

*Town of Garfield*  
**TOWN COUNCIL REGULAR MEETING MINUTES FINAL**  
*Town Hall – April 13, 2016*

**CALL TO ORDER:** Mayor Ray McCown called the meeting to order at 7:00 PM.

Mayor McCown said he would like to open by setting some ground rules that they haven't had in the past public meetings; it will not be an open forum meeting but anyone who has relevant conversation about the city will have the opportunity to speak once and only once and anyone that interrupts will be out of order and be removed from the meeting. Mayor McCown asked how many people would like to speak tonight and two people raised their hands.

**ROLL CALL:** Mayor Ray McCown, Mark Young, Neal Leon, Daymon Marple, David Jones and Dave Ulrick. Staff: Clerk/Treasurer Cody Lord and Public Works Brad Hasenoehrl and Mark Phillips. Absent:

**GUESTS:** Ellie Key and Diana Washington with the Dept. of Ecology, Eric and Lisa Hasenoehrl with Keltic Engineering, Bill Divine, Doris Divine, Jerry Love, Sharon Schnebly, Tim and Tami Southern, Craig and Jessica Hundsrucker, Sandra Cavallo, Rebecca Jones, Sonja Hall, Jarrod Pfaff, Keith Rawls, Richard and Mary Miller, Mike Nodine, Stephen Bishop, Cher Curtis, TJ Mitzimberg, Justin Phillips, Becky Pfaff and Garth Meyer.

Ellie Key and Diana Washington are here from Department of Ecology. Ellie said she is the permit manager for the Garfield waste water treatment facility and her boss is Diana Washington. They were here back in October 6, 2015 to talk about the towns numerous violations and the step that are needed to be taken to bring the plant back in compliance. Ellie said they came in October because they hadn't seen any improvement in the facility. Fast forward 6 months and they are back because of continue violations in the facility. Compliance is the Dept. of Ecology's number one goal. Ellie explains there were prescribed things that were needed; a Certified Class II Operator was the most important. She realizes that David Tysz is a Level II Operator but he is not at the facility very often and the facility needs an on-site operator to come into compliance and then you can back off on the hours that are spent out there. Currently the maintenance logs are happening on an infrequent basis and they need movement forward on the lab accreditation.

There is a Total Maximum Daily Load on the Palouse River and the Town of Garfield system has a piece of that pie, currently the town is not meeting these standards opening the town up to further issues. The town has a federal permit that DOE writes and oversees, for the town there is increased liability if the permit parameters are not met. Ellie said she is here to discuss how to get the town back into compliance and she is not sure why the message is not being received and wonders why the plant is not being turned around. Daymon Marple says he thought the agreement on 4/1/14 was that Ellie was going to try and help the town find somebody to operate it. Ellie stated she has provided information several times, the design engineer and the O&M manual were provided but it is not her responsibility to find the town an operator. Daymon said they have been trying to get an operator on board but they are not getting back to the town.

Mark Young said at the last council meeting they had a lengthy conversation about the process that they are looking to find somebody to be here either part time or full time. He said the town should also be improving on the reporting and hopefully DOE is seeing that on their end. Mark said they are experiencing some highs and lows at the plant but they are trying to figure that out, but most importantly they are trying to find someone to help the public work guys understand the plant more fully. Diana Washington asked have you posted a position for a Class II Operator. Daymon said they have formed a search committee who are now working on this issue. Mayor McCown said when they searched for an employee they had 2 qualified apply and one interviewed but wanted too much for the position. Ellie asked was the Class II Operator a part of that job description. Mayor McCown said the applicant had a Class IV Operator credentials and he came down and worked with the guys one day. Mark says the problem was the town couldn't afford it.

