilkes RD PO White Salmon, W 541.399.0533				
Ma	ef description of purpose of the contract ork Days Tae Kwan Do class he pays S otract to 202 2. 2023	2 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)					
5.	Term of Contract:	From: <u>03/01/2022</u>	To: <u>02/28/2023</u>				
6.	Contract Award Process: (Check appropriate box) General Purchase of materials, equipment or supplies - RCW 36.32.245 & 39.04.190						
	Exempt (Purchase is \$2,500 or less upon order of the Board of Commissioners Informal Bid Process (Formal Quotes between \$2,500 and \$25,000) Formal Sealed Bid Process (Purchase is over \$25,000) Other Exempt (explain and provide RCW)						
Public Works Construction & Improvements Projects – RCW 36.32.250 & 39.04.155 (P Works, B&G, Capital Improvements Only)							
	Small Works Roster (PW projects up to \$200,000) Exempt (PW projects less than \$10,000 upon order of the Board of Commissioners)						
7.	Budget Committed in Current Year: Amount Not Budgeted in Current Ye Total Non-County Funds Committed Total County Funds Committed: TOTAL FUNDS COMITTED:	ar \$	Source:				
8.	County Contact Person:	Name: Alex F Title: Manag	lays er of Cultural Eve	nts and Recreation			
9.	Department Approval:	Department Head or I	Elected Official Sid	pnature			
10.	Special Comments:	Dopartment fread of 1	Accide Official Dig	Silaturo			

4.

COMMISSIONER'S AGENDA ITEM COMMENTARY

Signature

SUBMITTED BY

Community Events

AGENDA DATE

Department 03/22/22

SUBJECT

Zac Browning Contract

ACTION REQUESTED

Sign the Contract

SUMMARY/BACKGROUND

Zac Browning is an instructor for Tae Kwan Do. Zack has previously been an instructor for the Tai Kwon Do program here but took a hiatus during covid. He is ready to continue his program.

FISCAL IMPACT

We receive a monthly payment of \$75 as rent to use the facility.

RECOMMENDATION

Sign the contract

LIST ATTACHMENTS

none.

SKAMANIA COUNTY - PROFESSIONAL SERVICE CONTRACT BETWEEN SKAMANIA COUNTY

AND Zac Browning (2022)

THIS CONTRACT, by and between SKAMANIA COUNTY, a municipal corporation, hereinafter referred to as the "COUNTY", and Zac Browning hereinafter referred to as the "CONTRACTOR".

WITNESSETH THAT:

1. **AUTHORITY TO CONTRACT.**

- A. The **CONTRACTOR** covenants that the person whose signature appears as the representative of the **CONTRACTOR** on the signature page of this contract is the **CONTRACTOR**'S contracting officer and is authorized to sign on behalf of the **CONTRACTOR** and, in addition, to bind the **CONTRACTOR** in any subsequent dealings with regard to this contract, such as modifications, amendments, or change orders.
- B. The CONTRACTOR covenants that all licenses, tax I.D. Nos., bonds, industrial insurance accounts, or other matters required of the CONTRACTOR by federal, state or local governments in order to enable the CONTRACTOR to do the business contemplated by this agreement, have been acquired by the CONTRACTOR and are in full force and effect.
- C. The COUNTY represents that the services contracted for herein have been, or will be, appropriately budgeted for and that the COUNTY has the authority to contract for such services; that the contracting officer for the COUNTY is Alex Hays, Program Manager; provided that changes that require a change in the amount of the contract price, shall require the approval of the Skamania County Board of Commissioners.

2. <u>INDEPENDENT CONTRACTOR STATUS.</u>

- A. The parties intend the CONTRACTOR to be an independent contractor, responsible for its own employer/employee benefits such as Workman's Compensation, Social Security, Unemployment, and health and welfare insurance. The parties agree that the CONTRACTOR's personal labor is not the essence of this contract; that the CONTRACTOR will own and supply its own equipment necessary to perform this contract; that the CONTRACTOR will employ its own employees; and that, except as to defining the work and setting the parameters of the work, the CONTRACTOR shall be free from control or direction of the COUNTY over the performance of such services.
- B. The CONTRACTOR represents that it is capable of providing the services contracted for herein; that it is the usual business of the CONTRACTOR to provide such services.

3. SERVICES TO BE RENDERED.

A. Amendments, modifications, or change orders to this contract must be in writing and signed by the parties designated in this contract to be the contracting officers; provided that, change orders affecting the total contract price must be signed by the Board of Commissioners for the **COUNTY**.

4. TERMS OF CONTRACT

The contract shall begin on March 1, 2022, and terminate on February 28, 2023; PROVIDED that, in the event this contract is a personal services contract, not exempt under Chapter 39.29 of the Revised Code of Washington, this contract shall not be effective until the requirements of said statute have been met. The County may terminate this contract earlier upon five (5) days written notice.

5. PERFORMANCE AND PAYMENT BONDS (If Applicable)

Per RCW 39.08.010, the Contractor shall provide a non-corporate surety bond for performance and payment guarantee in the full amount of the contract or in lieu of the bond, the County, at the request of the contractor, may retain fifty percent of the contract amount for a period of thirty days after the date of final acceptance, or until receipt of all necessary releases from the department of revenue and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later and applicable. Said bonds shall be delivered to the County business office prior to the commencement of work and not later than fifteen (15) calendar days after notification of award of bid-

6. PAYMENTS FOR SERVICES.

The consideration for the services to be performed by the **CONTRACTOR** shall pay \$75 every month including Washington sales tax.

- A. Payment on the account of the contracted services shall be made not more than monthly, based on submission by the **CONTRACTOR** to the **COUNTY'S** contracting officer of reports and invoices describing the services performed in sufficient detail to enable the **COUNTY'S** contracting officer to adequately determine the services for which payment is sought. Payment is due within thirty (30) days of submission of accepted detailed invoice.
- B. The CONTRACTOR agrees that funds received from the COUNTY can be expended for only public purposes and the CONTRACTOR will keep identifiable financial and performance books and records of all funds received pursuant to this contract from the COUNTY detailing the receipts and expenditures of such funds; that these detailed accounting records shall be made available at all reasonable times to any county, state, or federal auditor, whose duties include auditing these funds.

7. <u>INSURANCE</u>

The CONTRACTOR agrees to save the COUNTY harmless from any liability that might otherwise attach to the COUNTY arising out of any activities of the CONTRACTOR pursuant to this contract and caused by the CONTRACTOR'S negligence. The CONTRACTOR further agrees to provide the COUNTY with evidence of general liability insurance naming the COUNTY, its elected and appointed official, agents, employees, and volunteers as an additionally insured party in the amount of \$2,000,000.

