

TCD Board of Supervisors  
Regular Meeting (*Rescheduled*) & Work Session Agenda  
February 12th, 2019 (2:00pm - 5:00pm)  
*Work Session begins at 1:00pm*  
2918 Ferguson St SW, Suite A, Tumwater, WA 98512, 360.754.3588



No.	Item	Time Allotted	Tab #	Plan
<b>Work Session: 1:00pm – 2:00pm</b>				
1.	<b>Review February Board Meeting Materials, All</b> A. 2019 Budget Development	60 minutes		A/S: 88
<i>Work Session Time Allotment: 60 minutes (1 hr)</i>				
<b>Monthly Meeting: 2:00pm – 5:00pm</b>				
1.	<b>Welcome, Introductions, Audio Recording Announcement and Pledge of Allegiance</b>	2:00 PM 5 minutes		
2.	<b>Agenda Review</b>	2:05 PM 10 minutes		
3.	<b>Board Meeting Minutes Review, All - <i>Action Item</i></b> A. June 26th, 2018 Regular Meeting minutes B. July 24th, 2018 Special Meeting minutes C. October 30th, 2018 Regular Meeting & Work Session minutes D. November 15th, 2018 Regular Meeting & Work Session minutes E. January 15th, 2019 Regular Meeting & Work Session minutes F. Review of new minutes template and policy, <i>Ben Cushman</i> G. Status of past board Meeting minute signatures, <i>Eric Johnson</i>	2:15 PM 75 minutes	1	A/S: 92
4.	<b>2019 Elections</b> A. District Elections Timeline and Information, <i>Sarah Moorehead</i> B. Recind TCD Resolution #2019-01: 2019 District Elections, All - <i>Action Item</i> C. TCD Resolution #2019-02: 2019 District Elections Updated, All - <i>Action Item</i> D. Interlocal Agreement for 2019 Election with Thurston County Auditor's Office, All - <i>Action Item</i>	3:30 PM 30 minutes	2	
5.	<b>Financial Report, All</b> A. Monthly Financial Report B. January Check Register - <i>Action Item</i> C. Third Party Audit Update	4:00 PM 20 minutes	3	A/S: 92
6.	<b>Post Executive Director Job Description, All</b>	4:20 PM 20 minutes	4	
7.	<b>Public Comment</b>	4:40 PM 20 minutes		
	<b>Adjourn, All</b>	5:00 PM		

**Meeting Time Allotment: 180 minutes (3 hrs)**

**Total Time Allotment: 240 minutes (4 hrs)**

Key: GAP (Governance Action Plan), A/S (Annual & Strategic Plans)

**Information Only: Interim Executive Director's Report**

**5**

1



Board of Supervisors  
Monthly Board Meeting Minutes  
Tuesday, June 26, 2018 (2:00pm)

**Present at Meeting:**

Eric Johnson, TCD Board Chair	Sarah Moorehead, TCD Interim Executive Director
Richard Mankamy, TCD Board Auditor	Heather Roskelley, TCD Staff
Paul Pickett, TCD Board Supervisor	Chris Stearns, TCD Associate Board Supervisor
Linda Powell, TCD Board Vice-Chair	Shana Joy, WSCC
Alison Halpern, WSCC	Joe Hanna, TCAAC
TJ Johnson, Public	Madeline Bishop, Public
Martin McCallum, Public	Vickie Larkin, Thurston BoCC
Esther Kronenberg, Public	Gary Edwards, Thurston BoCC
Dan Calvert, PSP	

**Action Items:**

1. Staff to submit June 19 Subcommittee meeting notes as minutes
2. Staff to send RFP to employment law firms and solicit proposals; Sarah will also provide courtesy copy to Enduris and invite commentary
3. Board Chair to review and sign minutes provided at meeting so they can be published on website in compliance with Action Plan
4. Staff to send out Doodle poll to change Board meeting date in August because of conflict with USFWS meeting in Boise (August 28)
5. Staff to ask for public meeting guidance for Supervisors from Attorney General's office
6. Staff to put DOH Grant on July 31 agenda for discussion and provide two hard copies for Supervisors
7. Staff will email quarterly payroll and staff reports to Board
8. Staff to send Doodle poll to Supervisors to schedule Work Session mid-July sometime between 3-6pm or 5-8pm
9. Staff to provide revised mid-year budget with additional information to Supervisors
10. Richard will contact HR temp agencies to hire a temp and will provide recommendations to Board during Work Session in mid-July
11. Staff to provide entire contract for WRIA 13 Lead Entity as hard copies for approval during July 31 Board meeting
12. Staff will provide Chehalis Outreach meeting announcements
13. Travel Policy to be discussed by Board in July Work Session
14. Linda will attend a staff meeting (date TBD) to co-create Code of Conduct with staff
15. Staff to put policy updates in books

**1. Welcome, Introductions, Audio Recording Announcement and Pledge of Allegiance**

- Eric Johnson called the meeting to order at 2:09pm. There was a quorum.
- Welcome, Introductions, & Pledge of Allegiance conducted
- Chair announced meeting is audio recorded

**2. Public Comment (3 minutes per person)**

- Persons who provided public comment:
  - TJ Johnson
  - Joe Hanna



- 54 3. **Agenda Review, All**  
55     ▪ Include Supervisor Reports in Partner Reports – 6D  
56     ▪ Include quarterly payroll and staff reports in Financial Report – 8E  
57     ▪ Paul made a motion to move the Executive Session Statement earlier in the meeting. No  
58         second.  
59     ▪ VSP Technical Support MOU Addendum (B) and CREP Assignment of Payment Forms (C)  
60         under Conservation Projects are tabled to July 31 Board meeting  
61     ▪ Add Chehalis Outreach Grant Work Addendum to Conservation Projects as -11D  
62     ▪ Discuss potential OPMA violations – 9B  
63     ▪ Discuss HR/legal services as it relates to budget – 10B  
64     ▪ Move #15 Protocol for Supervisor Requests to 13B  
65  
66 4. **Board Officer Elections, All**  
67     Table until July 31 Board Meeting  
68  
69 5. **HR/Legal, Sarah Moorehead**  
70     A. **HR/Legal Subcommittee Report**  
71         • At subcommittee meeting, there was discussion about whether to move forward with  
72             attorney first  
73         • Sarah provided the names of two additional employment law firms in the Olympia area;  
74             they provide free initial consultation  
75         • Pierce CD has an interest and the capacity to provide some HR support after legal  
76             issues are resolved  
77         • Need to have budget discussion to decide whether we can afford legal or HR services  
78     B. **Legal Services RFP**  
79         ▪ Paul moved to use Richard's version of RFP and solicit proposals from employment law  
80             firms. Linda seconded. Unanimous approval with the following amendments:  
81             o Line 5: Thurston Conservation District Board of Supervisors (BoS)  
82             o Lines 11 & 18: Mailed, hand-delivered or emailed to: Board Chair and Acting  
83                 Executive Director  
84             o Page 3, Scope of Services, Description a, Line 77: Act as general legal counsel  
85                 to the TCD's Board of Supervisors  
86     AI – Staff to submit June 19 Subcommittee meeting notes as minutes  
87     AI – Sarah to send RFP to employment law firms and solicit proposals; Sarah will also  
88     provide courtesy copy to Enduris and invite commentary  
89  
90 6. **Partner Reports**  
91     A. **NRCS – No Report**  
92     B. **WSCC, Shana Joy**  
93         ▪ Introduced new Puget Sound Regional Manager, Alison Halpern  
94         ▪ WSCC meeting July 18 and 19 in Shelton at Little Creek Casino and Resort; Mason CD tour  
95         ▪ WSCC has concluded their investigation of TCD; drafting final report; report should be available  
96             soon  
97         ▪ Livestock technical assistance – WSCC is asking more questions of each CD so they can track  
98             funding  
99         ▪ Thurston CD will be audited this year – to be reimbursed through grant money; each district is  
100             audited every three years  
101         ▪ Legal requirements for TCD – still have 4 different elements not in compliance with  
102             Conservation Accountability and Performance Program (CAPP - handout): open public  
103             meetings act; keeping public informed through minutes; adherence to labor laws; unresolved  
104             Human Rights Commission complaints  
105         ▪ Shana will be reporting CDs in red (TCD) to the Commission and they make decision; there is a  
106             new CAPP program so she is not sure what they will do

