

**County Road Administration Board  
Minutes  
April 28-29, 2011**

**Members Present:** Dean Burton, Garfield County Commissioner, Chair  
Marc Boldt, Clark County Commissioner, Second Vice-Chair  
Robert Koch, Franklin County Commissioner  
Derek Pohle, PE, Grant County Engineer  
Dale Snyder, Douglas County Commissioner  
Ray Thayer, Klickitat County Commissioner  
Andrew Woods, PE, Columbia County Engineer  
\*John Koster, Snohomish County Council Member

**Member Absent:** Brian Stacy, PE, Pierce County Engineer, Vice-Chair

**Staff Present:** Jay Weber, Executive Director  
Walt Olsen, Deputy Director  
Karen Pendleton, Executive Assistant  
Randy Hart, Grant Programs Manager  
Jeff Monsen, Intergovernmental Policy Manager  
Bob Moorhead, Compliance & Data Analysis Manager  
Rhonda Mayner, Secretary  
Bob Davis, Systems Specialist  
Jim Oyler, Support Specialist  
Eric Hagenlock, Applications Specialist  
\*\*Steve Hillesland, Assistant Director  
\*\*Larry Pearson, Maintenance Programs Manager  
\*\*Jim Ayres, Design Systems Engineer  
\*\*Kathy O'Shea, Database Specialist  
\*\*Don Zimmer, Inventory Systems Manager

**Guests:** \*Gary Rowe, WSACE Managing Director  
\*Joel Ristau, PE, Asotin County Engineer  
\*Craig Miller, Asotin County  
\*Gary Ekstedt, PE, Yakima County Engineer  
\*Brian Matthews, PE, Mason County Engineer  
\*Melissa McFadden, Mason County  
\*Randy Noble, TD&H Engineering  
\*Chris Ward, TD&H Engineering

\*April 28, 2011 only  
\*\*April 29, 2011 only

**CALL TO ORDER**

Chair Burton called the County Road Administration Board quarterly meeting to order at 1:00 pm on Thursday, April 28, 2011, at the CRAB Office in Olympia.

## **CHAIR'S REPORT**

Chair Burton requested that all cell phones be turned off and that guests please sign-in.

### **Approve Agenda for the April 28-29, 2011 Board Meeting**

Commissioner Thayer moved and Commissioner Koch seconded to approve the agenda as presented. **Motion carried unanimously.**

### **Approve Minutes of January 27-28, 2011 Board Meeting**

Second Vice-Chair Boldt moved and Councilmember Koster seconded to approve the minutes of the January 27-28, 2011 CRABoard meeting with the correction of Commissioner Snyder's name in the attendance list. **Motion carried unanimously.**

## **WSACE UPDATE**

Mr. Rowe reported on items of interest to the counties in the current legislative session. He reminded the Board about the upcoming WSACE Conference in June.

## **RURAL ARTERIAL PROGRAM – Randy Hart**

### **Program Status Report**

Mr. Hart reviewed the Rural Arterial Program project status report. He noted that 963 projects have been completed. Anticipated revenue to the end of the 2011-2013 biennium is \$485,125,737. RAP expenditures to date total \$413,085,989. RAP obligations remaining are \$132,422,650.

### **Regional Meetings Update**

Mr. Hart noted that the main topic at the recent meetings was determining each region's project types and distribution amounts for future project submittals.

### **Resolution 2011-002 – Apportion RATA Funds to Regions**

Mr. Hart presented Resolution 2011-002 to the Board. This resolution apportions the accrued amount of \$4,327,715 now credited to RATA for February through April 2011 to the regions by the established 2009-11 biennium regional percentages after setting aside \$111,750 for administration. Commissioner Snyder moved and Councilmember Koster seconded to adopt Resolution 2011-002 as presented. **Motion carried unanimously.**

### **Project Request – Asotin County**

Mr. Hart announced that Asotin County has requested a scope reduction for the Snake River Road project, reducing the milepost limits from 4.33–4.62 to 4.36–4.59, and reducing full accomplishment of originally proposed vertical and horizontal alignment improvements.

Mr. Hart noted that on April 13, 2003, the CRABoard approved \$446,944 in RATA funding for Snake River Road, milepost 4.33 – 4.62. Full RATA funding to \$649,800 was granted at the April 29, 2004 CRABoard meeting. Total project cost was estimated at \$2,955,000 at that time, the largest portion of the cost

being the BRAC-funded bridge replacement in the middle of the RATA-funded road realignment. The eventual cost of the project, although unknown at this time, will exceed the original estimate considerably.