8. INDEMNIFICATION

Contractor agrees to indemnify and hold harmless the County and its respective employees, agents, licensees and representatives, from and against any and all suites, claims, actions, losses, costs, penalties, damages, attorneys' fees and all other costs of defense of whatever kind or nature arising out of injuries of or death of any and all persons (including Subcontractors, agents, licensees or representatives, and any of their employees) or damage of or destruction of any property (including, without limitation, Owner's property, Contractor's property, or any Subcontractor's property) in any manner caused by, resulting from, incident to, connected with or arising out of Contractor's performance of its work, unless such injury, death or damage is caused by the sole negligence of the County.

In any situation where the damage, loss or injury is caused by the concurrent negligence of the Contractor or its agents and employees and the County or its agents or employees, then the Contractor expressly and specifically agrees to hold the County harmless to the extent of the Contractor or its agents' and employees' concurrent negligence.

The Contractor specifically waives its immunity as against Skamania County under Title 51 RCW (Industrial insurance statute), and acknowledges that this waiver of immunity was mutually and expressly negotiated by the parties, and expressly agrees that this promise to indemnify and hold harmless applies to all claims filed by and/or injuries to the Contractor's own employees against the County. This provision is not intended to benefit any third parties.

If a Subcontractor is used, then the Contractor shall ensure that all Subcontracts also provide that the Contractor or Subcontractor will waive its immunity under Title 51 RCW.

9. **GOVERNING LAW.**

The parties agree that this contract shall be governed by the laws of the State of Washington and that venue for any action pursuant to this contract, either interpreting the contract or enforcing a provision of the contract, or attempting to rescind or alter the contract, shall be brought in Skamania County, Washington; that the prevailing party shall be entitled to all costs, including reimbursement for attorney's fees at a reasonable rate.

10. <u>ASSIGNABILITY</u>.

The **CONTRACTOR** shall not assign nor transfer any interest in this contract.

11. EQUAL EMPLOYMENT OPPORTUNITY.

- A. The **CONTRACTOR** shall not discriminate on the basis of race, color religion, sex, national origin, age, disability, marital or veteran status, political affiliation, or any other legally protected status in employment or the provision of services.
- B. The **CONTRACTOR** shall not, on the grounds of race, color, sex, religion, national origin, creed, age or disability:
 - (1) Deny an individual any services or other benefits provided under this agreement.
 - (2) Provide any service(s) or other benefits to an individual which are different, or are provided in a different manner from those provided to others under this agreement.
 - (3) Subject an individual to unlawful segregation, separate treatment, or discriminatory treatment in any manner related to the receipt of any service(s), and/or the use of the contractor's facilities, or other benefits provided under this agreement.
 - Deny any individual an opportunity to participate in any program provided by this agreement through the provision of services or otherwise, or afford an opportunity to do so which is different from that afforded others under this agreement. The **CONTRACTOR**, in determining (1) the types of services or other benefits to be provided or (2) the class of individuals to whom, or the situation in which, such services or other benefits will be provided or (3) the class of individuals to be afforded an opportunity to participate in any services or other benefits, will not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, sex, religion, national origin, creed, age, or disability.

12. NONCOMPLIANCE WITH NONDISCRIMINATION PLAN

In the event of the CONTRACTOR'S noncompliance or refusal to comply with the above nondiscrimination plan, this contract may be rescinded, canceled or terminated in whole or in part, and the contractor may be declared ineligible for further contracts with the COUNTY. The COUNTY shall, however, give the CONTRACTOR reasonable time to cure this noncompliance. Any dispute may be resolved with the "Disputes" procedure set forth herein.

13. **DISPUTES**

Except as otherwise provided in this contract, when a genuine dispute arises over an issue related to the contract between the **COUNTY** and the **CONTRACTOR** and it cannot be resolved, either party may submit a request for a dispute resolution to the Board of County Commissioners. The parties agree that this resolution process shall precede any action in a judicial and quasi-judicial tribunal. A party's request for a dispute resolution must:

- a. be in writing; and
- b. state the disputed issues: and
- c. state the relative positions of the parties; and
- state the CONTRACTOR'S name, address, and the COUNTY department the contract is with; and
- e. be mailed to the Board of Commissioner's, P.O. Box 790, Stevenson, Washington 98648, within thirty (30) calendar days after the party could reasonably be expected to have knowledge of the issue which he/she now disputes. This dispute resolution process constitutes the sole administrative remedy available under this contract.

14. WAGE AND HOUR COMPLIANCE.

The CONTRACTOR shall comply with all applicable federal and state provisions concerning wages and conditions of employment, fringe benefits, overtime, etc., as now exists or is hereafter enacted during the term of this contract, and shall save the County harmless from all actions, claims, demands, and expenses arising out of the CONTRACTOR'S failure to so comply.

15. DEFAULT/TERMINATION/DAMAGES.

- A. The parties hereto agree that TIME IS OF THE ESSENCE of this contract.
- B. If the CONTRACTOR shall fail to fulfill in a timely manner any of the covenants of this agreement, the COUNTY shall have the right to terminate this agreement by giving the CONTRACTOR seven (7) day's notice, in writing, of the COUNTY'S intent to terminate and the reasons for said termination. And in the event of any such termination the CONTRACTOR shall be liable for the difference between the original contract and the replacement or cover contract as well as all administrative costs directly related to the replacement contract; that in such event the COUNTY may withhold from any amounts due the CONTRACTOR for such work or completed services any balances due the Contractor, and said amounts shall be used to totally or partially offset the COUNTY'S damages as a result of the CONTRACTOR'S breach to the extent they are adequate.
 - C. Either party may cancel the contract, without fault, by giving the other party 14 days written notice.

16. OWNERSHIP OF WORK PRODUCTS.

Upon completion of the project or termination for whatever reason, all finished and unfinished documents, data, studies, drawings, service maps, models, photographs and other work product resulting from this agreement shall become the **COUNTY'S** property.

17. CRIMINAL HISTORY CHECKS

The **CONTRACTOR** agrees to assure a criminal history check for all individuals in supervisory positions with minors (including but not limited to instructors, coaches and assistant coaches) has been completed prior to unsupervised contact with a minor. The **CONTRACTOR** further agrees to provide the **COUNTY** with evidence of a criminal history check for each individual.

IN WITNESS WHEREOF, the COUNTY has caused this Contract to be duly executed on its behalf, and thereafter the CONTRACTOR has caused the same to be duly executed on its behalf.