107     ▪ It is up to TCD to provide evidence that they have complied by July 18  
108     ▪ Shana mentioned that it's OK to not post minutes for a couple of months, but not beyond two  
109     months  
110     C. **WACD/NACD** – Doug Rushton was not able to attend June 26 Board meeting but provided  
111     handouts that were included in Board Packet  
112     D. **Supervisor Meetings**  
113     ▪ Eric and Richard have attended US Fish and Wildlife Service meetings; they would like to attend  
114     a meeting in Boise on August 28 that addresses how landowners are handling easements; other  
115     issues are problems with endangered species and making the building permit process easier  
116     ▪ Meetings with Partners in Conservation  
117     AI – Board Chair to review and sign minutes provided at meeting so they can be published  
118     on website in compliance with Action Plan  
119     AI – Sarah to send out Doodle poll to change Board meeting date in August because of  
120     conflict with USFWS meeting in Boise (August 28)  
121  
122     Letter from Eric Johnson and his attorney read by Richard Mankamyer  
123     ▪ Letter states that closed door sessions are legal to discuss employees including Acting  
124     Executive Director; final action may be taken in public meeting  
125     AI – Staff to ask for public meeting guidance for Supervisors from Attorney General's office  
126  
127     Handout - Statement of Paul Pickett  
128     ▪ Re: sending emails for discussion to other Board Supervisors  
129     ▪ In the future, it is recommended that all Supervisors use bcc (blind copy) when  
130     communicating by email so that they can't all reply and create a discussion  
131     ▪ In addition, Shana advised not putting anything in email that's to do with Executive Session  
132  
133     Handout – Statement of Paul Pickett and Doug Rushton  
134     ▪ Because of potential legal liability regarding the June 7<sup>th</sup> Special Meeting Executive Session,  
135     Paul Pickett and Doug Rushton issued a statement  
136  
137     7. **Board Meeting Minutes Review, All**  
138     A. **April 24, 2018 Regular Meeting & Work Session minutes**  
139     Linda moved to approve minutes as amended in work session. Richard seconded. Eric,  
140     Richard, and Linda approved. Paul abstained. Motion passed.  
141     B. **May 29, 2018 Regular Meeting & Work Session minutes**  
142     Paul moved to approve minutes as amended in work session. Linda seconded. Unanimous  
143     approval.  
144     C. **June 7, 2018 Special Meeting & Work Session minutes**  
145     Paul distributed minutes through Sarah with his edits.  
146     o Edits 64-69 – OK  
147     o Remove 70  
148     o Edits 80-82 – OK  
149     o Take out D  
150  
151     D. **February 27, 2018 Regular Meeting minutes**  
152     Linda moved to approve as amended. Richard seconded. Eric, Richard, and Linda approved.  
153     Paul abstained. Motion passed.  
154     ▪ Lines 79-81 – put on agenda for July 31 Board meeting  
155  
156     8. **Financial Report**  
157     A. **Monthly Financial Report**  
158     ▪ If Richard would like different information provided, Sarah will implement  
159     ▪ Staff birth dates to be removed from Regence invoice/statement

160 **B. May Check Register**

- 161     ▪ Paul moved to approve checks 19602-19642 totaling \$104,171.78 with voided checks  
162         19604, 19626, 19638. Linda seconded. Unanimous approval.  
163

164 **Break at 3:54pm. Meeting resumed at 4:07pm.**

165  
166 **C. DOH Grant**

- 167     ▪ Ready for signature; Sarah emailed it to Supervisors during previous week (54 pages)  
168     ▪ \$300,000 total  
169     ▪ Approved in 2018 annual budget; through March 31, 2020  
170     ▪ Provides for technical assistance – working with school and urban gardens, farm tours,  
171         beginning farming training programs, riparian programs  
172     ▪ Two hard copies requested for Supervisors

173 **AI – Staff to put DOH Grant on July 31 agenda for discussion and provide two hard**  
174 **copies for Supervisors**  
175

176 **D. Quarterly Payroll and Staff Reports**

177 **AI – Sarah will email quarterly payroll and staff reports to Board**  
178

179 Linda moved to have Work Session scheduled mid-month to handle routine items and place  
180 them on consent calendar. Paul seconded. Unanimous approval.  
181

182 **AI – Staff to send Doodle poll to Supervisors to schedule Work Session mid-July**  
183 **sometime between 3-6pm or 5-8pm**  
184

185 **9. Executive Session Statement**

186 **A. Paul Pickett read statement earlier (refer to 6D)**

187 **B. Potential OPMA violations**

188 It was decided that emails sent by Paul and Doug were not in violation as they were not reply  
189 all; as mentioned earlier in this meeting, it is best to blind copy other Board Supervisors or send  
190 to Sarah and she will distribute  
191

192 **10. Mid-Year Budget Revision, All**

193 **A. Budget and 2018 Mid-Year Staffing Needs**

- 194     ▪ Supervisors concluded they need more information to make budget decisions  
195     ▪ TCD can subcontract out to Pierce, King, Mason and other districts; However,  
196         permanent staff are needed to fulfill grant commitments; TCD needs to retain staff  
197     ▪ Union labor negotiator will be contacting Board through Sarah

198 **B. HR/Legal Services**

- 199     ▪ Richard will provide recommendations to Board mid-July during Work Session  
200     ▪ Shana Joy noted that TCD policy states the hiring is done by the permanent or acting  
201         executive director, not Board Supervisors. TCD needs to know if there is budget to hire  
202         HR and/or legal services.  
203     ▪ Paul stated that the Board did not know where the money was to fund the position; he  
204         would like to see a better budget first to ensure that the Board is doing this the right way  
205         and not the wrong way  
206     ▪ Sarah shared concerns about operating against TCD policy and the Board authorizing  
207         expenses of unknown amounts. She recommended first ensuring there is sufficient  
208         funding available and second following the District's policy on hiring staff.  
209     ▪ Eric stated the HR position would not be supervised by Sarah and it was authorized by  
210         the Board to contract an HR position

211           ▪ Eric moved to authorize Board Auditor to contract with a qualified HR person through a  
212           temp agency who reports back to the Auditor and the Board. Linda seconded. Eric,  
213           Linda, Richard approved. Paul objected. Motion Passed.  
214  
215           **AI – Staff to provide revised mid-year budget with additional information to Supervisors**  
216           **AI – Richard will contact HR temp agencies to hire a temp and will provide**  
217           **recommendations to Board in Work Session mid-July**  
218  
219           **11. Conservation Projects, All**  
220           **A. WRIA 13 Lead Entity Contract Renewal**  
221           ▪ This is the next contract with RCO to continue TCD's commitment to operate as the fiscal  
222           agent for the WRIA 13 Lead Entity  
223           ▪ Staff recommendation is to approve this second half biennium contract with RCO (July 1,  
224           2018 – June 30, 2019) and authorize the TCD Board Chair or Interim Executive Director to  
225           sign the final contract document upon receipt  
226           ▪ Billable time starts July 1  
227           ▪ Final contract not yet available  
228           ▪ Shana advised Board to vote to approve at July 31 Board meeting and backdate it to July  
229           1  
230           ▪ Board would like entire contract (as hard copies) to be provided for approval  
231           ▪ Board Chair stated that there is to be no monetary expenditure by staff until contract is  
232           signed  
233           **B. VSP Technical Support MOU Addendum - Tabled**  
234           **C. CREP Assignment of Payment Forms – Tabled**  
235           **D. Chehalis Outreach Grant Addendum**  
236           ▪ Staff working on this: Sarah, habitat team, education and outreach staff  
237           ▪ Chehalis Basin Strategy work – Skookumchuk – interested in working lands easements;  
238           flood mitigation, aquatic species restoration work; making sure that landowners have a  
239           seat at the table; Kathleen Berger has been a big advocate for landowners  
240           ▪ Paul moved to approve Chehalis Outreach Grant addendum. Linda seconded.  
241           Unanimous approval.  
242           **AI – Staff to provide entire contract for WRIA 13 Lead Entity as hard copies for approval**  
243           **during July 31 Board meeting**  
244           **AI – Stop work on WRIA 13 Lead Entity contract effective July 1 until contract is signed**  
245           **AI – Staff will provide Chehalis Outreach meeting announcements**  
246  
247           **12. Rates & Charges, Sarah Moorehead**  
248           **Preparation for Board of County Commissioner's Briefing**  
249           ▪ Meeting on June 27 9:30am-10am; second meeting scheduled for July 18 2:30pm-3pm in  
250           case more time is needed  
251           ▪ County has been supportive; all individuals who spoke at May 10 Public Hearing were  
252           supportive  
253  
254           **13. Review of TCD Governance Action Plan and Protocol for Supervisor Requests, All**  
255           **A. Action Plan Discussion**  
256           ▪ Action Plan items – some have been accomplished and noted  
257           ▪ Travel Policy has not been approved  
258           ▪ Code of Conduct needs to be created; Enduris' Code of Conduct sent by Shana in January  
259           2018 for reference; decided that one Board member, Linda, will attend a staff meeting to  
260           co-create Code of Conduct with staff  
261           **B. Protocol for Supervisor Requests**

- 262           ▪ Between meetings there are requests; Interim Executive Director can either 1) provide  
263           answer fairly quickly, 2) set a time frame for deliverable, or 3) defer to discussion in  
264           meeting because request requires extensive time commitment  
265           ▪ Sarah gets conflicting direction from Supervisors; need a broader discussion on priorities  
266           - how best to prioritize from a collective Board with one voice

267       **AI - Travel Policy to be discussed by Board in July Work Session**  
268       **AI - Linda will attend a staff meeting (date TBD) to co-create Code of Conduct with staff**  
269

270       **14. Review of Policies & Procedures**  
271       **AI – Staff to put policy updates in books**  
272

273       **15. Adjourn, All**

274           Paul moved to adjourn. Linda seconded at 6:33pm. Unanimous approval.  
275

276       Respectfully Submitted,  
277

278       \_\_\_\_\_  
279       Eric Johnson, Board Chair  
280

**Statement of Paul J. Pickett**  
**Supervisor, Thurston Conservation District**

Several email exchanges that involved me are mentioned in the statement regarding Executive Sessions. I am providing for the record a copy of the entire email threads and attachments.