The county requested and gained an increase in funding for the project in an amount of \$324,900 at the April 22, 2010 CRABoard meeting due to additional unanticipated archaeological study, right of way costs, more expensive construction methods (gravity rock wall), and tribal construction monitoring costs.

Project earthwork began in August 2010, and contracted tribal monitors were present during those activities. During initial construction, several inadvertent discoveries of Indian remains occurred. These discoveries activated the Discovery Plan and the remains were determined to be in old, previously disturbed fill sections from the original road project (possibly up to 75 years ago). The plan was followed, consultation with DAHP and the tribes was undertaken, and the project was resumed.

In October 2010, additional Indian remains were discovered on the project at a site located just a few feet adjacent to the existing County Road pavement. The project plans called for several feet of excavation in this area to establish the required grade for the new road section. Further research was done on this discovery and concerns were raised that the site could not be discounted as a potential intact site. Based on this, coupled with the concerns over the previous non-intact discoveries, the project was shut down from further ground-disturbing activities.

The consultation process with the tribes was initiated and some initial re-design work was accomplished that reduced ground disturbance while not changing the alignment/design characteristics of the roadway, though significant disturbance activity would continue to be necessary for completion. As consultation progressed with Nez Perce and Colville tribes and DAHP, it became apparent that a significant design realignment/change would be needed that would minimize further ground-disturbing activities due to the potential of discovering additional sites not identified during the original Section 106 process. It was the opinion of WSDOT's archeologist/liaison that the consultation would not be successful without undertaking the redesign. During this time the project was also reclassified environmentally to "Adverse Effect" due to the latent cultural resource issues.

Mr. Hart reported that the project remains shut down and is about 50% complete. The new bridge has been placed and is ready to be connected with the approaches. This scenario results in unique, perhaps unprecedented challenges for the project team in addressing the issues and completing this important project.

In order for the project to move forward, it must greatly reduce any further ground-disturbing activities. The county's design team has formulated a design alternative that accomplishes this goal at a reduced design speed from 35 mph to 30 mph. This in turn causes horizontal and vertical alignments to change negatively versus the original RAP prospectus/rating sheet for the project.

Staff met with county, WSDOT, environmental, and consultant staff on March 22, 2011 at the South Central Region WSDOT HQ office to discuss the alignment options. All present agreed that the reduced scope alignment proposed at this time was the best available alternative. The new alignment drops the project ranking score from 76.10 points to 73.74 points. Staff finds that the Snake River Road project would still have been funded at the reduced scope alignment.

Mr. Hart reported that CRAB staff cannot support a mid-construction change to the project that appears to be scope-creep resulting from poor engineering and design prior to commencing construction. However, scope change requests during construction are not specifically prohibited in the CRABoard's WAC, and staff finds this request to be clearly outside anything the county engineer could have anticipated prior to the actual construction of the project. Staff recommends approval of the scope reduction with no reduction in RATA funding.

Mr. Hart introduced Mr. Ristau and Mr. Miller, who presented additional information to the Board.

After questions and discussion, Councilmember Koster moved and Mr. Woods seconded to approve Asotin County's request for the scope reduction with no reduction in RATA funding. **Motion carried unanimously.**

**Chair Burton called for a brief recess.**

#### **Project Request - Yakima County**

Mr. Hart announced that Yakima County has requested that the CRABoard waive the reimbursement of \$123,217.30 in expended RATA funds used for design of their withdrawn North Meyers Road Bridge #485 project.

He noted that Yakima County gained \$781,229 in RATA funding for their North Meyers Road Bridge #485 project on April 17, 2003. This amount was reduced to \$700,000 per county request in August of 2004, and further reduced to \$176,500 in February 2009 to match increased Federal Toll Credits Funding offered by the WSDOT. Because the 100% funding under the Toll Credit program did not apply to already obligated federal funds, the present RATA amount was requested to match the federal funds obligated for preliminary engineering. Total project cost now stands at \$8,670,000.

Mr. Hart reported that the project faced construction lapsing on April 17, 2011. In order to retain the option to request a waiver of payback of expended RATA

funds, the county withdrew the project on April 12, 2011.

He listed the design, permitting and engineering progress to date, and noted that the county is in the process of resolving right-of-way and utility relocation issues with the Yakama Tribe and affected utility companies, and is continuing to work with Tribal, state and federal agencies to finalize permitting of the project.

The county has described additional right of way circumstances regarding the existing bridge location and tribal authorization for the right of way.