DATED: 3 9	, 2022.
SKAMANIA COUNTY BOARD OF COMMISSIONERS	3/9/2
Chairman	Zac Browning Date
Commissioner	
Commissioner	
APPROVED AS TO FORM ONLY:	ATTEST:
Prosecuting Attorney	Clerk of the Board

COUNTY FACE SHEET FOR CONTRACTS/LEASES/AGREEMENTS

1.	Contract Number:							
2.	Contract Status: (Check appropriate	box)	Origin	al 🗵	Renewal	Amendment		
3.	Contractor Information:	Contractor Contact Po Title: Address: Address: Phone: Email:	erson: Jud Lau Found 7650 S Tigard 503-88	ly Carrie Greer SW Be OR 9 35-981	ter Judith (J renya Co Proveland St. S 97223 5			
4.	Advantage Plan Agreement for personnel resources to Skamania County and to provide Human Resource personnel assistance.							
5.	Term of Contract:	From: 1/1	/2022	To:	12/31/202	22		
6.	Contract Award Process: (Check appropriate box) General Purchase of materials, equipment or supplies - RCW 36.32.245 & 39.04.190 Exempt (Purchase is \$2,500 or less upon order of the Board of Commissioners Informal Bid Process (Formal Quotes between \$2,500 and \$25,000) Formal Sealed Bid Process (Purchase is over \$25,000) Other Exempt (explain and provide RCW) Public Works Construction & Improvements Projects - RCW 36.32.250 & 39.04.155 (Public Works, B&G, Capital Improvements Only) Small Works Roster (PW projects up to \$200,000)							
7.	Exempt (PW projects Budget Committed in Current Year: Amount Not Budgeted in Current Ye Total Non-County Funds Committed Total County Funds Committed: TOTAL FUNDS COMITTED:	\$ 1 ar \$: \$	10,000 upoi 2,000 2,000.00		e: Current l	ard of Commissioners) Expense Funds		
8.	County Contact Person:		me: Debi V le: Human		mp urce Admin	nistrator		
9.	Department Approval:	Departmen	t Hand or F	oul	Official C	anatura		
10.	Special Comments:	Departmen	it Head of E	nected	Official Si	gnature		

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY Human Resources

AGENDA DATE Department
March 22, 2022

SUBJECT HR Answers, Inc contract for services

ACTION REQUESTED Approve Agreement

SUMMARY/BACKGROUND

Agreement with HR Answers to provide Skamania County and Human Resources and department assistance with questions and services.

FISCAL IMPACT

\$12,000.00

<u>RECOMMENDATION</u>

Approve

LIST ATTACHMENTS

Contract for services

SKAMANIA COUNTY - PROFESSIONAL SERVICE CONTRACT BETWEEN SKAMANIA COUNTY AND HR ANSWERS (2022)

THIS CONTRACT, by and between SKAMANIA COUNTY, a municipal corporation, hereinafter referred to as the "COUNTY", and HR ANSWERS, hereinafter referred to as the "CONTRACTOR",

WITNESSETH THAT:

1. <u>AUTHORITY TO CONTRACT.</u>

- A. The CONTRACTOR covenants that the person whose signature appears as the representative of the CONTRACTOR on the signature page of this contract is the CONTRACTOR'S contracting officer and is authorized to sign on behalf of the CONTRACTOR and, in addition, to bind the CONTRACTOR in any subsequent dealings with regard to this contract, such as modifications, amendments, or change orders.
- B. The CONTRACTOR covenants that all licenses, tax I.D. Nos., bonds, industrial insurance accounts, or other matters required of the CONTRACTOR by federal, state or local governments in order to enable the CONTRACTOR to do the business contemplated by this agreement, have been acquired by the CONTRACTOR and are in full force and effect.
- C. The COUNTY represents that the services contracted for herein have been, or will be, appropriately budgeted for and that the COUNTY has the authority to contract for such services; that the contracting officer for the COUNTY is Debi Van Camp, Human Resources; provided that changes that require a change in the amount of the contract price, shall require the approval of the Skamania County Board of Commissioners.

2. <u>INDEPENDENT CONTRACTOR STATUS.</u>

A. The parties intend the CONTRACTOR to be an independent contractor, responsible for its own employer/employee benefits such as Workman's Compensation, Social Security, Unemployment, and health and welfare insurance. The parties agree that the CONTRACTOR's personal labor is not the essence of this contract; that the CONTRACTOR will own and supply its own equipment necessary to perform this contract; that the CONTRACTOR will employ its own employees; and that, except as to defining the work and setting the parameters of the work, the CONTRACTOR shall be free from control or direction of the COUNTY

over the performance of such services.

B. The CONTRACTOR represents that it is capable of providing the services contracted for herein; that it is the usual business of the CONTRACTOR to provide such services.

2. <u>SERVICES TO BE RENDERED.</u>

- A. The work to be performed by the CONTRACTOR consists of those personal services and documents that will be requested by Human Resource and Board of County Commissioners.
- B. Amendments, modifications, or change orders to this contract must be in writing and signed by the parties designated in this contract to be the contracting officers; provided that, change orders affecting the total contract price must be signed by the Board of Commissioners for the COUNTY.

2. TERMS OF CONTRACT

The contract shall begin on January 1, 2022 and terminate on December 31, 2022; PROVIDED that, in the event this contract is a personal services contract, not exempt under Chapter 39.29 of the Revised Code of Washington, this contract shall not be effective until the requirements of said statute have been met. The County may terminate this contract earlier upon five (5) days written notice.

3. PERFORMANCE AND PAYMENT BONDS (If Applicable)

Per RCW 39.08.010, the Contractor shall provide a non-corporate surety bond for performance and payment guarantee in the full-amount of the contract or in-lieu of the bond, the County, at the request of the contractor, may retain fifty percent of the contract amount for a period of thirty days after the date-of final acceptance, or until receipt of all necessary releases from the department of revenue and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later and applicable. Said bonds shall be delivered to the County business office prior to the commencement of work and not later than fifteen (15) calendar days after notification of award of bid.

4. PAYMENTS FOR SERVICES.

- A. The consideration for the services to be performed by the **CONTRACTOR** shall not exceed \$12,000, including Washington sales tax, and shall be paid as outlined below or in Attachment A.
- B. Payment on the account of the contracted services shall be made not more than monthly, based on submission by the CONTRACTOR to the COUNTY'S

contracting officer of reports and invoices describing the services performed in sufficient detail to enable the COUNTY'S contracting officer to adequately determine the services for which payment is sought. Payment is due within thirty (30) days of submission of accepted detailed invoice.

C. The CONTRACTOR agrees that funds received from the COUNTY can be expended for only public purposes and the CONTRACTOR will keep identifiable financial and performance books and records of all funds received pursuant to this contract from the COUNTY detailing the receipts and expenditures of such funds; that these detailed accounting records shall be made available at all reasonable times to any county, state, or federal auditor, whose duties include auditing these funds.

7. INSURANCE

The CONTRACTOR agrees to save the COUNTY harmless from any liability that might otherwise attach to the COUNTY arising out of any activities of the CONTRACTOR pursuant to this contract and caused by the CONTRACTOR'S negligence. The CONTRACTOR further agrees to provide the COUNTY with evidence of general liability insurance naming the COUNTY, its elected and appointed official, agents, employees, and volunteers as an additionally insured party in the amount of \$1,000,000.