The first set of exchanges began on May 31, when Supervisor Richard Mankamyer sent an email to Acting Executive Director Moorehead and copied me, and presumably the other supervisors, by blind CC. I responded by email on June 24<sup>th</sup>, offering "feedback", and noted that I had asked for time at the next board meeting to discuss the matter. Supervisor Mankamyer responded that this email by stating "you just held and illegal TCD Board of Supervisor meeting", suggesting that it might constitute a violation of the Open Public Meetings Act. He continued: "you are welcome to seek legal advise on this if you feel this is in error."

I believe that my email was not a violation, because it was informational only, and that I specifically suggested that the Board discuss the matter in open session. Nevertheless, I understand that one might construe it as soliciting a policy discussion prior to full public discussion, which might be a violation. In any case, as I stated at the outset, I now put the entire email string on the record to cure any real or perceived violation.

A second incident occurred on June 4<sup>th</sup>, when Supervisor Mankamyer sent a draft "Letter of Direction" to Supervisor Eric Johnson, with a blind cc to me. I presume other Board members received the blind cc.

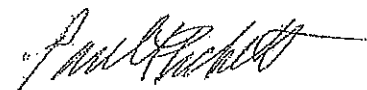
I responded with an email on June 4<sup>th</sup>, cc'd to the entire Board, where I stated: "I'll try to send a draft for you consideration before the meeting, or at least I'll share my ideas then." I then sent a draft document regarding expectations for the Acting Executive Director position to the Board on June 6<sup>th</sup>. In that email, I stated "attached are some ideas for our discussion tomorrow."

Supervisor Mankamyer again responded with the exact same wording as in the previous message, accusing me of holding an illegal meeting and suggesting I seek legal counsel.

Again, my email was informational and intended for a Board discussion in an open meeting. But to provide transparency for my communications and cure any real or perceived violation, I am also providing this email thread and my draft document for the record.

I have reviewed the rules regarding communication by email outside of public meetings and completed the training for new Supervisors. I will ensure that any email communication will be marked clearly "for information only" in the future, and avoid any discussion of issues by email outside of a public meeting.

Signed



---

Paul Pickett, Supervisor



Paul Pickett <paulpickett@conservewa.net>

## MOU with WSU Energy 053118

Richard TCD <rmtcd6@gmail.com>  
To: Paul Pickett <paulpickett@conservewa.net>

Wed, Jun 6, 2018 at 10:36 PM

Hello Paul,

Thank you for sharing your thoughts. #2

According to my understand of the rules, by sending this e-mail to the TCD Board as you did, you just held and illegal TCD Board of Supervisor meeting. There was no public notice or any of the notifications that I am aware of that are suppose to be given.

Of course, you are welcome to seek legal advise on this if you feel this is in error.

Thank you  
Richard Mankamyer  
TCD Board, Auditor

On Mon, Jun 4, 2018 at 9:55 PM, Paul Pickett <paulpickett@conservewa.net> wrote:

: Richard,

: I wanted to provide some feedback on this letter.

: I understand your desire for good information. I share that desire and an interest in learning more on the subject of MOUs and other Partner agreements. The binder you suggest sounds like a good tool to help.

: However, I'm concerned about the way you present your request in the email. There are several points I'd like to share:

: 1. Although you say "please", the email has a demanding tone and calls for several actions that could be significant workloads. In addition, the multiple cc's to WSCC staff and a local attorney can be interpreted as intimidation and seems excessive given the small request. Within the current context of the Human Rights complaints, I hope we can be extra careful in communicating in ways that are respectful and collegial. A simple friendly request posed as a question would have sufficed I believe.

: 2. Having five supervisors who can all make requests creates a difficult situation for Sarah. I'd like us to discuss protocols for requesting actions or information from Sarah between meetings. At the PUD we worked out a pretty reasonable approach, which for the CD might look like this:

: - Supervisors can make requests between meetings of the Executive Director (Interim or permanent). The ED should feel safe to provide three possible responses: 1) no problem, not a big workload, can do; 2) will take some time - ok to get this to you at some future date; 3) significant workload - would like the full Board to prioritize this request against other work assignments.  
: If we are working together as a team, it should be easy to make polite requests and allow the ED to respond and manage her workload. This would be an approach applied fairly by all Supervisors.  
: I've asked for some time at the next Board meeting to discuss this topic.

: 3. In general, email creates some challenges in communication. We only read the words, and there is not voice inflection or body language. It's easy to misunderstand the tone or intent of an email, and I've experienced disagreements simply from this kind of misunderstanding. Emails are very good at sharing information but poor at sharing feelings. It's a good idea to pick up the phone and talk in person if the subject could be

misunderstood.

I'm probably violating my own suggestion by writing this email, but I wanted to share information to help our relationships. I'm not angry, and I'll add a smiley to prove it! :) I hope this simply leads to more discussion in person among the Board as a whole and some protocols we all agree with. It's one step to better relationships and rebuilding our team.

Thank you for your kind consideration of my thoughts.

Paul

On Thu, May 31, 2018 at 12:23 PM, Richard TCD <rmited@gmail.com> wrote:

Hello Sarah,

You mentioned at the board meeting on 052918 that the MOU with WSU Energy had sunsetted?

Please explain how and why this happened and provide all relevant records concerning this assertion. I have a copy of the original MOU and there is no expire date on it.

Also, please have available a copy of all current and expired MOU's that TCD has, organized into a booklet, like our 3 ring Policy and Procedure booklets, for at least the past 3 years, including to June 01, 2018, available for the next time the board meets.

Thank You for your attention in this matter.

Richard Mankamyer  
TCD Board, Auditor





Paul Pickett <paulpickett@conservewa.net>

---

## Confidential for Executive Session

---

Richard TCD <rmtcd6@gmail.com> Wed, Jun 6, 2018 at 10:33 PM  
To: Paul Pickett <paulpickett@conservewa.net>, mclark@scc.wa.gov, "Robinson, Kirk (SCC)" <KRobinson@scc.wa.gov>, "Shultz, Ron (SCC)" <rshultz@scc.wa.gov>, Shawn Newman <newmanlaw@comcast.net>

Hello Paul,

Thank you for sharing your thoughts.

According to my understand of the rules, by sending this e-mail to the TCD Board as you did, you just held and illegal TCD Board of Supervisor meeting. There was no public notice or any of the notifications that I am aware of that are suppose to be given.

Of course, you are welcome to seek legal advise on this if you feel this is in error.

Thank you  
Richard Mankamyer  
TCD Board, Auditor

On Wed, Jun 6, 2018 at 10:09 PM, Paul Pickett <paulpickett@conservewa.net> wrote:  
Attached are some ideas for our discussion tomorrow.

Paul

On Mon, Jun 4, 2018 at 9:58 PM, Paul Pickett <paulpickett@conservewa.net> wrote:  
Thank you for sharing this Richard. I'd like to propose an alternative approach that addresses these issues and provides Sarah with clear guidance on improvement. I'll try to send a draft for you consideration before the meeting, or at least I'll share my ideas then.

Paul

On Mon, Jun 4, 2018 at 12:33 PM, Richard TCD <rmtcd6@gmail.com> wrote:  
Confidential for your eyes only.  
(Letter for discussion at executive session next special board meeting on 050718 for evaluation of public employee)

April 24, 2018

Sarah Moorehead  
Acting Executive Director, TCD

Re: Letter of Direction

Dear Sarah,

This is a letter of direction, which is not a disciplinary action. As we have discussed, since your becoming TCD Acting Executive Director and observing your work, I have had several concerns about your performance. Specifically, the areas are: working overtime, teamwork, and following my directions. Therefore, I am setting forth below my expectations for you in these areas.

1. Overtime—As an overtime eligible employee, you are expected to work your assigned hours and no more unless authorized to do so by the Board Chair or the Board Auditor.
2. Teamwork—You, Sarah, and the Board of Supervisors (BoS) are a team and we expect you to share information, work collaboratively, maintain a high level of communication with us, assist others and back up others at times. To date, the BoS was not informed of the absence of Mara Healy and why she is off work. We were also not informed of the resignation of Amy Franks in a timely manner and had to hear about it from a member of the greater community. We were also not informed of the reason and why Ashley McBee is no longer here and those circumstances of her departure.
3. Staff Reports – it has been a continuous point of contention, not getting the weekly staff reports in a timely manner. I am constantly having to ask for and remind you to get these reports to the board. Sometimes there have been no reports for over a month.
4. I have repeatedly ask for updates on the budget and we had all agreed that the board needs to approve any budget changes. This was discussed with you as recently as April 17, 2018 at TCD office.

New Directions—Although we are a team, I, and the BoS, are your supervisor's and expect you to follow our directions. I want a written report to me and the BoS of the personnel questions raised in #2 above within one working week from the date of this letter.

Again, please understand this letter does not constitute disciplinary action; it is a letter of direction intended to clarify what I (BoS) expect of you. If you have any questions about this letter, please let me know.