Diana responded well you don't need a Class 4 Operator, they make that much. Mayor McCown added

that DOE gave them information about Willie from Pomeroy and everything was set to go until the day he was supposed to start coming here and then he backed out. Mark said they are working on renewing that list and will be taking a look at all the prospects, they want to contact other plants that are close to what the town needs and see if there is any interest, they are hoping by talking one on one with these operators it will lead to some opportunities. Daymon said the last series of postings for this position was about \$1,000. Ellie said the town could post a job listing with Evergreen Rural Water and Pacific Northwest Clean Water Association for free. Mark said he just learned of that opportunity last week. Ellie said that Paul Sifford was also back at Rockford and possibly would entertain a contract operator position with the town, not someone to be here 40 hours a week but they could be working with Brad and Mark to get it back into compliance.

Diana states that she does recognize Garfield is a small community, however the NPDES permit is federal permit and it does not give her any lead way, there is no room to negotiate the requirements put forth in the permit and the DOE is required to make sure the town is in compliance and required to do enforcement. Diana said you have to have a Class II Operator at that facility. The amount of time an operator needs to spend at a facility is based on if they are operating the plant correctly or not. If it is an older facility and having a lot of I and I issues such as Garfield's, they are going to have to be there more in order to operate the facility correctly, the town will need to make an investment to fix these issues. Diana said we need that plant operating correctly and discharging to a surface body within the permit limits.

Diana reiterate she doesn't have any room anymore and she is here to explain she has been put in a box that she is uncomfortable with, she would much rather work with the town as a partner. Mayor McCown replied the town needs a little help to find somebody. Diana said you need to get out there and touch base with the operator organizations, it is your job to run your community and find a consulting engineer to find the pieces that you need, most environmental agencies are able to assist in that capacity. Diana said she hates to put it this way, but they are a regularity agency, her job is to make sure the town meets water quality standards. She has no resources to manage the town's facility, Ellie has 30 permits she manages and she can't just be a resources to this facility also her tech guy can't just be here running this facility. They can't do the footwork for the town.

Diana said there are things they have asked for and they have not been provided. They went to an order instead of a penalty because they want the town's money to stay in the community. Mark responded they didn't want to imply it is DOE's responsibility to find the town an operator and they will be taking it more aggressively. Diana said she hopes the town posts a position soon and she hopes that the town hires a person to meet their requirements, it gets more and more difficult for her not to pull the trigger on all the other options that come to the table. The town has to gain some ground here. Daymon said the council appreciates their help so far. He informs Diana and Ellie the council runs the budget and money, you said in the October 20<sup>th</sup> meeting that 20 hours or more were needed at the plant because the town currently doesn't have someone up to speed, the council is not in charge of the plant the mayor is, and he is not allowing the employees to be out there 20 hours a week so they can become more knowledgeable in their positions and the mayor says there are lots of other things to take care of in town, but the council knows the importance of this matter, the council is not the manager of the plant they are the financial managers.

Diana said that is not her business and she has no desire for that to be her business, she is not getting into the town's political situation. Fix it or 90 days I will be down here with a piece of paper. You have 90 days, find an operator. Mayor McCown acknowledged and said they understand. Mayor McCown said they haven't been held to any specific time out there and he will be installing two time clocks to tell how long they have been out there. Diana responded the operator you currently have aren't certified, 90 days from now the town will need to have a certified person punching the clock. Mayor McCown said they will be testing in June and Diana replied that makes it very clear to her and she will pursue another option in 90 days, Diana also said she just looked over the lab results, it looks like there is some variation and they are all over the place, Diana will have DOE do split samples with the town's lab person and they can make sure the guys have good technique and they are pulling the samples from the correct area, Mike Hepp will meet with the town's sampling guy. He will be able to evaluate those samples and see if they are being taken correctly or if the inconsistency is a lab issue. They will help with the number piece of the sampling

but more important is getting an operator out there that understands the plant. David Jones added the town should be getting complete logs into DOE, Ellie said there are prescribed maintenance guidelines in the OM manual which states what is to be done daily, monthly and annually, the idea was to put together these maintenance logs because she wanted to see what was being done more than just regular housekeeping she wants to see more operational pieces and what equipment is being maintained. Diana said she will be willing to help as much as possible but if they get up against that 90 day time frame and are able to show they have tried many options and have proof, then they can have a different discussion. Mayor McCown said the town will welcome you. Dave Ulrick asked do you have plans to be down here within 90 days, I will have staff down to take sampling nothing else unless there is a dire need. Mayor McCown stated they do believe that the numbers are coming down. Ellie replied that is great but what happens when the numbers go back up and you are no longer in compliance. Diana asked when the town takes the next samples and Brad said tomorrow. Diana said she will have Mike Hepp give Brad a call to arrange the DOE sampling.