8. INDEMNIFICATION

Contractor agrees to indemnify and hold harmless the County and its respective employees, agents, licensees and representatives, from and against any and all suits, claims, actions, losses, costs, penalties, damages, attorneys' fees and all other costs of defense of whatever kind or nature arising out of injuries of or death of any and all persons (including Subcontractors, agents, licensees or representatives, and any of their employees) or damage of or destruction of any property (including, without limitation, Owner's property, Contractor's property, or any Subcontractor's property) in any manner caused by, resulting from, incident to, connected with or arising out of Contractor's performance of its work, unless such injury, death or damage is caused by the sole negligence of the County.

In any situation where the damage, loss or injury is caused by the concurrent negligence of the Contractor or its agents and employees and the County or its agents or employees, then the Contractor expressly and specifically agrees to hold the County harmless to the extent of the Contractor or its agents' and employees' concurrent negligence.

The Contractor specifically waives its immunity as against Skamania County under Title 51 RCW (Industrial insurance statute) and acknowledges that this waiver of immunity was mutually and expressly negotiated by the parties, and expressly agrees that this promise to indemnify and hold harmless applies to all claims filed by and/or injuries to the Contractor's own employees against the County. This provision is not intended to benefit any third parties.

If a Subcontractor is used, then the Contractor shall ensure that all Subcontracts also provide that the Contractor or Subcontractor will waive its immunity under Title 51 RCW.

9. **GOVERNING LAW.**

The parties agree that this contract shall be governed by the laws of the State of Washington and that venue for any action pursuant to this contract, either interpreting the contract or enforcing a provision of the contract, or attempting to rescind or alter the contract, shall be brought in Skamania County, Washington; that the prevailing party shall be entitled to all costs, including reimbursement for attorney's fees at a reasonable rate.

10. ASSIGNABILITY.

The CONTRACTOR shall not assign nor transfer any interest in this contract.

11. EQUAL EMPLOYMENT OPPORTUNITY.

- A. The CONTRACTOR shall not discriminate on the basis of race, color religion, sex, national origin, age, disability, marital or veteran status, political affiliation, or any other legally protected status in employment or the provision of services.
- B. The **CONTRACTOR** shall not, on the grounds of race, color, sex, religion, national origin, creed, age or disability:
 - (1) Deny an individual any services or other benefits provided under this agreement.
 - (2) Provide any service(s) or other benefits to an individual which are different or are provided in a different manner from those provided to others under this agreement.
 - (3) Subject an individual to unlawful segregation, separate treatment, or discriminatory treatment in any manner related to the receipt of any service(s), and/or the use of the contractor's facilities, or other benefits provided under this agreement.
 - (4) Deny any individual an opportunity to participate in any program provided by this agreement through the provision of services or otherwise or afford an opportunity to do so which is different from that afforded others under this agreement. The CONTRACTOR, in determining (1) the types of services or other benefits to be provided or (2) the class of individuals to whom, or the situation in which, such services or other benefits will be provided or (3) the class of individuals to be afforded an opportunity to participate in any services or other benefits, will not utilize

criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, sex, religion, national origin, creed, age, or disability.

12. NONCOMPLIANCE WITH NONDISCRIMINATION PLAN

In the event of the CONTRACTOR's noncompliance or refusal to comply with the above nondiscrimination plan, this contract may be rescinded, canceled or terminated in whole or in part, and the contractor may be declared ineligible for further contracts with the COUNTY. The COUNTY shall, however, give the CONTRACTOR reasonable time to cure this noncompliance. Any dispute may be resolved with the "Disputes" procedure set forth herein.

13. **DISPUTES**

Except as otherwise provided in this contract, when a genuine dispute arises over an issue related to the contract between the COUNTY and the CONTRACTOR and it cannot be resolved, either party may submit a request for a dispute resolution to the Board of County Commissioners. The parties agree that this resolution process shall precede any action in a judicial and quasi-judicial tribunal. A party's request for a dispute resolution must:

- a. be in writing; and
- b. state the disputed issues; and
- c. state the relative positions of the parties; and
- state the CONTRACTOR'S name, address, and the COUNTY department the contract is with; and
- e. be mailed to the Board of Commissioners, P.O. Box 790, Stevenson, Washington, 98648, within thirty (30) calendar days after the party could reasonably be expected to have knowledge of the issue which he/she now disputes. This dispute resolution process constitutes the sole administrative remedy available under this contract.

14. WAGE AND HOUR COMPLIANCE.

The CONTRACTOR shall comply with all applicable federal and state provisions concerning wages and conditions of employment, fringe benefits, overtime, etc., as now exists or is hereafter enacted during the term of this contract, and shall save the County harmless from all actions, claims, demands, and expenses arising out of the CONTRACTOR'S failure to so comply.

15. <u>DEFAULT/FERMINATION/DAMAGES</u>.

- A. The parties hereto agree that TIME IS OF THE ESSENCE of this contract.
- B. If the CONTRACTOR shall fail to fulfill in a timely manner any of the

covenants of this agreement, the COUNTY shall have the right to terminate this agreement by giving the CONTRACTOR seven (7) day's notice, in writing, of the COUNTY'S intent to terminate and the reasons for said termination. And in the event of any such termination the CONTRACTOR shall be liable for the difference between the original contract and the replacement or cover contract as well as all administrative costs directly related to the replacement contract; that in such event the COUNTY may withhold from any amounts due the CONTRACTOR for such work or completed services any balances due the Contractor, and said amounts shall be used to totally or partially offset the COUNTY'S damages as a result of the CONTRACTOR'S breach to the extent they are adequate.

C. Either party may cancel the contract, without fault, by giving the other party 14 days written notice.

OWNERSHIP OF WORK PRODUCTS.

HR ANSWERS CONTRACT

Upon completion of the project or termination for whatever reason, all finished and unfinished documents, data, studies, drawings, service maps, models, photographs and other work product resulting from this agreement shall become the COUNTY'S property.

IN WITNESS WHEDEOF the COUNTY becaused the County because it is a second to the country because it is a seco

	R has caused this Contract to be duly executed on , 2022.	
SKAMANIA COUNTY BOARD OF COMMISSIONERS		
Chairman	HR ANSWERS, INC. OWNER	
Commissioner	Date	HERE
Commissioner		
APPROVED AS TO FORM ONLY:	ATTEST:	10000000
Prosecuting Attorney	Clerk of the Board	

Page 6 of 6

COMMISSIONER'S AGENDA ITEM COMMENTARY

SUBMITTED BY Human Resources Debi Van Camp

AGENDA DATE

Department

2/15/2022

March 22, 2022

SUBJECT Deputy Public Records Officer/Deputy Prosecuting Attorney I

ACTION REQUESTED Approve the job description and set salary

SUMMARY/BACKGROUND

The Prosecutor's office has had 2 retirements in his office for Prosecuting Attorney. It is his desire to add a job description that would assist the Public Records Officer and also provide the Deputy Prosecuting Attorney I duties.