Best regards,

Eric Johnson, Chair  
TCD Board of Supervisors

June 7, 2018

From: Paul J. Pickett, Thurston Conservation District Supervisor

To: Thurston Conservation District Supervisors

Subject: Recommended Evaluation Procedures

In response to the proposed Letter of Direction, I'm concerned that this action is being carried out in a way that is inappropriate, since it is being done in advance of a formal evaluation. The process I would recommend is:

1. Develop a set of expectations for the Interim Executive Director (IED), preferably based on Policy 1.3.1, which describes the Acting Executive Director's function, responsibilities, and expectations.
2. Provide an evaluation of the IED based on her performance in this position and the expectations.
3. Provide a set of future expectations describing areas of continuing high performance or areas needing improvement.

Based on Policy 1.3.1, here are suggestions for Expectations:

1. Supervision of District employees, including work force planning, hiring and promotion, merit raises, performance reviews, disciplinary actions, leave, training, and professional development
2. Communication with the public regarding meetings, policy and procedure changes, and other notices both required by law and consistent with effective public outreach.
3. Engagement with and satisfaction of District clients, partners, and the general public
4. Implementation of District mission, plans, policies, and budget
5. Execution of contracts and agreements
6. Management and implementation of District programs, functions, and services in accordance with all applicable laws, regulations, and District policies.
7. Compliance with all applicable laws, regulations, and District policies related to the IED's job duties and performance
8. Responsiveness in carrying out Board directions
9. Communication and consultation with the Board regarding:
  - a. Interactions with clients, partners, and the general public
  - b. Employment activities, including merit raises, disciplinary actions, and staff hiring and other changes
  - c. Modification or adoption of District procedures

**Statement of Paul Pickett and Doug Rushton  
Supervisors, Thurston Conservation District**

The Laws of the State of Washington require that, with few exceptions, the public's business be done in a public way. The legislature has repeatedly confirmed this with statutes such as the Public Disclosure Act, the Public Records Act and the Open Public Meetings Act. This is not a new idea. As long ago as 1914, Justice Louis Brandeis wrote: "Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants."

We are concerned that events during the Thurston Conservation District Board of Supervisors Special Meeting on June 7, 2018 – before, during, and after the Executive Session – rendered that Executive Session unlawful. Because we were present and participated in that executive session, our participation may have placed us and the District in legal jeopardy. We believe that the actions of Supervisors Linda Powell, Richard Mankamy, and Chair Eric Johnson violated the Open Meetings Act, Chapter 42.31 RCW; specifically RCW 42.31.110 (1)(f), (1)(g), and (2).

We have retained legal counsel, and on the advice of counsel, we are releasing this statement to remedy such unlawful action as we believe occurred. It is our understanding, confirmed by counsel, that the general remedy in Washington law for doing in the dark that which should have been done in the light is bring it into the light.

The following description is as accurate as our memories allow, but should be considered paraphrasing, since we can't guarantee that we recall the exact wording.

All five Supervisors were in attendance at the Special Meeting on June 7, along with Acting Executive Director (AED) Sarah Moorehead, staff from other agencies, and members of the public. A sign-in sheet was provided which can provide the names of the attendees. Copies of the agenda were also available for attendees.

The agenda called for an Executive Session that was listed on the agenda "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee," which is a proper subject for executive session under RCW 42.31.110 (1)(g).

An audio recording of the meeting was made until the Executive Session began. The recorder failed to operate after the Executive Session. We have listened to the audio recording of this portion of the meeting, and this is what was said, as best as we understand the recording.

- When we reached the agenda item for the Executive Session, AED Sarah Moorehead stated: "I have a request to make that if it is to evaluate the performance of a public employee related to me, I'd like to have it in an open public meeting" This is an entirely appropriate request and must be honored under RCW 42.31.110 (1)(f).
- Supervisor Johnson announced that the Executive Session was about to begin to discuss the evaluation of an employee.
- AED Moorehead asked: "Is the public employee is to be evaluated myself?"

- Supervisor Johnson responded: "I don't believe so, no".
- Supervisor Pickett stated: "I thought we were discussing expectations for the executive director."
- Supervisor Johnson responded: "We will not be talking about her, but expectations for the position, correct?"
- Supervisor Pickett then stated: "True, if that's all we talk about. That doesn't have to be in executive session, though."
- Supervisor Johnson, responding to questions from Linda Powell, noted: "We get into more specifics on Sarah, then we might come out and go into public session".
- AED Moorehead then stated: "I believe that this use of executive session is supposed to evaluate specific performance of a specific employee, so talking generally about position expectations; I'm not sure that's a proper use of executive session."

One of our obligations and goals is for the District to operate legally. During the Executive Session, several events occurred that lead us to our need to make this statement:

- Supervisors Johnson and Mankamyer discussed a copy of a "Plaintiff's Reply Brief" from the case Eric Johnson vs. Washington State University (WSU) Energy Program Office. They quoted the brief with several statements that we interpreted as being critical of AED Moorehead. A copy of this brief is attached. The airing of complaints was inconsistent with the announced purpose of the meeting. In addition, we believe it would be improper to take any action based on one-sided statements or filings by a lawyer in ongoing litigation, particularly involving a Supervisor and an employee, and especially without being presented with opposing filings or hearing the evidence directly.
- Supervisor Mankamyer raised some of the issues in an April 24, 2018 draft "Letter of Direction". On June 4th Supervisor Mankamyer had emailed us this letter, and told us that he wanted the Board to discuss it. The letter outlined several expectations and included several complaints about AED Moorehead's performance. A copy of this letter is attached. This airing of complaints regarding AED Moorehead was also inconsistent with the announced purpose of the meeting.
- We asked several times to return to the topic of reviewing expectation as part of an evaluation process. Supervisor Pickett described the process that he felt was appropriate: first setting expectation, then completing an evaluation of the staff, and then describing areas of improvement for the staff. He tried to offer a draft list of expectations for discussion, but Supervisors Johnson, Mankamyer and Powell ignored him. Supervisor Rushton noted that he had redrafted the position description for the executive director position, as agreed at the March 27, 2018 board meeting. He had had the AED distribute it to the entire board on April 24, 2018 asking for comments from all supervisors – but received no response. Supervisor Rushton expressed support for Supervisor Pickett's suggested approach, and encouraged the others to follow that process. Both of us made good faith efforts to return the Executive Session to the announced topic, but we were rebuffed.

To us, the Executive Session seemed mostly to be an extended rant by Supervisors Johnson, Mankamyer and Powell about their perceived problems with AED Moorehead's performance in the past and the need to remove her from that position and find a consultant to take over as AED.

When we came out of the Executive Session, Supervisor Johnson reported that we had nothing to report and no action to take.

In conclusion, we believe the events of this meeting rendered it unlawful due to the following violations of state statute:

- RCW 42.30.110 (1) states that "Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:"
  - Subsection (f): "To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;"  
AED Moorehead made a request for an open meeting if we were to discuss a complaint against her. Supervisor Johnson said that we were not going to discuss her. But the Executive Session actually mostly consisted of Supervisors Powell, Mankamyer, and Johnson discussing complaints against AED Moorehead.
  - Subsection (g): "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee."  
This was the announced purpose of the meeting, but no discussion occurred regarding the evaluation of an employee.
- RCW 42.30.110 (2) states that "Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place". Considering what actually took place in the meeting, Supervisor Johnson, as Chair, provided false description of the purpose, and he and the other two Supervisors deviated from the announced purpose in a manner that he explicitly stated would not take place.

Because of the events in this meeting, we are taking actions consistent with our duty under Chapter 42.30 RCW regarding what appears to have been a violation of this statute. Supervisor Pickett contacted the Attorney General's Office, who advised him to consult the District's Counsel. Unfortunately, the District has no Counsel, who might have stopped the violations described here. We will be sending a copy of this statement to the State Auditor and the Washington Conservation Commission.

We take the confidentiality of executive sessions seriously but also take transparency of government operations in what we tell the public seriously. Therefore, because the meeting appears to have violated the law, pointing out and stopping that illegality supersedes executive session confidentiality.

Signed:



Paul Pickett, Supervisor



Doug Rushton, Supervisor

(Letter for discussion at executive session next special board meeting on 050718 for evaluation of public employee)

April 24, 2018

Sarah Moorehead  
Acting Executive Director, TCD

Re: Letter of Direction

Dear Sarah,

This is a letter of direction, which is not a disciplinary action. As we have discussed, since your becoming TCD Acting Executive Director and observing your work, I have had several concerns about your performance. Specifically, the areas are: working overtime, teamwork, and following my directions. Therefore, I am setting forth below my expectations for you in these areas.

1. Overtime—As an overtime eligible employee, you are expected to work your assigned hours and no more unless authorized to do so by the Board Chair or the Board Auditor.
2. Teamwork—You, Sarah, and the Board of Supervisors (BoS) are a team and we expect you to share information, work collaboratively, maintain a high level of communication with us, assist others and back up others at times. To date, the BoS was not informed of the absence of Mara Healy and why she is off work. We were also not informed of the resignation of Amy Franks in a timely manner and had to hear about it from a member of the greater community. We were also not informed of the reason and why Ashley McBee is no longer here and those circumstances of her departure.
3. Staff Reports -- it has been a continuous point of contention, not getting the weekly staff reports in a timely manner. I am constantly having to ask for and remind you to get these reports to the board. Sometimes there have been no reports for over a month.
4. I have repeatedly ask for updates on the budget and we had all agreed that the board needs to approve any budget changes. This was discussed with you as recently as April 17, 2018 at TCD office.