Documentation for the authorization is being sought formally from the Bureau of Indian Affairs (BIA). The county is not abandoning the project, but until this issue is resolved the project faces undetermined delay.

Mr. Hart noted that Yakima County has followed CRAB guidelines in seeking a waiver of payback of RATA funds for the project following its formal withdrawal from RATA funding. Staff finds that the county has, in good faith, accomplished valuable design and permitting stages toward constructing the bridge when and if the right-of-way issues are resolved. Staff also finds that the right-of-way issues are beyond the control of the county at this time, and recommends that the payback of \$123,217.30 in expended RATA funds used for design and permitting be waived by the CRABoard.

He introduced Mr. Ekstedt, who gave further information about the project.

After questions and discussion, Commissioner Snyder moved and Councilmember Koster seconded to approve Yakima County's request that the payback of \$123,217.30 in expended RATA funds used for design and permitting be waived by the CRABoard. **Motion carried unanimously.**

#### **COMPLIANCE REPORT – Bob Moorhead**

Mr. Moorhead reported on county compliance in required submittals of Road Levy Certification, Traffic Law Enforcement Certification, Certification of Expenses for Fish Passage Barrier Removal, Annual Construction Report, CAPP Report, Bridge Inspections, and Annual Certification. He noted that all 39 counties submitted their electronic filings in a timely manner.

He reported that all 39 counties are in full compliance of the Standards of Good Practice for 2010, and therefore staff recommends that Standards of Good Practice be issued to each of the counties.

He summarized his recent activities, and reported that a tally of 2011 county asphalt bid results is being distributed weekly. He noted that the gathering of current county policies in order to update CRAB's files continues.

## **ANNUAL CERTIFICATION – Jay Weber**

### **Resolution 2011-003 Annual Certification**

Mr. Weber deferred the item to Mr. Moorhead, who announced that as required by RCW 36.78.090 and RCW 36.78.100, and pursuant to WAC 136-04-010 through WAC 136-04-060, he is submitting to the County Road Administration Board a report of the review of the annual certifications submitted by the counties for the calendar year 2010. Each year, these certifications provide information to this agency which touches upon three main areas: Management and Administration; Document Submittal, which includes such items as road levy certification, road log updates, construction reports, etc.; and operations. From receipt of this information, staff is able to determine the level of compliance with applicable laws and Standards of Good Practice achieved by the counties of the State of Washington, and it is upon demonstrated compliance with these laws and standards which continued receipt of the fuel tax distribution depends.

Mr. Moorhead concluded that he is pleased to be able to report to the Board that all of the 39 reporting counties have demonstrated reasonable and substantial compliance with all applicable laws and Standards of Good Practice. He therefore recommended approval of Resolution 2011-003 stating the issuance of Certificates of Good Practice in the names of the thirty-nine counties listed on the resolution.

Second Vice-Chair Boldt moved and Councilmember Koster seconded to approve Resolution 2011-003, issuing Certificates of Good Practice to all 39 counties. **Motion carried unanimously.**

## **DIRECTOR'S REPORT – Jay Weber**

### **CRABoard Positions**

Mr. Weber reported that on March 16, 2011 he sent a letter to WSAC President John Koster notifying him of the expiration in June 2011 of the terms of Commissioner Marc Boldt, Commissioner Ray Thayer, and County Engineer Drew Woods. He noted that all three are eligible for reappointment by WSAC.

### **WSACE County Engineer of the Year Nominations**

Mr. Weber reported that nomination forms for the WSACE Engineer of the Year have been sent out. This year's application deadline is May 13, 2011.

### **Current Budget**

Mr. Weber reviewed CRAB's current budget status, reporting that staff expects substantial positive variances at the end of the biennium. He noted that a new phone system will be installed in the CRAB offices in the near future.

### **2011-13 Budget**

Mr. Weber noted that in the current bills before the legislature, RAP's spending authority has been pared down to \$37 million. Should that figure pass, staff plans to petition for the amount to be increased in a future supplemental budget

request. He noted proposed salary cuts and furlough days currently under legislative consideration.

**2009-11 Supplemental Budget**

Mr. Weber reported that CRAB's figures initially went down, but are currently back up to previous levels.

**Legislative Update**

Mr. Weber briefed the Board on the items of interest to the counties in the current legislative session.

**Resolution 2011-004 – Memorialization of Tod LeFevre**

Mr. Weber presented Resolution 2011-004 – Memorialization of Tod LeFevre. Mr. LeFevre was a Skamania County Engineer and CRABoard member who recently passed away from a terminal illness at the age of 46. Staff plans to present a memorial plaque at his services in Hood River, OR, on May 1.