FISCAL IMPACT

RECOMMENDATION

Approve the Deputy Public Records Officer/Deputy Prosecuting Attorney I and set salary at Range 26

LIST ATTACHMENTS

Deputy Public Records Officer/Deputy Prosecuting Attorney I

REFERENCE

None

SKAMANIA COUNTY JOB DESCRIPTION

TITLE: DEPUTY PROSECUTING ATTORNEY I/ Deputy Public Records Officer FLSA STATUS: Exempt

Approved: 10/97

Revised: 1/02, 1/08, 1/10

Range: 26

SUMMARY

The Deputy Prosecuting Attorney I is responsible for performing legal work in the civil and criminal divisions of the Prosecuting Attorney's office. Criminal work involves prosecuting the majority of misdemeanor criminal cases in the District Court and also some limited duties within the Superior Court, Court of Appeals, and Washington Supreme Court, and in representing the juvenile department in most non-serious felony and all misdemeanor juvenile matters. Civil work may involve representing the County on violations of County Ordinances, giving municipal advice, or advising County employees regarding public records issues. A significant part of this job will involve performing duties as deputy public records officer and supporting the public records officer in handling, communicating, and reviewing records for release to requestors. Initially a large percentage of work performed will likely involve public records until employee feels comfortable with the county's policies and processes and can more easily multi-task with other duties. Work is performed with some independence in accordance with the policies and procedures established by the Prosecuting Attorney. Some portion of public records work may be performed remotely, depending on office needs. Skamania County is a small office, and attorneys are often called on to perform their own administrative support work, as needed. A flexible attitude and desire to be a team player are helpful attributes.

ESSENTIAL FUNCTIONS

Deputy Public Records Officer

Assists the Public Records Officer in responding to all public records requests made to the county.

Provides initial correspondence with requesters, meeting statutory deadlines for acknowledgement of requests and any clarification of requests when needed.

Coordinates with other offices to determine the length of time necessary to search for and produce records and to ensure efficient and timely responses.

Monitors and improves the County's public records retention and production policies.

Consults as necessary with all county offices and departments regarding public records issues.

Reviews records proposed for production that may require redaction of exempt or confidential information/documents.

Provides records to requestors and any follow-up correspondence

Deputy Prosecuting Attorney

Investigates and prepares civil and criminal prosecutions in district court.

Reads and analyzes crime reports for sufficiency; determines probable cause; files all criminal charges and coordinates investigation and preparation of cases; researches and analyzes applicable statutes and case law.

Prepares witness list and contacts witnesses to review testimony.

Prepares questions, jury instructions and overall outline of sequence of presentation.

Provides continuing legal education to law enforcement.

Presents and prosecutes criminal matters including jury selection and presenting state's case.

Negotiates with defendants and defense counsel in plea agreements.

Analyzes transcripts of court proceedings and prepares responding briefs and legal arguments for the court of appeals or the state supreme court and orally argues the case.

Represents the Juvenile Department and the state in analyzing non-serious felony juvenile offenses; files appropriate charges and prosecutes the charge.

As needed, represents the state and other states in all civil non-support proceedings (including modifications and paternity suits) to seek a court order requiring a non-custodial parent to provide support for minor dependent children; reviews the initiating petition for sufficiency and prepares legal papers.

Responds to inquiries from the public regarding criminal law court proceedings and victim rights.

Initiates violation of sentencing proceedings.

Establishes restitution on behalf of victims.

Reviews and negotiates or prosecutes violations of county ordinances.

PERIPHERAL FUNCTIONS

Serves as Deputy Coroner, which involves responding to and verifying any non-physician attended deaths within the County, determining cause of death, and attending autopsies when necessary.

Writes requests for various grants.

Provides assistance and support in Superior Court hearings and trials.

Provides assistance as requested on civil matters.

Speaks to community groups.

Performs other duties as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of the criminal justice system and criminal court rules and procedures.

Knowledge of judicial procedures, rules of evidence, and legal research techniques.

Knowledge of common and state law.

Knowledge of the various agencies and the interrelation of such.

Skill in preparing and trying cases in state courts.

Skill in use of standard office equipment including computers.

Ability to organize, interpret, and apply legal principles and knowledge to legal problems in conducting legal research, preparing sound legal opinions, and presenting cases in court.

Ability to perform legal research, prepare written pleadings and other court documents, and present oral arguments.

Ability to communicate clearly and concisely, orally and in writing.

Ability to maintain an effective and professional working relationship with a wide range of individuals and/or agencies.

EDUCATION AND EXPERIENCE

Graduate of law school accredited by the American Bar Association and must be a licensed attorney in good standing with the Washington State Bar Association.

WORKING CONDITIONS

The work of the Deputy Prosecuting Attorney is performed approximately in an office environment, in a courtroom, and performing interviews, investigations, coroner's duties, etc. Some work may be performed remotely, but only as previously approved by Supervisor. Stress associated with competing priorities and strict timelines is a job element which must be successfully managed. Due to limited office space, attorney may be required to share an office at times.

PHYSICAL REQUIREMENTS

The duties of the above position require sitting, walking, stooping, bending, climbing, crawling, reaching, pulling, twisting, and the ability to lift up to 50 pounds. Requires finger dexterity, sense of touch, gripping with fingers and hands; ability to see, hear voice conversation, and to speak.

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

It is the policy of Skamania County to not discriminate against any person with regard to race, color, national origin, sex, age, religion, physical/mental disability creed, marital status, pregnancy and maternity, sexual orientation, gender identity, veteran status, guide dog or service animal, and genetic information or any other protected status under federal or state statute.

SKAMANIA COUNTY JOB DESCRIPTION

TITLE: DEPUTY PROSECUTING ATTORNEY I/

Deputy Public Records Officer

Approved: 10/97

FLSA STATUS: Exempt

Revised: 1/02, 1/08, 1/10

Range: 26

SUMMARY

The Deputy Prosecuting Attorney I is responsible for performing legal work in the civil and criminal divisions of the Prosecuting Attorney's office. Criminal work involves prosecuting the majority of misdemeanor criminal cases in the District Court and also some limited duties within the Superior Court, Court of Appeals, and Washington Supreme Court, and in representing the juvenile department in most non-serious felony and all misdemeanor juvenile matters, the state inCivil work may involve representing the County on violations of County Ordinances, giving municipal advice, or advising County employees regarding public records issues. A significant part of this job will involve performing duties as deputy public records officer and supporting the public records officer in handling, communicating, and reviewing records for release to requestors. Initially a large percentage of work performed will likely involve public records until employee feels comfortable with the county's policies and processes and can more easily multi-task with other duties. -eivil non-support proceedings, and the County on violations of County Ordinances. Work is performed with some independence in accordance with the policies and procedures established by the Prosecuting Attorney. Some portion of public records work may be performed remotely, depending on office needs. Skamania County is a small office, and attorneys are often called on to perform their own administrative support work, as needed. A flexible attitude and desire to be a team player are helpful attributes.

