

MINUTES

Walla Walla Joint Community Development Agency Board (WWJCDAB) meeting

February 7, 2011 - Walla Walla County Public Health and Legislative Building

Board members present: Jim Barrow and Greg Tompkins. Chair Bill Clemens excused.

Others present in the audience:

Tom Glover, Director, Walla Walla Joint Community Development Agency
Jesse Nolte, Deputy Prosecuting Attorney, Walla Walla County
Tim Donaldson, City Attorney, City of Walla Walla
Tim McCarty, Support Services Director, City of Walla Walla
Captain Terry Heisey, City of Walla Walla Police Department
Dave Collette, Building Official, Walla Walla Joint Community Development Agency
Brent Baldwin, Code Compliance Officer, Walla Walla Joint Community Development Agency
Brian Walker, City of Walla Walla

The meeting was called to order at 4:00 p.m. by Acting Chair Tompkins. As Board member Barrow was delayed in arriving there was not a quorum and the meeting was then recessed until 4:10, when Mr. Barrow arrived. Roll call was held with Board members Barrow and Tompkins present; Chairman Clemens was absent/excused. Quorum was established.

There was no public comment.

Mr. Barrow moved to approve the minutes of the last meeting; Mr. Tompkins seconded; motion approved.

Mr. Tompkins announced that discussion of code compliance would be done under old business, as it fell under the topic of agency employees and related matters.

Old Business

Code Compliance:

Mr. Glover provided background. There will be one person to handle city cases and one to handle county cases. The city handles code compliance differently than the county does, and issues that come up in the city are different (more graffiti complaints, for example). He met with Chief Fulton and Captain Heisey to discuss keeping code compliance for the city under the joint agency or turn it back to the city. Chief Fulton prepared a position paper that made a strong case for this to come back under the city, and the police department. Funding for the position is in the joint agency budget. Brent Baldwin and Captain Heisey were present to answer questions, along with Dave Collette. Mr. Barrow asked if city manager Nabil Shawa had been brought up-to-date. Mr. Glover confirmed this, and said that Mr. Shawa was supportive of whatever the final recommendation is - to retain under the joint agency or turn back to the city, although he believes that Mr. Shawa sees an advantage to having the position come back under the city with graffiti at the mall, etc. If Mr. Baldwin is under the city, then has oversight and support from police department. Captain Heisey spoke next. He advised that the city was looking at the best way to serve citizens. When code compliance was under the police department there were more options and what appeared to be more success at a quicker pace. Previously there were lots of notification letters going out on complaints, but when it came under the PD, someone went out and talked directly to people with the face-to-face contact rather than letters. A trend being observed in parts of the country is code compliance officials being assaulted; with code compliance staff under the PD, there would be a better opportunity to advise if those property owners on whom there is a complaint might also be known to the PD, as a safety measure, and could, if deemed prudent, accompany the code compliance official. Also, the PD has access to search means not accorded to others, which could also assist in compliance

success rates. Another plus would be this could be a useful tool in other fields, in the event the official found a drug house or other violations of which the PD should be aware. Mr. Tompkins didn't see a problem with the city retaining this position, although he felt the official should not be under the joint agency or housed there, to avoid confusion. Mr. Barrow asked for Mr. Glover's input, which was that he felt the proposal to have a separate city code compliance officer housed in the PD was a good one, with the caveat that the joint agency would still work with Mr. Baldwin on land use issues or those matters needing his input. Mr. Donaldson indicated that this was back to the original plan, that the county code compliance would be part of the joint agency, and then the city position was added later. This change will affect the percentages laid out in the intergovernmental agreement pertaining to the formation of the joint agency. He wondered if the county would be amenable to adjusting the agreement and paying for that position, and the city paying for the city's position. Mr. Tompkins had thought that there could or would be cross-coverage, but now understands there are a lot of differences. Mr. Donaldson concurred, and mentioned that the city council may look at changing the percentages in the agreement if/when the city takes back the position. Mr. Barrow asked if the county would want to take back its own code compliance position, but Mr. Tompkins did not feel that was an option now, as there would be no department or supervisor. Mr. Tompkins asked if Mr. Glover would put together some information prior to the vote being taken or this going back to the city council or county commissioners, and if this is acceptable to both entities, fine. Mr. Barrow concurred, feeling the proposal as outlined makes good sense, with the county continuing code enforcement through the agency. It was determined that the final decision could wait a month, until the next meeting of the joint agency board. Mr. Barrow didn't feel there was a need for the city staff to come again, that the information Mr. Glover would provide would be sufficient and this would give both entities, and the board members, time to review.

Mr. Barrow moved to table this issue until the next meeting of the joint agency board, pending numbers/information from the director that would affect the city and county. Mr. Tompkins seconded. Motion approved.

Employees

Mr. Glover reported that the code compliance job offer was extended to Nina Hill and she accepted and will start on Monday.

New Business

Discussion of possibly updating WA Cities Insurance Authority delegate appointment for agency. Mr. Glover advised that WCIA asked why he as director/staff was not serving as the delegate, which is usual and customary. He had contacted Mr. Clemens regarding this question, and Mr. Clemens was amenable to Mr. Glover being the alternate. Discussion ensued. The delegate must attend meetings and trainings. Mr. Barrow stated that he was going to do this at his own cost; if Mr. Glover attends it would be a cost to the agency. Mr. Barrow was willing to serve as either delegate or alternate, and asked Mr. Glover if he had a preference. Mr. Glover did not have a preference; he has served in both capacities in the past. He did have a concern regarding the time this might take during the early days of the agency and a possibility of scheduling conflicts, although the time crunch should ease up later. Having Mr. Barrow serve as delegate and he (Mr. Glover) serve as alternate was fine with him. Mr. Barrow mentioned that now WCIA has his name as delegate, and if info is sent to him via "snail mail" at the joint agency office, where he does not regularly check in, this could create a problem. Discussion.