Eric Hasenoehrl said at the last meeting they talked about safe routes to school and came up with 4 different areas to discuss. The grant funds they discussed looked at providing sidewalks on one side of the street so they brought the cost estimates. Council discusses the routes with Eric and Lisa that were given cost estimates. Lisa Hasenoehrl said each project is well within the fundable projects, they like to fund smaller projects. The funding can be used for sidewalks, stripping, signage and push button cross walks with flashing signage on the highway. The biggest challenge is showing how kids get to the school. Spokane looks really viable and all of 3<sup>rd</sup> looks viable as well. Dave said 3<sup>rd</sup> is not very good once you get up past Adams Street. Mayor McCown said 3<sup>rd</sup> Street would be his choice.

Eric said they would recommend Spokane or 3<sup>rd</sup> and higher on the priority would be 3<sup>rd</sup> Street, they would not recommend Adams as they think it is not fundable. Lisa said they don't fund much under \$90,000 and it has to be one project but it could be a pretty good stretch. Spokane and 3<sup>rd</sup> street tie into each other and they tie into the school so they should take a serious look at that route. Eric will do a cost estimate and bring it to the next meeting. Lisa said the application is due the 13<sup>th</sup> of May, and they can help with the design portion and help to get it funded in hopes to get the design part. At the next meeting Eric would like to have it finalized in planning and also the council should think about matching funds, Eric and Lisa will work with Cody to get it on the STIP.

Mayor McCown asked if there are any other guests wishing to speak. Rebecca Jones would like to revisit an issue that they touched on at the last meeting, the sewer treatment facility. Mayor McCown said they are not going to discuss the treatment plant. Rebecca plans to talk about something that hasn't been discussed and asked if she was allowed to speak, her concern is in regards to volunteers at the city plant, council supervising the employees and the liability of having a non-employee at the plant, and it is her belief that it shouldn't be able to continue. Mayor McCown already talked with the town attorney and it was fine. Rebecca said she would like it on the record that the town attorney is fine with the situation. Mayor McCown said he will check with him tomorrow. Rebecca also questioned what if anything has been done to make progress of the claim of the hostile work environment, Mark had made a very good suggestion about reaching out to AWC, what does the mayor intend to do to improve that issue. Mayor McCown hasn't seen any hostile work environment, he states he has supported Brad more than anybody and he supports both employees, and wants him to make it. Rebecca understands there is still an issue and wonders why the mayor is unwilling to change anything.

Jerry Love would like to submit a couple things for public record. He has a recording from the March 23<sup>rd</sup> council meeting and a record of specific times and minutes of things that were said and he would like to furnish these to the town as a public record. He wants to make sure the public meeting minutes are not doctored and intends to record every meeting until the city decides there shall be recording of the meetings. Mayor McCown said they will accept that into the public record and Daymon said they need to run that by the town's lawyer with the mayor agreeing. Rebecca questioned the need to run it by the attorney if it was a public meeting and there is a presumption of transparency. Mayor McCown said they will add it to the public record.

**APPROVAL OF MINUTES:**

The council discussed the confusion about the 3 man committee for the sewer plant committee and decided that Mark Young and Dave Ulrick would be part of the committee and would like those names to be reflected in the March 23<sup>rd</sup> minutes. 3 people on the committee would make it a quorum so only two members are necessary. Council was in agreement for putting Mark and Dave on the committee.

Daymon Marple **MOVED** to approve the minutes of the Regular Council Meeting March 23, 2016. Mark Young seconded the motion and the motion carried unanimously with the one correction to be made.

**POLICE DEPARTMENT REPORT:** Chief Jerry Neumann and Officer Joe Handley present for the Police Department.

Things have been normal for Garfield 6 no contacts involving disputes, assaults and reported run away that resulted in a call out, also they have had some neighborhood disputes and ongoing traffic stops and an issue with the school. There was some follow up on a non-Garfield resident dropping garbage in Garfield for all town cleanup.