New Directions—Although we are a team, I, and the BoS, are your supervisor's and expect you to follow our directions. I want a written report to me and the BoS of the personnel questions raised in #2 above within one working week from the date of this letter.

Again, please understand this letter does not constitute disciplinary action; it is a letter of direction intended to clarify what I (BoS) expect of you. If you have any questions about this letter, please let me know.

Best regards,

Eric Johnson, Chair  
TCD Board of Supervisors

1  
2 Hearing Set: June 15, 2018  
3 Time: 9:00 am  
4 Judge: Schaller  
5  
6  
7

8 THURSTON COUNTY SUPERIOR COURT  
9 IN AND FOR THE STATE OF WASHINGTON

10 Eric Johnson,	Plaintiff,	No. 18-2-00943-34
11		
12 vs.		Plaintiff's Reply Brief
13 Washington State University (WSU) Energy		Public Records Act
14 Program Office.		Liability Issue
15	Defendant.	

16  
17 I. Summary Reply:

18 Contrary to WSU's argument that "the Public Records (PRA) does not require agencies  
19 to be mind-readers,"<sup>1</sup> WSU simply needed to follow the law. According to WSU's own  
20 NextRequest<sup>2</sup> file for Johnson's PDR, WSU "received" his PDR on "January 31, 2018 via  
21  
22  
23  
24

25 <sup>1</sup> WSU Br. at 16:9.

26 <sup>2</sup> According to the Dec. of WSU's Public Records Program Specialist, Sheri Glaesman, "NextRequest is a web-  
27 based application by which individuals can submit a PRA request to WSU and through which WSU can then  
28 respond and provide records to the requester." Glaesman Dec. at 1:23-26.

28 PLAINTIFF'S REPLY BRIEF  
PRA LIABILITY ISSUE

Shawn Timothy Newman  
Attorney at Law, Inc., P.S.  
WSBA 14193  
2507 Crestline Dr. NW  
Olympia, WA 98502-4327  
(P) 360-866-2322



1 email.”<sup>3</sup> Despite NextRequest noting that Johnson’s PDR was “received” on “January 31, 2018  
2 via email”, WSU did not formally acknowledge Johnson’s request until February 26, 2018.

3 It is undisputed that WSU-Energy Information Systems Department Manager James  
4 Colombo told Johnson in person on January 31, 2018 that “it would take a few days to get the  
5 information.”<sup>4</sup> It is undisputed that Colombo’s assistant, Michael Pierson,<sup>5</sup> began working with  
6 TCD’s Interim Executive Director, Sarah Moorhead, on February 2, 2018.<sup>6</sup> Pierson’s emails  
7 refer to “Records request” and “PDR for Eric Johnson.”<sup>7</sup> After Johnson emailed Colombo on  
8 February 8, 2018<sup>8</sup> regarding the status of his requests, Colombo informed Johnson that “We have  
9 been instructed that all Public Information Requests must come through the Director of TCD.”<sup>9</sup>  
10

11 Johnson never filed a PDR with the Director (Moorehead) because he and the Board  
12 Auditor, Supervisor Richard Mankamy, were engaged in an investigation involving Ms.  
13 Moorehead.<sup>10</sup> Colombo knew this because Johnson told him in person on January 31, 2018 that  
14 “he was doing an investigation of Ms. Moorehead.”<sup>11</sup>  
15  
16  
17  
18

19 **II. Status: Too little too late.**

20 <sup>3</sup> Ex. O: Newman Dec. attaching full NextRequest printout for Request #18-115 [available online at:  
21 <http://wsu.nextrequest.com/requests/18-115>]. WSU’s Public Records Coordinator, Stephanie Kalasz, only attaches a  
portion of that file as Ex. 1 to her declaration.

22 <sup>4</sup> WSU Br. at 6:17.

23 <sup>5</sup> WSU-Energy IT Support Specialist. See Declaration of James Colombo at 2:6-8 [“Information Technology  
Specialist Michael Pierson is the primary IT Specialist that assists our external clients, including TCD.”].

24 <sup>6</sup> See Pierson Dec. at 3.

25 <sup>7</sup> Ex. G and N. Therefore, WSU’s assertion that “Neither Pierson nor Colombo interpreted this email to be a public  
records request” is absurd. WSU Br. at 7:13-14.

26 <sup>8</sup> Ex. D: Email from Johnson to Colombo (2/8/18 @ 11:30 am).

27 <sup>9</sup> Ex. E: Email from Colombo to Johnson, cc Moorehead (2/8/18 @ 12:19 pm); Colombo Dec. Ex. 4.

28 <sup>10</sup> Ex. B: Johnson Dec.; Colombo Dec. at 3:9-10.

29 <sup>11</sup> Colombo Dec. at 3:9-10.

30 PLAINTIFF’S REPLY BRIEF  
PRA LIABILITY ISSUE

Shawn Timothy Newman  
Attorney at Law, Inc., P.S.  
WSBA 14193  
2507 Crestline Dr. NW  
Olympia, WA 98502-4327  
(P) 360-866-2322

1 As noted in Johnson's Opening Brief, WSU closed out his PDR on May 9, 2018 but did  
2 not produce metadata specifically requested by him in his first request or produce the 1032  
3 emails Pierson identified by name in response to Johnson's second request.<sup>12</sup> Surprisingly, after  
4 filing his opening brief early on May 15, 2018,<sup>13</sup> Johnson received notice from WSU's Public  
5 Records Office on May 22, 2018, that WSU was "reopening" his public disclosure request.<sup>14</sup>  
6

7 Subsequently, on June 1, 2018 WSU sent Johnson several new installments in pdf format  
8 amounting to 2,079 additional records for a total of 6,864 records.<sup>15</sup> WSU closed his PDR later  
9 that same day (June 1, 2018) stating:

10 We have processed all records that were provided to us by WSU Energy  
11 Program. We were previously provided a list of records that you believed were  
12 missing from the search. It is our understanding that this list was provided by your  
13 attorney, Shawn Newman, to the Attorney General's Office. We have located  
14 some of the listed records. We were unable to identify some of the listed records  
15 even after a thorough follow-up search. We have provided a list of the records  
16 that identifies those unidentified records to the Attorney General's Office and  
17 they will follow up directly with Mr. Newman.<sup>16</sup>

18 This is not discussed in the declaration of WSU's Counsel (Feulner).

19 Johnson and his counsel have not had the opportunity to sift through the document dump,  
20 but WSU admits they were unable to provide all the requested records. This includes the  
21 metadata in response to Johnson's first PDR. While the pdf associated with the metadata was  
22

23 <sup>12</sup> Ex. G: Email from Pierson to Moorehead (2/5/18) re: Records request and Eric Johnson [Emphasis added].

24 <sup>13</sup> The Scheduling Order set the deadline as May 18, 2018.

25 <sup>14</sup> Ex. O: See Email from Sheri Glaesman, WSU Public Records, to Johnson (5/22/18); WSU Br. at 10:2.

26 <sup>15</sup> WSU Br. at 10:3-4; Ex. P (Newman Dec.); compare WSU Br. at 9 (Kalasz Dec.) totaling 4779 but noting some  
documents could not be converted.

27 <sup>16</sup> See Ex. O [Emphasis added].

1 provided and is attached to Mr. Feulner's Declaration of Counsel as Exhibit 3, the metadata was  
2 not.<sup>17</sup>

3 Astonishingly, Mr. Feulner emailed Johnson's counsel (Newman) on June 4, 2018 (at  
4 7:25 am), the date set for WSU's response, stating:

5  
6 Sorry for the delay in responding to this email as I wanted to wait until my client  
7 finished producing records. They completed that process on Friday, June 1. The  
8 majority of the emails that Mr. Mankamyer identified in his list have been  
9 produced to Johnson. There are some emails that we were unable to either  
10 identify or find. Without seeing the actual emails, it is hard to give a definitive  
11 answer. However, most of the emails appear to be between your two clients,  
12 Mankamyer and Johnson. I believe that they use gmail email addresses. As I  
13 understand it, such emails would not pass through the TCD email system that has  
14 an email domain name of @thurstoncd.com and there would be no copy in TCD's  
15 email system as a result. There is also one email that was listed that was outside  
16 of the timeframe that Johnson provided. I'm attaching a list with each email name  
17 that was provided by Mankamyer that contains where each email is located in the  
18 various installments produced by WSU. Please let us know if you have follow up  
19 questions.

20 Newman immediately responded at 7:57 am stating:

21 I'll forward to my client for his review.

22 As for what is in the system, please refer to the email from Pierson to Colombo  
23 dated February 2, 2018 @ 12:30:31 PM [Bate Stamped as Johnson v. WSU DEFS  
24 -000654] and Pierson's email to Amy Hatch-Winecka, dated March 6, 2018 [Bate  
25 Stamped as Johnson v WSU DEFS -000665].