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Dated this day of2022.		
ATTEST:	BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON	N
2	Richard Mahar, Chairman	-
	T.W. Lannen, Commissioner	- √
Debbie Slack, Clerk of the Board	Robert Hamlin, Commissioner	
Approved as to form only:		
Adam Kick, Skamania County Prosecuting Attorney		Aye Nay
	7.0	bstain Absent



Skamania County Community Development Department

Building/Fire Marshal • Environmental Health • Planning

Skamania County Courthouse Annex Post Office Box 1009 Stevenson, Washington 98648

Phone: 509-427-3900 Inspection Line: 509-427-3922

MEMORANDUM

TO: Board of County Commissioners

FROM: Alan Peters, AICP, Community Development Director

DATE: March 16, 2022

RE: Proposed amendments to the Carson Subarea Comprehensive Plan and

Zoning Map for properties on the south side of Smith-Beckon Road,

between Wind River Road and Metzger Road in Carson, WA.

Background

511 Metzger Road is a 2.59-acre parcel located on the southwest corner of Smith-Beckon Road and Metzger Road in Carson. Though the property has historically been used for commercial uses, it was designated Rural Residential when the Carson zoning was adopted in November 1995. The property owner has proposed to expand the commercial use of this property by operating a drive-thru espresso stand on the north side of the property adjacent to Smith-Beckon Road. Existing regulations do not allow for operation of an espresso stand on this property as expansion of commercial uses on the property does not comply with the Rural Residential zoning or the county's nonconforming use standards.

The Planning Commission discussed this situation at the February 15, 2022, meeting and directed staff to schedule a public hearing to consider rezoning of the subject property to Commercial. The Planning Commission also suggested the possibility of expanding this commercial rezoning westward to Wind River Road. Making this change would also require amendment of the Carson comprehensive plan map from Residential to Commercial.

Planning Commission Recommendation

The Planning Commission held a public hearing on March 15, 2022, and voted to recommend that the Board of County Commissioners rezone three properties on the south side of Smith-Beckon Road, between Wind River Road and Metzger Road, from Rural Residential to Commercial. The Planning Commission also recommended that the corresponding Comprehensive Plan land use designations change from Rural Residential to Business Center/Commercial for these three properties. The following three properties are part of this proposal:

- 1. 511 Metzger Road, owned by Kurtis Krall, consisting of 2.59 acres
- 2. 1492 Wind River Road, owned by Skamania PUD, consisting of three parcels totaling 7.78 acres
- 3. 1201 Smith Beckon Road, owned by Lorance and Joann Thayer, consisting of 1.82 acres.

The Krall and Skamania PUD properties both consist of commercial or public facility uses, however the Thayer property is a residential property. The Planning Commission further recommended that the Board should either rezone all three properties or just the Krall property. Staff feels that either option would be appropriate.

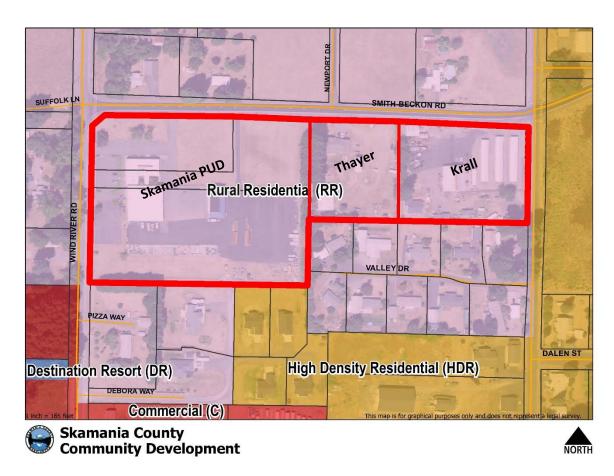


Figure 1. Map of subject properties.

Staff Recommendation

If the Board of County Commissioners is in support of the Planning Commission recommendation, then staff recommends that Resolution 2022-21 and Ordinance 2022-01 be placed on a future consent agenda for adoption by the Board.

Attachments

- 1. Planning Commission Recommendation with Map of proposed rezoning.
- 2. Draft Resolution 2022-21
- 3. Draft Ordinance 2022-01



Skamania County Community Development Department

Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 1009
Stevenson, Washington 98648

Phone: 509-427-3900 Inspection Line: 509-427-3922

SKAMANIA COUNTY PLANNING COMMISSION MOTION TO RECOMMEND APPROVAL OF AMENDMENTS TO THE CARSON COMPREHENSIVE PLAN AND ZONING MAP

The Skamania County Planning Commission conducted a public hearing to consider
proposed amendments to the Carson Comprehensive Plan and Zoning Map.
I, Ann Cline, do hereby move that the Skamania County Plannin Commission make the following Findings of Fact, and Conclusions.

FINDINGS OF FACT

- A. RCW 36.70 authorizes counties to adopt or amend comprehensive plans and zoning designations.
- B. The vision statement of the Carson Community Subarea Plan is to maintain the rural residential character of the community while providing employment and recreational opportunities.
- C. Amending the Comprehensive Plan and Zoning Map to add additional commercial zoning will provide opportunity for economic development within Carson.
- D. The proposed amendments are consistent with RCW 36.70 and the County's Comprehensive Plan.
- E. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its March 15, 2022, meeting.

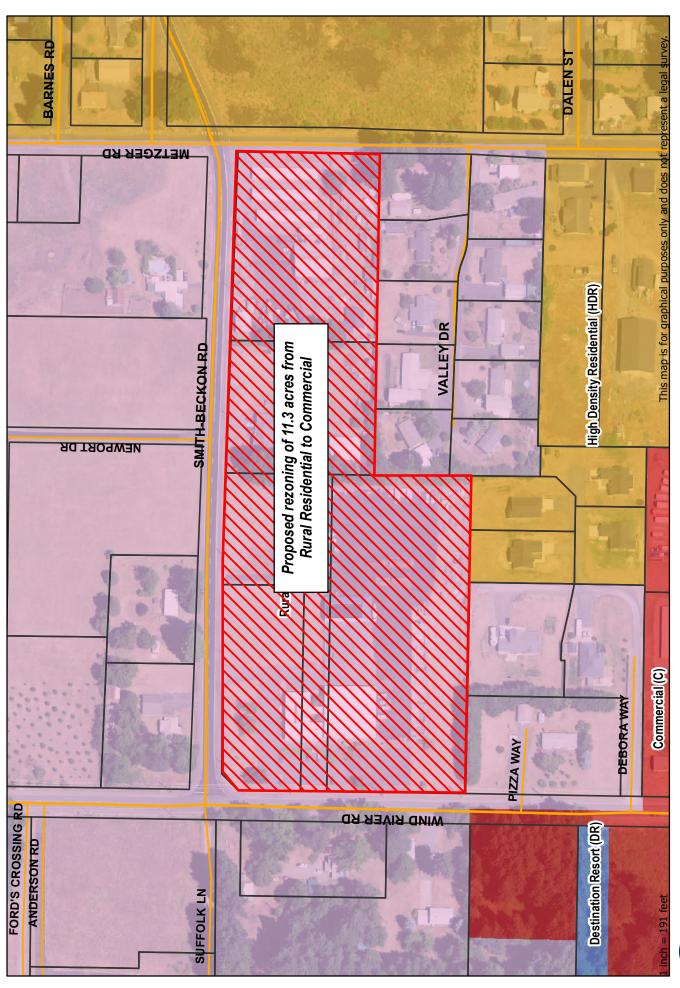
CONCLUSIONS

Based on public comment and staff analysis, the Comprehensive Plan map amendments and Zoning map amendments are consistent with the Carson Community Subarea Plan, will provide economic development opportunity, and protect the general health, safety, and welfare of the public, and should be recommended to the Board of County Commissioners for approval.