Second Vice-Chair Boldt moved and Commissioner Thayer seconded to approve Resolution 2011-004. **Motion carried unanimously.**

**DEPUTY DIRECTOR'S REPORT – Walt Olsen**

**County Engineers/Public Works Directors**

Mr. Olsen announced the following change in the status of County Engineers and Public Works Directors since January 2010:

1. By letter on February 22, 2011, San Juan County announced that John Van Lund, PE, would retire as County Engineer, effective April 29, 2011. By letter on March 8, 2011, Rachel Dietzman, PE, will serve as County Engineer, effective April 29, 2011.
2. By letter on April 4, 2011, Adams County announced that William "Bill" Johns, PE, had retired as County Engineer, effective March 31, 2011 and Scott Yaeger, PE, will serve as County Engineer, effective April 1, 2011.
3. By letter on April 12, 2011, Cowlitz County announced that Brad Bastin, PE, would assume the duties of County Engineer from Kent Cash, PE, effective April 12, 2011.
4. By letter on April 18, 2011, Skagit County announced that Paul Randall-Grutter, PE, would assume the duties of County Engineer from Henry Hash, effective April 18, 2011.

Mr. Olsen also noted that Okanogan County Public Works Director Frank Sautell is retiring and the county has appointed Robert Parten to act as Interim Director effective May 1, 2011.

### **County Visits completed since January 2011**

- Asotin County
- Yakima County
- Spokane County
- Adams County
- Cowlitz County
- San Juan County
- Chelan County

Numerous contacts with County Engineers took place in other venues.

### **County Audit Reports reviewed since January 2011**

The 1997 State Auditor Office (SAO) audit of CRAB concluded that the minutes of the Board meetings needed specific mention of SAO audits of the counties and of any findings that might relate to the statutory responsibilities of CRAB. The minutes also need to reflect any recommendations from the CRAB board to staff in response to the audits. This report details our staff procedures to satisfy the SAO.

CRAB has reviewed seven audit reports representing six counties since the January 2011 board meeting. Any audits with county name in bold print revealed substantive findings involving County Road Funds, specifically:

1. Asotin County: SAO # 1004907, issued on January 18, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
2. Benton County: SAO # 1005229, issued on March 14, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
3. **Clallam County: SAO # 1004969**, issued on January 24, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued one new finding, involving County Road Funds.

**The County did not comply with competitive bid laws when it gave a contractor additional projects without performing a public solicitation for bids.**

On July 7, 2009, the County properly awarded a contract in the amount of \$654,930 for a countywide asphalt overlay project. Subsequent to the award, the County's Public Works Department approved the following change orders totaling \$555,986: Change order No. 2 in the amount of

\$103,751 on August 8, 2009, for paving Elwha River Road. Change order No. 3 in the amount of \$452,235 on October 22, 2009, for paving the Olympic Discovery Trail.

Both change orders were outside of the original scope of the project. These change orders represent new projects that should have been separately bid. The County's Public Works Department chose to give the additional projects to the same contractor. Employees stated they believed that contractor would be the only vendor that would bid on the additional projects. The County cannot demonstrate it received the lowest price or that all vendors were provided equal opportunity to bid. SAO recommends the County provide training to employees to ensure they are knowledgeable of state laws and County policies and procedures required for ensuring compliance with bid requirements.

Clallam County responded:

*The County Road Department made a mistake by adding a large quantity of additional paving to an existing paving project. The Washington State Auditor has indicated that the following procedures are considered acceptable:*

*1) Prepare another contract for the additional quantities and advertise for bids. We believe that preparing another contract would have been the most appropriate action for the County to have taken in this case. The County Road Department will implement these procedures in the performance of all future contracts.*

4. Columbia County: SAO # 1005028, issued on February 7, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
5. Kittitas County: SAO # 1005039, issued on February 7, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
6. **Whitman County: SAO # 1004971 & 1004972**, issued on January 24, 2011, covering the period from January 1, 2009 to December 31, 2009. This report covered the Financial / Federal Single Audit, updated no previous findings, and issued one new finding, one affecting County Road Funds.

The financial statements included four County shops that have not been depreciated. This caused an overstatement of approximately \$77,680 in the category capital assets, net of depreciation. The County did not properly consider established salvage values when determining depreciable amounts

for vehicles and County Road Department equipment. This caused an understatement of approximately \$573,000 in amounts reported for the category. The County also did not properly consider salvage values when determining depreciable amounts for vehicles and equipment reported in the Solid Waste fund. This caused an understatement of approximately \$85,722 in amounts reported for capital assets, net of depreciation. The County corrected both errors.