**PUBLIC WORKS REPORT:** Brad Hasenoehrl and Mark Phillips present for the Public Works Department

**Water**

- With the heat they have been getting they are having telemetry problems again, it stuck 3 times in two weeks, will check the battery and change it out at the tank. If that doesn't help we will have to change things. Daymon said every time they change things it costs about \$6,000.
- Water is running good.

**Sewer**

- Fecal Coliform numbers at the plant are down to 14, that puts the town into compliance, it probably won't be this month it goes into compliance, but next month if the numbers stay this way they will be back in compliance.
- Installing new pellet system and as soon as the ground water allows, it will be completed.

**Garbage**

- Almost done with all town cleanup. There are two places to still clean up both trucks were full. There are two places to still clean up.

**Streets**

- Been working on the sweeper to fix the water system so they can sweep without having to wait for rain.

**Park**

- They opened restrooms last week and the first mow of the season is done.

A citizen asked if he could put up some round posts in his yard and he was instructed not to do so, he wants to know how far he can set back and place the poles to be in compliance. Mayor McCown said the resident doesn't want anyone driving on the parking strip. Mayor McCown said he doesn't think it is something the town wants to start and would recommend no fences out on the parking strips. Dave said there have been fences allowed to be out on the parking strips but they were in different locations and were more appropriate in those locations. Dave said he was the one that stopped and talked with him and recommend that he talk with Cody before putting something on city property, he could be responsible if someone hits those poles. Brad said he will inform Alan tomorrow not to put anything in the parking strip.

Mayor McCown said Brad would like to get on grading the streets like last year and wants to do it sooner so it isn't as dry. Daymon questioned if the county did it for us and Bard confirms they did. Neal would like to see all the gravel streets be done. Mayor McCown informed a citizen that they don't service the alleys and Neal added the equipment can fit through the alley but they are not wide enough to do any good. The mayor instructed Brad to call and line up the county. Sonja Hall would like Lincoln Street up to 7<sup>th</sup> completed, however Brad said he believes it falls under an alley as it doesn't go all the way through.

Rebecca asked about her hill on Spokane Street. Mark Young said they were going to go back after the snow season and take a look at what can be done on that street. Mayor McCown asked Brad to have the operator look at Spokane and Lincoln Street and see if it made sense to do it. Jerry said the street going up to their place is terrible. Mayor McCown thinks they need to take all the crushed rock up and have it hauled off, grade it and put gravel on it. Daymon said the purpose of that was to have it paved and then get the funds and grant to finish the project and Brad confirmed once you take the surface up then the TIB grant will not work. Mayor McCown said if you live up there you want to be able to drive over the surface for the next ten years while they are waiting for the TIB grant. Jerry said he thinks they have paid enough city taxes to have it paved. Dave said those were just a temporary fix.

Jerry asked council for a fire hydrant update. Mayor McCown provided the public works a list of hydrants they need to be working on. Jerry responded public safety is always important and the mayor said most of them are working. Sonja Hall asked about the jetting of the storm drains and since volunteers are acceptable at the sewer plant she wonders if the town would accept volunteers for jetting the storm drains if they are qualified to work on the equipment. Mayor McCown replied no we can't let volunteers work on the storm drain because our men will do it. Rebecca states volunteering at the treatment plant is public safety concern as well. Mayor McCown asks Police Chief Neumann to escort Rebecca Jones from the meeting.

### OLD BUSINESS:

1. Resolution 2016-02 Street Levy for Collection in 2017

The council was provided Resolution 2016-02 at the last council meeting and they determined the value to be reflected on the Special Levy for collection in 2017. Mark Young **MOVED** to approve Resolution 2016-02 the Special Levy for Street Maintenance for collection in 2017. Daymon Marple seconded and the motion carried unanimously.

2. Keltic Engineering, Safe Routes to School

Keltic talked about this matter in the guest section of the meeting.