26 He has yet to receive the metadata regarding his first request.<sup>18</sup>

27 Feulner did not respond to that email and does not discuss the exchange in his declaration.

28 Contrary to WSU's assertion in its brief that it "has now produced all records that have

29 <sup>17</sup> See Opening Brief at 14:2-4.

30 <sup>18</sup> Ex. R: Emails between Newman and Feulner (6/4/18).

1 been requested,"<sup>19</sup> WSU closed Johnson's PDR (again) on June 1, 2018<sup>20</sup> and has yet to produce  
2 the metadata in response to Johnson's first PDR. As noted in WSU's own brief, "A denial of  
3 records occurs when it reasonably appears that an agency will not or will no longer provide  
4 responsive records."<sup>21</sup> Contrary to WSU's assertions,<sup>22</sup> the relevant email does exist and was  
5 provided by WSU in pdf format which stripped off the metadata.<sup>23</sup> It is attached to the Feulner's  
6 as Exhibit 3 (pages 24-28). The original email and Word document along with associated  
7 metadata should be available. According to Colombo, "Even if a staff person deletes the email  
8 from a live account, the emails would still be stored on Barracuda."<sup>24</sup>

9  
10 **III. WSU's process argument ignores the facts and the law. *Parmelee* is distinguishable**  
11 **on the facts and the applicable law. It predated recodification of the PDA and, specifically,**  
12 **adoption of a new section: RCW 42.56.580.**

13 WSU claims that Johnson did not follow proper protocol when he made his PDRs  
14 because he did not make it to WSU's Public Record's Officer. Johnson made his PDR to  
15 Colombo because Colombo signed the MOU with TCD.<sup>25</sup> WSU argues that "Neither Pierson  
16 nor Colombo interpreted this email<sup>26</sup> to be a public records request." This is absurd given the  
17 emails characterizing Johnson request as a "records request" and as the "PDR for Eric  
18 Johnson."<sup>27</sup> Moreover, according to WSU's Public Records Office response, Johnson's PDR  
19 was "received" by WSU's Public Record's Office (NextRequest) on January 31, 2018 via  
20  
21

22 <sup>19</sup> WSU Br. at 20:12-13; 21:19.

23 <sup>20</sup> Ex. O.

24 <sup>21</sup> WSU Br. at 20:19-20 [citing *Hobbs v. State*, 183 Wn.App. 925, 936 (2014)].

25 <sup>22</sup> WSU Br. at 23: 7-8.

26 <sup>23</sup> The email at issue was specifically discussed in Johnson's opening brief at 13:15-21.

27 <sup>24</sup> Dec. of Colombo at 2:9-12.

28 <sup>25</sup> Ex. Q; See also Colombo Dec. Ex. 1.

29 <sup>26</sup> Referring to Johnson's PDR dated 1/31/18. Ex. B, K and O.

30 <sup>27</sup> See, Ex. B, F and G.

1 email.<sup>28</sup> Yet, contrary to WSU's assertions regarding the NextRequest PDR program,<sup>29</sup> no  
2 confirmation was sent until February 26, 2018. In the interim, WSU IT staff worked with and  
3 took directions from Moorehead who was under investigation by TCD supervisors.

4  
5 WSU relies upon *Parmelee v. Clarke*, 148 Wn.App. 748 (2008). That case concerned a  
6 PRA suit by an inmate. The Court held that the Department of Corrections' failure to respond to  
7 the inmate's requests in a timely fashion was excusable because the plaintiff had not submitted  
8 his requests to the department's designated public disclosure coordinator. That case cites the old  
9 public records statute prior to recodification which included adoption of a new PRA section  
10 which became RCW 42.56.580. According to RCW 42.56.580 (2):

12 For state agencies, the name and contact information of the agency's public  
13 records officer to whom members of the public *may* direct requests for disclosure  
14 of public records and who will oversee the agency's compliance with the public  
15 records disclosure requirements of this chapter *shall* be published in the state  
web site for the duration of the designation.<sup>30</sup>

16 RCW 42.56.580 provides that state agencies "*shall* appoint" a public records officer "to whom  
17 members of the public *may* direct requests for disclosure." General rules of statutory  
18 construction require avoidance of unlikely, absurd, or strained results.<sup>31</sup> Where a provision  
19 contains both the words "*shall*" and "*may*," it is presumed that lawmakers intended to distinguish  
20 between them, "*shall*" being construed as mandatory and "*may*" as permissive.<sup>32</sup> WSU also cites  
21 WAC 504-45-020(2) which states that requestors "*should*" contact the university's public  
22

23  
24 <sup>28</sup> Ex. O [NextRequest #18-115].

<sup>29</sup> WSU Br. 3:5-6 ["NextRequest automatically sends an email to the requester acknowledging that the request has  
25 been received."].

<sup>30</sup> Emphasis added.

<sup>31</sup> *State ex rel. Evergreen v. WEA*, 140 Wn.2d 615, 632 (2000).

<sup>32</sup> See, e.g., *Scannell v. Seattle*, 97 Wn.2d 701, 704 (1982).

1 records office.<sup>33</sup> "Should" is the past tense of "shall" and is not normally synonymous with  
2 "may."<sup>34</sup> The WAC cannot contravene the PRA by mandating something the PRA deems  
3 permissive.<sup>35</sup> As stated above, Johnson sent his PDR to Colombo because Colombo signed the  
4 MOU with TCD.<sup>36</sup> Moreover, according to WSU's own NextRecord file, Johnson's PDR was  
5 transmitted to WSU's Public Records Office via email on January 31, 2018.<sup>37</sup> Contrary to  
6 WSU's reference to "the form of a proper PRA request,"<sup>38</sup> the courts have held that there is no  
7 official format for a valid request under the PRA.<sup>39</sup>

8  
9 Although WSU admits it stores TCD records, it argues it does not "retain" them for  
10 purposes of the PRA.<sup>40</sup> WSU asserts that this is a case of "first impression."<sup>41</sup> WSU ignores the  
11 liberal construction in favor of disclosure<sup>42</sup> and the broad definitions in the PRA. According to  
12 RCW 42.56.010(3) "public record"

13  
14 includes any writing containing information relating to the conduct of government  
15 or the performance of any governmental or proprietary function prepared, owned,  
16 used, or retained by any state or local agency regardless of physical form or  
17 characteristics.

18 <sup>33</sup> WSU Br. at 2.

19 <sup>34</sup> Black's Law Dictionary.

20 <sup>35</sup> "Agencies may exercise only those powers conferred on them expressly or by necessary implication. If an  
21 enabling statute does not authorize a particular regulation, either expressly or by necessary implication, "that  
22 regulation must be declared invalid despite its practical necessity or appropriateness." *Wash. Indep. Tel. Ass'n v.*  
*Telecomm. Ratepayers Ass'n for Cost-Based & Equitable Rates*, 75 Wn. App. 356, 363, 880 P.2d 50 (1994). To  
hold otherwise would be to "defer to an agency the power to determine the scope of its own authority." *In re Elec.*  
*Lightwave, Inc.*, 123 Wn.2d 530, 540, 869 P.2d 1045 (1994)." *Impoundment of Chevrolet Truck*, 148 Wn.2d 145,  
156-157 (2002).

23 <sup>36</sup> Ex. Q; Colombo Dec. Ex. 1.

24 <sup>37</sup> Ex. O: NextRequest printout for Request #18-115 [available online at: <http://wsu.nextrequest.com/requests/18-115>]

25 <sup>38</sup> WSU Br. at 11:16-25 [quoting WAC 504-45-020(1)].

26 <sup>39</sup> *Hangartner v. City of Seattle*, 151 Wn.2d 439, 447 (2004).

27 <sup>40</sup> WSU Br. at 19:4-5.

28 <sup>41</sup> WSU Br. at 18:6-10.

29 <sup>42</sup> RCW 42.56.030.

30  
31 PLAINTIFF'S REPLY BRIEF  
32 PRA LIABILITY ISSUE

1 RCW 42.56.010(4) defines "writing" to include

2 every other means of recording any form of communication or representation  
3 including ... magnetic or paper tapes ... discs ... and other documents including  
4 existing data compilations from which information may be obtained or translated.

5 Moreover, the word "retain" is defined by Black's Law Dictionary as "to continue to hold, have,  
6 use, recognize, etc., and to keep." According to WSU-Energy's website and Colombo,<sup>43</sup> having  
7 WSU host accounts has several benefits, including:

- 8
- 9 • Daily backup of your data with snapshots captured throughout the day.
  - 10 • Nightly backup of your data with Disc-to-Disc and then Disc-to-Tape for secure  
11 off-line storage
  - 12 • All processed Email is copied and stored on our Archive Server for a minimum of  
13 seven years.
  - 14 • Data is stored on a Storage Area Network (SAN) device with multiple hard disks  
15 in an array which allows for hard disk failures without loss of data.

13 Pierson explained to Johnson and Mankanyer how "we back up their systems to how we keep  
14 TCD data from being lost."<sup>44</sup>

15  
16 There is no dispute that Johnson submitted a request for records retained by WSU.