7. Spokane County: SAO # 1005509, issued on April 25, 2011, covering the period from January 1, 2008 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued one new findings, not involving County Road funds.

**2009 County Audits outstanding:**

**Accountability:**

Garfield	San Juan
King	Skamania
Lincoln	Snohomish
Pacific	Wahkiakum

**Other Activities and Visits since January 2011**

Mr. Olsen reported on his other activities.

**Chair Burton recessed the meeting at 4:02 pm on Thursday, April 28, 2011. The meeting will resume Friday, April 29, 2011 at 8:30 am.**

**Friday, April 29, 2011**

## **CALL TO ORDER**

The second day of the CRABoard meeting was called to order by Chair Burton at 8:30 am on April 29, 2011.

## **INFORMATION SERVICES UPDATE – Steve Hillesland**

Mr. Hillesland noted that some of the recent improvements to the website were driven by the recommendations from the Joint Transportation Committee's study that CRAB provide more real-time information on county road projects.

### **Website Update – Jim Oyler**

Mr. Oyler reported on progress on the new website. He demonstrated the ease of navigation and accessing reports in the projects section.

He announced that staff will be conducted their first RAP Online training in May, and response has been good. He reported on the new training format for Mobility, which will now be a three-day class broken up into specific sessions. Participants will be able to choose any or all of the sessions according to their interests and needs. He noted that he and Mr. Zimmer will be going to East Wenatchee for a remote training in May.

Mr. Hillesland noted that staff is working on placing charts and graphs on the website in addition to the existing tabular reports. Mr. Oyler briefly demonstrated this function.

Mr. Hagenlock reported on improvements to VisRate, including the expanded ability of Digital Measurement Instruments (DMIs) to relay road data directly to the program. Mr. Zimmer noted that 33 of the 39 counties are currently using VisRate. Mr. Hagenlock reminded the Board that VisRate was developed by Mr. Davis and given to CRAB.

### **Design Update – Jim Ayres**

Mr. Hillesland gave a brief history of the design software CRAB has supported over the years. He noted that many counties are now migrating to AutoDesk's Civil 3D software. Mr. Ayres reported on the training staff is providing on this program, including assistance with the transition from Eagle Point.

**Chair Burton called for a brief recess.**

## **INTERGOVERNMENTAL POLICY UPDATE – Jeff Monsen**

Mr. Monsen noted meetings with the following counties since the January 2011 CRABoard meeting:

Jefferson - 2/14  
 Island - 2/14  
 Kitsap - 2/18  
 Cowlitz - 2/22  
 Klickitat - 2/23  
 Benton - 2/23  
 Chelan - 2/25, 3/23  
 Skagit - 2/28  
 Snohomish - 3/7  
 Pierce - 3/14  
 Kittitas - 3/23  
 Whatcom - 3/25  
 Pacific - 3/29  
 Wahkiakum - 3/29  
 Clark - 3/30  
 San Juan - 4/12

### **Other Activities**

Mr. Monsen reported on his other activities, including attending the regional RAP meetings. He noted that he will be informing the counties of upcoming amendments to the BARS manual. He reported that due to recent issues with Kittitas County's Road Levy, he has been invited to participate in the Department of Revenue's annual conference with county assessors, explaining the importance of CRAB's road levy report.

### **County Engineer Training**

Mr. Monsen noted upcoming training sessions:

3-Day County Engineer Training: May 10-12 in the CRAB offices

1-Day County Engineer Training: June 1 and June 2 (two separate sessions)  
 in Whatcom County

A 1-Day session is possible in Skagit County later this year

A 1-Day session was presented in Chelan County in April

### **County Engineers' and Public Works Directors' Desk Manual**

Mr. Monsen reported that a planned update is nearly ready for release and should be available in mid-May.

**MAINTENANCE MANAGEMENT UPDATE – Larry Pearson**

Mr. Pearson reported that he will be sending a survey out to the counties which asks them to briefly assess how they meet the specific requirements of the Standard of Good Practice for Maintenance Management.

He gave an update on the efficiency study he is assisting Spokane County with.

He noted that he is importing data into Mobility’s maintenance management module and testing the program for future development and expansion.

**Chair Burton adjourned the meeting at 10:12 am.**

Chairman’s Signature: \_\_\_\_\_

Attest: \_\_\_\_\_