RECOMMENDATION

Based upon the findings of fact and conclusions, I move that the Planning Commission recommend to the Board of County Commissioners to adopt the proposed comprehensive plan map and zoning map amendments.

Motion seconded by Ar	nita Gahimer Crow	
	AYE	NAY
Cyndi Soliz, Chair		absent
Sue Davis, Vice Chair		-
Ken Bajema		absent
Ann Cline		
John DiPalma		
Anita Gahimer Crow		
Mat Joy		





Potential Carson Commercial Rezoning

RESOLUTION No. 2022-21

A RESOLUTION AMENDING THE CARSON SUBAREA COMPREHENSIVE PLAN MAP FOR PROPERTY ALONG SMITH-BECKON ROAD BETWEEN WIND RIVER HIGHWAY AND METZGER ROAD IN CARSON, WASHINGTON

WHEREAS, RCW 36.70 authorizes Skamania County (the County) to adopt or amend Comprehensive Plans and Subarea Plans; and

WHEREAS, the Carson Community Subarea Plan was adopted in 1994, establishing a vision to maintain the rural residential character of the community while providing employment and recreational opportunities; and

WHEREAS, only through continued use, evaluation, and when necessary, amendment to the Comprehensive Plan can the County move toward this vision; and

WHEREAS, the Planning Commission initiated amendments to the Subarea Plan map on February 15, 2022; and

WHEREAS, the Subarea Plan map amendments are consistent with the Carson Community Subarea Plan and existing uses of the subject property and will provide employment and economic development opportunities; and

WHEREAS, the Subarea Plan map amendments protect the general health, safety, and welfare of the public; and

WHEREAS, a SEPA Mitigated Determination of Non-Significance (DNS) was issued on March 2, 2022, after environmental review of the proposed amendments was completed; and

WHEREAS, the Planning Commission, after holding a public hearing on March 15, 2022, recommended amendments to the Subarea Plan map; and

WHEREAS, the Board of County Commissioners reviewed the Planning Commission's recommendation at a workshop on March 22, 2022; and

WHEREAS, the Board of County Commissioners approved Resolution No. 2022-21 on March 29, 2022;

NOW THEREFORE BE IT HEREBY RESOLVED, the Board of County Commissioners adopts Resolution No. 2022-21, amending the Carson Community Subarea Plan map as follows:

Parcel Number	Owner	New Land Use Designation
03-08-20-4-1-1000-00	Krall	Carson - Business Center
03-08-20-4-1-0900-00	Thayer	Carson - Business Center
03-08-20-4-1-0700-00,	Skamania County PUD #1	Carson - Business Center
03-08-20-4-1-0800-00,		
03-08-20-1-4-0100-00		

Dated this day of 2022.	
ATTEST:	BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON
	Richard Mahar, Chairman
	T. W. Lannen, Commissioner
Clerk of the Board	Robert Hamlin, Commissioner
Approved as to form only:	
Skamania County Prosecuting Attorney	
	Aye
	Nay
	Abstain
	Absent

ORDINANCE No. 2022-01

AN ORDINANCE AMENDING THE ZONING MAP FOR PROPERTY ALONG SMITH-BECKON ROAD BETWEEN WIND RIVER HIGHWAY AND METZGER ROAD IN CARSON, WASHINGTON

WHEREAS, RCW 36.70 authorizes Skamania County (the County) to adopt or amend zoning regulations and a zoning map; and

WHEREAS, the Planning Commission initiated amendments to the Carson Community Subarea Plan map and Carson zoning map on February 15, 2022; and

WHEREAS, a SEPA Mitigated Determination of Non-Significance (DNS) was issued on March 2, 2022, after environmental review of the proposed amendments was completed; and

WHEREAS, the Planning Commission, after holding a public hearing on March 15, 2022, recommended amendments to the zoning map; and

WHEREAS, the Board of County Commissioners reviewed the Planning Commission's recommendation at a workshop on March 22, 2022; and

WHEREAS, the map amendments are consistent with the Carson Community Subarea Plan and existing uses of the subject property and will provide employment and economic development opportunities; and

WHEREAS, the map amendments protect the general health, safety, and welfare of the public; and

WHEREAS, the Board of County Commissioners approved Ordinance No. 2022-01 on March 29, 2022;

NOW THEREFORE BE IT HEREBY ORDAINED AND ESTABLISHED the Board of County Commissioners adopts Ordinance No. 2022-01, amending the Carson Zoning Map as follows:

Parcel Number	Owner	New Zoning Designation
03-08-20-4-1-1000-00	Krall	Carson - Commercial
03-08-20-4-1-0900-00	Thayer	Carson - Commercial
03-08-20-4-1-0700-00,	Skamania County PUD #1	Carson - Commercial
03-08-20-4-1-0800-00,		
03-08-20-1-4-0100-00		

ORDINANCE NO. 2022-01 PASSED INTO LAW THIS _____ DAY OF _____ 2022.

Ordinance 2022-01 Page 1 of 2

ATTEST:	BOARD OF COMMISSIONERS SKAMANIA COUNTY, WASHINGTON	
	Richard Mahar, Chairman	
	T. W. Lannen, Commissioner	
Clerk of the Board	Robert Hamlin, Commissioner	
Approved as to form only:		
Skamania County Prosecuting Attorney		
	Aye Nay Abstain Absent	

Ordinance 2022-01 Page 2 of 2

Workshop

RESOLUTION NO. 2022-19

RESOLUTION TO RESCIND RESOLUTION NO. 2020-18 DECLARING A LOCAL EMERGENCY RELATING TO THE COVID-19 PANDEMIC

WHEREAS, the Board of Commissioners of Skamania County declared a local emergency on March 17, 2020, for the COVID-19 Pandemic; and

WHEREAS, the County has now completed its emergency response to that event; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Skamania County that the local emergency related to the COVID-19 Pandemic no longer exists, and therefore the emergency declaration is hereby rescinded.