Mr. Barrow moved that Mr. Clemens be relieved as alternate delegate at his request, and that Tom Glover we appointed alternate (to the WA Cities Insurance Authority). Mr. Tompkins seconded. Motion approved.

Personnel Manual Update

Mr. Glover gave the background for this proposal to change the manual as follows: Page 12, section 4.3: "Employees are paid monthly, on the ~~third~~ fifth working day following the end of a pay period, at which time each employee receives a complete accounting of his/her earnings. Pay periods are on the last day of the month." Current language is not in line with what is being done, and time is needed to process the paperwork for payroll. Mr. Donaldson advised that if the change was made to be sure it is made everywhere applicable.

Mr. Barrow moved to change the policy manual to reflect that employees are paid on the fifth day following the end of a pay period. Mr. Tompkins seconded. Motion approved.

Participation in the Washington Public Employees' Retirement System (PERS)

A determination was made that for employees of the agency to participate in PERS a resolution must be approved by the governing body. This is tax deferred, no employees will be buying back credits, so the plan is option 3.

Mr. Barrow moved to authorize and approve participation in the Washington Public Employees' Retirement System (PERS) for all paid agency employees. Mr. Tompkins seconded. Motion approved.

Other/unfinished business

Mr. Tompkins understood that the bank was requiring something to be done regarding credit cards. Mr. Donaldson felt the prepayment/approval authority needs to be clearer in the bylaws as to what the director can approve. He provided a copy of RCW 42.24.180. For issuance prior to approval by board legislative body has to adopt contracting, hiring, purchasing, and disbursing policies that implement effective internal control, which he doesn't believe has been done. He tried to make the bylaws suffice; at some point internal controls have to be adopted as policy. A copy of the city's purchasing policies was provided as an example. Although Mr. Donaldson feels the bylaws are sufficient regarding issuance of warrants, and that likely auditors will not have a great concern, he thinks that more should be done on to provide who can sign what, etc. This should be determined before the bylaws are changed, which should not be done until all issues are ironed out. There have to be policies to implement the controls. He will send pertinent information to the accountant.

Mr. Barrow moved that staff, either city or county, be requested to develop something to resolve the internal controls need, and bring the information back to the joint agency board. Mr. Tompkins seconded. Discussion followed. Mr. Donaldson said in the interim bills can be paid under the auspices of current document language. Mr. Barrow clarified that the intent of his motion was that the information to be developed was regarding internal controls rather than bylaws changes, and to bring that back to the board when appropriate. Motion approved.

Mr. Donaldson said a question on the authority to get agency credit cards was brought up by the accountant, Dan Tompkins. Pursuant to RCW 43.09.2855, a copy of which was provided, the agency must have a system for the distribution, authorization and control of the cards, etc. The city has adopted a credit card policy and he feels a policy is needed prior to moving ahead with obtaining agency credit cards, for controls and use. He will work to get something ready on this. Mr. Tompkins asked Mr. Glover if there was a critical time frame, and Mr. Glover said no; at this time the agency was only using the cards for registrations. There was a question from Mr. Tompkins as to whether the agency could use a county credit card and then apply those expenditures against the county's cost share, but Mr. Glover as is no longer a county employee, this would not be acceptable. Mr. Barrow pointed out that personal credit cards could be used and then a reimbursement request submitted, which suggestion was something Mr. Donaldson and Mr. Nolte recommended, as it would result in a certification of the expenditure, etc.

Mr. Barrow moved to defer to staff to develop a resolution and policies when appropriate. Mr. Tompkins seconded. Motion approved.

Mr. Tompkins asked if there was a policy to reimburse employees, and if receipts were required. The county has a per diem policy, and he would like to know the details of the agency's policies. There was agreement that such should be in the internal controls or personnel policies (Mr. Nolte thought it was in the personnel policy). Mr. Tompkins thought there might need to be a workshop to review this. He offered that at the county, for instance, if there is a training and a county vehicle is being used for transport, then there is no payment for an employee taking his/her personal vehicle to the training if the county vehicle is available, to avoid an unneeded double payment.

As an item of old business, Mr. Barrow asked regarding the status of the amendments to the intergovernmental agreement. Mr. Donaldson and Mr. Nolte provided the update, that this will be worked on and more information may be needed; however, they haven't had a chance to really get together yet. The plan is to get something put together at the end of this month, after the agency has been in operation two months, to have a better idea of changes needed.

Mr. Tompkins offered the thought that perhaps in the future consideration might be given to increasing the number of board members to five, to increase assurance of quorums for meetings, etc.

Director's Update

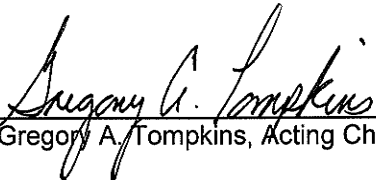
Interviews for the administrative assistant position have been on-going, after which time the interviews for the building inspector position will be conducted. Mr. Glover hopes to have these positions filled by mid-March. A written update was provided.

Next meeting

It was announced that the March meeting and the remaining 2011 meetings are to be held at the Moore Street location. Mr. Barrow advised he would not be able to attend the March meeting.

As there was no other business, Mr. Barrow moved to adjourn (again with his apologies for his late arrival) and Mr. Tompkins seconded; motion approved. Meeting adjourned at 5:10 p.m. The next regular meeting will be March 7, 2011.

APPROVED March 7, 2011



Gregory A. Tompkins, Acting Chair