17 Colombo acknowledged it was a records request when they met on January 31, 2018.<sup>45</sup>

18 Colombo initially told Johnson he would get him the records in "a couple of days."<sup>46</sup> It was after  
19 the PRA statutory 5-day time limit to respond had passed, that Johnson emailed Colombo on the  
20 status of his PDR. Colombo emailed Johnson that same day stating: "We have been instructed  
21 that all Public Information Requests must come through the Director of TCD."<sup>47</sup>  
22

23  
24 <sup>43</sup> <http://www.energy.wsu.edu/ComputerServices.aspx>; See also Ex. Q [MOU and Letter dated 6/16/14 from  
Colombo to Whalen at TCD.]; Colombo Dec. Ex. 1.

25 <sup>44</sup> Pierson Dec. at 2:23.

26 <sup>45</sup> See, Ex. B: Johnson Dec.; Ex. E: Email from Colombo to Johnson (2/8/18).

27 <sup>46</sup> Ex. B: Johnson Dec.; WSU Br. at 6:17 ["Colombo told him that it would take a few days to get the information."]

28 <sup>47</sup> Ex. E: Email from Colombo to Johnson, cc Moorehead (2/8/18).

1 Unlike the situation in *Parmelee*,<sup>48</sup> Colombo did not direct Johnson to WSU's Public  
2 Records Coordinator. Johnson never made a PDR to Moorehead. Yet, Pierson had already  
3 begun<sup>49</sup> working with Moorehead on February 2, 2018 (within the 5-day statutory time limit<sup>50</sup>) to  
4 filter what would be provided to Johnson. Pierson specifically referred to Johnson's PDR in his  
5 emails to Moorehead<sup>51</sup> and Hatch-Winecka.<sup>52</sup>  
6

7 Finally, WSU's Public Records Office received Johnson's request on January 31, 2018.<sup>53</sup>  
8 Yet, WSU did not provide Johnson with acknowledgement until February 26, 2018.<sup>54</sup> WSU  
9 closed the PDR on May 9, 2018 only to reopened it again on May 22, 2018, after Johnson's  
10 Opening Brief was filed.<sup>55</sup> To date, WSU has belatedly provided over 6,864 documents – over  
11 six times the number of documents (1032) initially identified by WSU to Moorehead.<sup>56</sup> WSU  
12 has yet to provide the metadata in response to Johnson's first request.  
13  
14  
15  
16

17 **IV. WSU enabled Moorehead to censor records without seeking an injunction.**

18 On May 31, 2018, the Washington State Supreme Court issued its opinion in *Lyst, Inc. v.*  
19 *City of Seattle*. In that case, the court considered whether the trial court properly granted an

20 <sup>48</sup> “Collins responded to Parmelee by letter dated March 1, 2005. She acknowledged receipt of the letter of February  
21 25 and instructed Parmelee to submit his records request to the facility's public disclosure coordinator....” *Parmelee*  
*v. Clarke*, 148 Wn. App. 748, 751 (2008).

22 <sup>49</sup> WSU's WACs provide that “The public records officer oversees compliance with the act, but another university  
staff member may process the request.” WAC 504-45-020(3).

23 <sup>50</sup> RCW 42.56.520(1).

24 <sup>51</sup> Ex. F: Email from Pierson to Moorehead (2/2/18) [“Subject: PDR and board members”]; Ex. G: Email from  
Pierson to Moorehead (2/5/18) [Subject: Records request and Eric Johnson].

25 <sup>52</sup> Ex. N: Email from Pierson to Hatch-Winecka (3/6/18).

26 <sup>53</sup> Ex. Q: Request #18-115 Time Line

27 <sup>54</sup> Ex. K: Letter from WSU Public Records Office (Sheri Glaesman) to Johnson (2/26/18).

28 <sup>55</sup> Ex. Q: Request #18-115 Time Line.

29 <sup>56</sup> Opening Br. at 14; Ex. P.



injunction to Lyft concerning certain “trade secrets.” The State Supreme Court reversed the trial court finding it had improperly applied the injunction standard. In so doing, the Court stated:

A “public record” “includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.” RCW 42.56.010(3).

....  
The PRA is “liberally construed and its exemptions narrowly construed to promote this public policy [to keep Washington residents informed and in control over the instruments they have created] and to assure that the public interest will be fully protected.” RCW 42.56.030.

*Lyft, Inc. v. City of Seattle*, 2018 Wash. LEXIS 350, 7 and 9 (May 31, 2018).

As noted in Johnson’s Opening Brief at pages 5-6, WSU AAG (Adam Malcolm) advised the TCD Interim Executive Director, Sarah Moorehead, that she should consult with legal counsel and seek an injunction to stop disclosure.<sup>57</sup> According to Colombo, he was advised by WSU-Energy Deputy Director Todd Currier to “make Ms. Moorehead aware of the request so that she could consult with an attorney, if she wanted.”<sup>58</sup> According to Colombo, Moorehead told Pierson that “she had spoken to an attorney and that all requests for TCD information needed to go through her.”<sup>59</sup> The attorney is not identified.

Rather than seek an injunction, WSU - Energy staff deferred to Moorehead based on her representation that she had spoken with an unnamed attorney on how to proceed. She did not seek any injunction. She didn’t need to since WSU IT staff were taking directions from her. This is illustrated by her alarming directive to Colombo and Pierson regarding Johnson’s

<sup>57</sup> See Dec. of WSU Counsel (Feulner) Ex. 1, page 5.  
<sup>58</sup> Colombo Dec. at 4:6-7.  
<sup>59</sup> Colombo Dec. at 4:17-18.

1 Subpoena Duces Tecum for Amy Hatch-Winecka.<sup>60</sup> Moorehead directed WSU IT staff not to  
2 respond to Johnson's subpoena. She wrote: "Please note that we are requesting that this is not  
3 fulfilled by either party mentioned in the subpoena (Michael and Jim)."<sup>61</sup>

4  
5 **V. Conclusion**

6 WSU makes various excuses why it violated the PRA. WSU's argument that it "had no  
7 duty to respond"<sup>62</sup> is absurd, contrary to the facts and public policy. WSU own NextRequest file  
8 shows that Johnson's PDR was "received January 31, 2018 via email."<sup>63</sup> WSU's argument that  
9 Colombo was confused<sup>64</sup> is contradicted by his own emails and that of his assistant, Pierson,  
10 which specifically refer to a "records request".<sup>65</sup> WSU's argument that it was "understaffed" is  
11 irrelevant.<sup>66</sup>

12  
13 WSU sat on Johnson's PDRs and opted to take directions from Moorehead, presumably  
14 to preserve its contractual relationship<sup>67</sup> with the TCD. Colombo admits he and Pierson "wanted  
15 guidance from TCD" (Moorehead) on how to proceed.<sup>68</sup> In so doing, they treated Moorehead as  
16 their boss when Johnson was the requester and Moorehead's actual boss.<sup>69</sup> This enabled  
17 Moorehead to intervene and filter what was provided to Johnson. Although WSU's AAG (Adam  
18

19  
20 <sup>60</sup> See Dec. of WSU Counsel (Feulner) Ex. 1, pages 7-11.

21 <sup>61</sup> Id., page 10 [Email from Moorehead to Hatch-Winecka and IT Help Staff (4/24/18). Referring to Michael Pierson  
and James Colombo.] Emphasis added.

22 <sup>62</sup> WSU Br. at 2:8-9.

23 <sup>63</sup> Ex. O: Request #18-115 Time Line

24 <sup>64</sup> WSU Br. at 12:12.

25 <sup>65</sup> See, Ex. E, F and G.

26 <sup>66</sup> WSU Br. at 4:3-7.

27 <sup>67</sup> Ex. Q: MOU between WSU-Energy and TCD (Letters from Colombo to TCD Whalen dated 8/8/11 and 6/14/14);  
See also, Colombo Dec. Ex. 1.

28 <sup>68</sup> Colombo Dec. at 4.

29 <sup>69</sup> See Colombo Dec. at 3:1. TCD Supervisors Johnson and Mankamyer told Colombo "they were Ms. Moorehead's  
bosses."

1 Malcolm) advised Moorehead to hire an attorney and seek an injunction if necessary,<sup>70</sup> that was  
2 unnecessary given WSU Energy IT staff was taking orders from her.

3 Finally, WSU's 11<sup>th</sup> hour document dump<sup>71</sup> was after WSU closed the PDR and after  
4 Johnson filed his opening brief. Despite providing over 6,800 records<sup>72</sup>, WSU has yet to provide  
5 the metadata records responsive to Johnson's first request. Johnson specifically identified that  
6 record<sup>73</sup> and it is attached as Exhibit 3 to Feulner's declaration. WSU provided the underlying  
7 document as a pdf but not the metadata. This continued obfuscation is contrary to state law.<sup>74</sup>  
8

9 DATED: 6/6/18

10 Shawn Timothy Newman  
11 Attorney at Law, P.S.  
12 WSBA #14193

21  
22 <sup>70</sup> Ex. H: Email from Malcolm (WSU AAG) to Moorehead (2/21/18); WSU Energy's Deputy Director (Todd  
23 Currier) suggested to Colombo that he "make Ms. Moorehead aware of the request so that she could consult with an  
24 attorney, if she wanted." Colombo Dec. at 4:6-7.  
25 <sup>71</sup> See Ex. P [Newman Dec.]. WSU provided 2,079 records on June 1, 2018, via email. The total number of records  
26 provided is 6,864.  
27 <sup>72</sup> Ex. P.  
28 <sup>73</sup> Opening Br. at 13:15-21.  
29 <sup>74</sup> See Opening Br. at 11-12, 14. Discussing *O'Neill v. City of Shoreline*, 170 Wn.2d 138, 146-147 (2010). In that  
30 case, the plaintiff requested copies of an e-mail chain which had been circulated among members of the City  
31 Council and which contained certain allegations of governmental mismanagement.