	BOARD OF COUNTY COMMISSIONERS SKAMANIA COUNTY, WASHINGTON
	Chairman
ATTEST:	Commissioner
Clerk of the Board	Commissioner
APPROVED AS TO FORM ONLY:	
Prosecuting Attorney	

RESOLUTION DECLARING A LOCAL EMERGENCY IN SKAMANIA COUNTY IN RESPONSE TO A PUBLIC HEALTH EMERGENCY RELATED TO COVID-19

RESOLUTION NO. 2020-18

- 1. WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and
- 2. WHEREAS, The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high", and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and
- 3. WHEREAS, On January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and
- 4. WHEREAS, this worldwide outbreak of COVID-19 and the effects of its extreme risk of person to-person transmission throughout the Washington State and the residents of Skamania County significantly impacts the life and health of our people, as well as the economy of region, and is a public disaster that affects life, health, property or the public peace.
- WHEREAS, many cases of the virus have been confirmed in the State of Washington
 causing Governor Inslee to proclaim that a state of emergency exists and formally did so
 on January 29, 2020.
- 6. WHEREAS, The Washington State Military Department, State Emergency Operations Center, is coordinating resources across state government to support the Department of Health and local officials in alleviating the impacts to people, property, and infrastructure, and is assessing the magnitude and long-term effects of the incident with the Washington State Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Board of Skamania County Commissioners, in consideration of the above findings of fact:

- 1. A state of emergency is declared due the COVID-19 Virus situation in Skamania County.
- The Skamania County Emergency Management Director is hereby directed to activate
 those portions of the Skamania County Comprehensive Emergency Management Plan
 necessary to combat the effects of the virus to the extent possible.
- Designated departments are authorized to enter contracts and incur obligations in order to combat the emergency.

4. Each designated department is authorized to exercise the powers vested in this resolution without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements).

This Declaration of local emergency set forth in (1) above shall terminate by the issuance of a subsequent rescinding Resolution which shall follow when the Board determines that the extraordinary measures detained herein are no longer required for the protection of the public peace, safety and welfare.

PASSED AND ADOPTED this / 1 day of March 2020

Bob Hamlin, District 3, Chair

BOARD OF SKAMANIA COUNTY COMMISSIONERS

Tom Lannen, District 2, Vice Chair

Richard Mahar, District

ATTEST:

Debbie Slack, Clerk of the Board

APPROVED AS TO FORM

Skamania County Prosecuter

Addendum to Skamania County Board of Commissioners Declaration of Local Emergency 2020-18

On March 17, 2020 the Skamania County Board of Commissioners adopted Resolution 2020-18 in response to the public health emergency related to COVID-19.

Pursuant to this Declaration of Emergency I am recommending the following actions be implemented:

- 1. Activation of Emergency Support Function (ESF) 8 found in the Skamania County Comprehensive Emergency Management Plan.
- 2. Designate the Community Health Director as the lead Public Information Coordinator with regards to the accurate, timely and consistent dissemination of information related to the public health emergency.
- Establish regular teleconference meetings with county and city leaders as well as a representative from the business community to keep all parties apprised of developments related to COVID-19 and impacts to the communities.
- 4. Develop policy addressing compensation in the event of absences in the county workforce.
- 5. Implement consistent and stringent sanitation procedures for county buildings.
- 6. Utilize Social Media to provide regular and consistent dissemination of information specific to changes in governmental operations.
- 7. Discontinue county scheduled public events and limit or restrict all out of county scheduled training of county employees.
- 8. Encourage elected officials and department heads to implement recommended precautions in their office areas to limit potential spread of COVID-19.

The above list of recommendations should be considered for immediate implementation.

Dave Brown, Sheriff
Director of Emergency Services

COMMISSIONER'S MOTION ACTION AGENDA ITEM COMMENTARY

SUBMITTED BY

Human Resources

Department

AGENDA DATE

03/15/2022

SUBJECT

Rescind previous policies enacted during the COVID 19

Pandemic and align current policy with Governor of Washington

Signature

State, CDC and WDLNI guidelines

ACTION REQUESTED

Approval of request

SUMMARY/BACKGROUND

On Monday March 7, 2022, Governor Jay Inslee updated Washington's statewide indoor mask policy following updated guidance from the Centers for Disease Control.

With the declining case rates and hospitalizations across the west, California, Oregon, and Washington moved together to update their masking guidance. After 11:59 PM on March 11, California, Oregon, and Washington lifted universal masking requirements for most public locations including schools.

State Indoor Mask Requirements Starting March 12, 2022. Local governments are still able to enact local mask requirements. Many individuals will choose to continue to wear masks. Please be kind and compassionate.

FISCAL IMPACT

None.

RECOMMENDATION

Approve rescinding the following items and directions

Rescind the following items:

Q31720 Resolution 2020-18 Declaring Local Public Health Emergency Related to COVID

031820 Temporary County Leave Policy due to COVID 19 Emergency

112420 Adopt COVID 19 Travel Out of Area

070120 Motion by BOC minor modifications to correct Scriveners errors

COVID 19 Reopening plans/return to work guidelines

"General Guidelines for employees

Skamania County employee self pre-screening form

102621 Policy Guidelines for COVID 19

102721 Temporary Travel Guidelines during Pandemic

Phase 3 Work Guidelines Policy _ COVID-19 Pandemic

052621 No Tracking Policy on Guidelines

052621 Policy on Guidelines for COVID

010621 Policy on use of leaves for FFCRA

Adopt new regulations to follow until such time as the Governor and or CDC and Washington State Labor and Industries have made changes as outlined below.

Masks Still Required

- Healthcare and medical facilities, including hospitals, outpatient, dental facilities, and pharmacies.
- Long term care settings.
- Public Transit, taxis, and rideshare vehicles (federal requirement)
- Correctional facilities
- Private businesses and local governments that want to require masks for their employees, customers, or residents.

Masks Not Required

- Schools, childcare facilities, and libraries
- Restaurants and bars
- Houses of worship

SKAMANIA COUNTY

- Gyms, recreation centers and indoor athletic facilities.
- Grocery stores, businesses, and retail establishments.

Private businesses can still require masks if they choose. Please respect the rules of the room.

The Skamania County Board of Commissioners passes by approval of this motion action the above listed items to rescind previous COVID related policies and adopt new policy going forward effective March 12, 2022, to follow until such time as the Governor of State of Washington, CDC or WSLNI issues new directives. Upon Board approval, these directives may be reviewed and extended or lessened based on current conditions required by state, federal or local authorities. Beginning March 11,2022 at 11:59 p.m. employees and public are no longer required to wear masks in County Buildings except as listed above under "Still Required". Skamania County will comply with any lingering requirements from Washington State Labor and Industries, CDC and Washington State Governor's Proclamations.

BOARD OF COMMISSIONERS	
CHAIR	DATE
COMMISSIONER	ATTEST:
COMMISSIONER	CLERK OF THE BOARD