### NEW BUSINESS:

1. 309 W Jefferson Sewer Connection Fee

The people that bought the small house on south hill have no sewer connection, apparently a few years ago the city dug down and destroyed the connection. Dave confirmed the people who put in the house next door were misinformed about the property line and they tore the line when digging, they can either go around the ecology blocks or the line can go out the back of the house to the other line. Dave said it is another one of those I and I issues and the town bought materials to help them fix it. The people that purchased the property don't want to pay for a new hookup that they expected was already hooked to the system. Dave confirmed it was not destroyed by their means. Mayor McCown thinks the town should help them since they thought they had a connection to the main. Dave suggested running a camera out the line, there is a 6 inch line to the manhole. Mark questions which way would be the best way to fix the line, going to the street or going to the alley. Mayor McCown said with their yard all tore up he would suggest going that way to the main. Dave thinks they have access to a trencher and can trench to the street, the only property on that line is the house up the hill from there in the alley. Mayor McCown suggested the council put it to a motion. Jerry suggested if the town is digging up sewer lines can they make sure to mark the changes on the documents with the city engineer and also be sure to show which lines were capped off. Daymon Marple **MOVED** to re-establish the sewer line and cap off the open line if there is one. David Jones seconded the motion and the motion carried unanimously.

Tim Southern said he believes this falls under new business, he would like to know what the mayor's plan

is for hiring a Level II Operator. The mayor responded they are desperately looking for one. Neal also responded they have a committee that will be looking into the options.

2. Grading Streets

This was already talked about in the Public Works Section of the meeting.

3. Recycle Yard

Mayor McCown said there are currently 40 refrigerators in the recycle area which was cleaned out a year ago. Mayor McCown said if they break the line and let the refrigerant fluid out it is a large fine. To purchase the pump to empty the Freon is about a \$1,000. The mayor went to the landfill and they will take them but will only take a few at a time so the mayor would like to know does the town want to continue letting people bring these in. Neal said the town shouldn't be letting people bring them in from out of town. Mark suggested to monitor that site and request enforcement. Brad talked to the landfill and they are not equipped to take 40 of them, but the mayor said the person he talked with said to bring them down. Brad talked with David Nails who said that is too many so he thinks the mayor should check with him. Brad said they can take 5 now and then some over time in the future. Jerry asked about the camera for enforcement and the mayor said it is not as clear as we would like it to be. Cher Curtis said they originally started the recycling program to keep the town clean but maybe it is time the town just stop taking these things. TJ Mitzimberg said you have 40 now and you will take 5 away, how can you keep up with that and how are you going to be able to monitor it.

**FINANCIAL:**

Approval of Checks: Daymon Marple **MOVED** to approve the following bills presented to council for payment. Neal Leon seconded the motion and the motion carried unanimously.

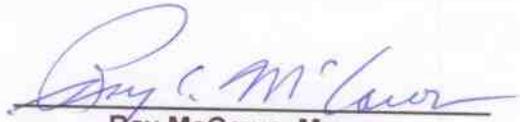
Check Register #12231-12234 PLUS EFT DOR	Payroll: \$8,450.29
Check Register #12238-12239	Payroll: \$2,081.74
Check Register #12240-12261	Claims: \$20,799.63 Total:\$31,331.66

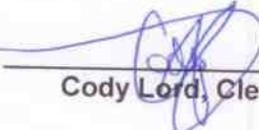
Tammy Southern asked has Brad been allowed to return to the treatment plant and Mayor McCown said yes he has.

**EXECUTIVE SESSION** Daymon Marple **MOVED** the council go into Executive Session for the Sewage Plant per RCW 42.30.110 (G) and reconvening at 8:25 PM. Neal Leon seconded the motion and the motion carried unanimously. The council went into Executive Session at 8:10 PM.

The meeting was reconvened at 8:25 PM.

**ADJOURNMENT:** Mark Young **MOVED** to adjourn the meeting at 8:25 PM. David Jones seconded the motion and the motion carried unanimously.

  
Ray McCown, Mayor

ATTEST:   
Cody Lord, Clerk/Treasurer