32 PLAINTIFF'S REPLY BRIEF  
33 PRA LIABILITY ISSUE

34 Shawn Timothy Newman  
35 Attorney at Law, Inc., P.S.  
36 WSBA 14193  
37 2507 Crestline Dr. NW  
38 Olympia, WA 98502-4327  
39 (P) 360-866-2322

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that I served  
a copy of Plaintiff's Reply Brief on the date below as follows:

TO: Thurston County Superior Court Clerk (Personally original)

TO: The Honorable Christine Schaller (Personally Bench Copy)

TO: Timothy J. Feulner, WSBA #45396 [TimF1@ATG.WA.GOV]  
Adam N. Malcolm, WSBA #32126 [adam.malcolm@wsu.edu]

VIA EMAIL PER AGREEMENT

Date: 6/6/18

SHAWN TIMOTHY NEWMAN  
Attorney at Law, P.S. #14193  
2507 Crestline Dr., N.W.  
Olympia, WA 98502  
PH: (360) 866-2322  
[newmanlaw@comcast.net](mailto:newmanlaw@comcast.net)

PLAINTIFF'S REPLY BRIEF  
PRA LIABILITY ISSUE

Shawn Timothy Newman  
Attorney at Law, Inc., P.S.  
WSBA 14193  
2507 Crestline Dr. NW  
Olympia, WA 98502-4327  
(P) 360-866-2322



Paul Pickett <paulpickett@conservewa.net>

---

## Question about OPMA and executive sessions

---

Krier, Nancy (ATG) <NancyK1@atg.wa.gov>  
To: Paul Pickett <paulpickett@conservewa.net>

Mon, Jun 11, 2018 at 8:36 AM

Dear Mr. Pickett,

Thank you for your email below. I suggest you contact your agency's legal counsel to discuss the matter. I am not able to provide you legal advice or a legal opinion. If you or your legal counsel need general information about the Open Public Meetings Act (OPMA) at RCW 42.30, you can see the information we have posted on our website here (Lesson 3) or contact me.

I trust this assists you.

Sincerely,

Nancy Krier

Assistant Attorney General for Open Government  
(360) 586-7842

From: Paul Pickett [mailto:paulpickett@conservewa.net]  
Sent: Thursday, June 7, 2018 5:59 PM  
To: Krier, Nancy (ATG) <NancyK1@ATG.WA.GOV>  
Subject: Question about OPMA and executive sessions

I'm an elected Thurston CD Supervisor. I am concerned that a violation of the Open public meetings act occurred by improper use of executive session. Who should I discuss this with?

Paul Pickett

Thurston Conservation District



Board of Supervisors  
Special Meeting Minutes  
Tuesday, July 24, 2018  
1:30pm

**Present at Meeting:**

Eric Johnson, TCD Board Chair	Sarah Moorehead, TCD Interim Executive Director
Richard Mankamyer, TCD Board Auditor	Alison Halpern, WSCC
Doug Rushton, TCD Board Supervisor	Melinda Holman, Public
Linda Powell, TCD Board Vice-Chair	Jerry Dierker, Public
Paul Pickett, TCD Board Supervisor	Tony Wilson, Public
Steven W. Morrison, Public	
Paula Holroyde, Public	
Ben Peterson, WFSE	

**Action Items:**

1. Staff to explore with the Attorney General's office possible representation with the Arthur West lawsuit
2. Board Supervisors and staff to review legal services RFP submissions at July 31<sup>st</sup> Board meeting (or on potentially rescheduled date in August)

**1. Welcome, Introductions, Audio Recording Announcement and Pledge of Allegiance**

- Eric Johnson called the meeting to order at 1:31pm. There was a quorum.
- Welcome, Introductions, & Pledge of Allegiance conducted
- Chair announced meeting being audio recorded

**2. Public Comment (3 minutes per person)**

- Persons who provided public comment:
  - o Steven W. Morrison
  - o Tony Wilson
  - o Jerry Dierker
  - o Arthur West

**3. Agenda Review, All**

- Sarah requested discussion of the documents received to date in response to the legal services RFP as well as an email from Ann Essko, Senior Counsel with the Office of the Attorney General – Ecology Division and receipt of the Notice of Appearance by the State of Washington
- Doug stated that the agenda was not discussed between Chair and other Board Supervisors and the Board Chair needs to ensure this happens in the future; Chair is to work collaboratively with the other Supervisors and agenda is then formalized by staff
- Eric stated that this was a tight timeline; this meeting was only called to address the Notice of Appearance

**4. Discuss a contract for legal services to respond to and answer the notice served to the District regarding Notice of Appearance, State of Washington Thurston county Superior Court No. 18-2-03305-34 dated July 12, 2018:**

- Clarification regarding Notice of Appearance and the State of Washington; the State filed a Notice of Appearance, which does not extend to the District or to any of the District's Supervisors
- Doug motioned to have staff explore with the Attorney General's office representation with this lawsuit to be considered at a future meeting. Paul seconded. Unanimous approval.

- 54       ▪ Only the State of Washington has been served; Thurston Conservation District and the  
55 individual Supervisors named in the lawsuit – Eric, Richard, and Linda – have not been  
56 served  
57       ▪ The Board has 20 days after they've been served to respond  
58       ▪ Alison Halpern noted that TCD hasn't received all of the legal services RFPs – deadline is  
59 July 27 – so there is no ticking clock and TCD might have the Attorney General's office  
60 provide representation  
61       ▪ Doug motioned to stick to agenda topics and look at RFP submissions at July 31<sup>st</sup> Board  
62 meeting since there is no need for an attorney at this time. Paul seconded. Unanimous  
63 approval.  
64       ▪ Paul wants his printed documents to be included in record because they are relevant to  
65 legal process for hiring contract workers  
66       ▪ Chair reviewed Paul's document and decided it was not relevant to agenda and moved for  
67 adjournment  
68

69       **AI - Staff to explore with the Attorney General's office possible representation with the**  
70 **Arthur West lawsuit**

71       **AI – Board Supervisors and staff to review legal services RFP submissions at July 31<sup>st</sup>**  
72 **Board meeting (or on potentially rescheduled date in August)**  
73

74  
75       **5. Adjourn, All**

76               Eric moved to adjourn. Linda seconded at 2:11pm. Motion passed.  
77

78       Respectfully Submitted,  
79

80  
81  
82       \_\_\_\_\_  
Eric Johnson, Board Chair

FILED

JUL 02 2018

Superior Court  
Linda Myhre Enlow  
Thurston County Clerk

Washington State  
Office of the Attorney General  
Acknowledged Receipt, this 3 day  
of July, 2018, Time: 4:05  
in Olympia, Washington.  
Signature: [Signature]  
Print Name: Rick Brady  
Assistant Attorney General

IN THE SUPERIOR COURT OF THE STATE  
OF WASHINGTON FOR THURSTON COUNTY

ARTHUR WEST,

plaintiff,

Vs.

THURSTON CONSERVATION  
DISTRICT, ERIC JOHNSON,  
RICHARD MANKAMYER,  
LINDA POWELL, STATE OF  
WASHINGTON,

defendants

18-2-03305 34

No.

PLAINTIFF'S  
SUMMONS

TO THE DEFENDANT:

A lawsuit has been started against you in the above entitled court by Arthur West, plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within 20 days after the service of this summons, excluding the day of service, or a default

5 PLAINTIFF'S  
ORIGINAL  
COMPLAINT

ARTHUR WEST  
120 State Ave NE # 1497  
Olympia, WA. 98501



1 judgment may be entered against you without notice. A default  
2 judgment is one where plaintiff is entitled to what he asks for because  
3 you have not responded. If you serve a notice of appearance on the  
4 undersigned person, you are entitled to notice before a default  
5 judgment may be entered.

6 You may demand that the plaintiff file this lawsuit with the court. If  
7 you do so, the demand must be in writing and must be served upon  
8 the person signing this summons. Within 14 days after you serve the  
9 demand, the plaintiff must file this lawsuit with the court, or the  
10 service on you of this summons and complaint will be void.

11 If you wish to seek the advice of an attorney in this matter, you  
12 should do so promptly so that your written response, if any, may be  
13 served on time.

14 This summons is issued pursuant to rule 4 of the Superior Court  
15 Civil Rules of the State of Washington.

16 Done July 2<sup>nd</sup>, 2018, in Olympia, Washington.

17  
18  
19  
  
ARTHUR WEST



1 2.2. Defendant Thurston Conservation District is administered by a "governing body" as  
2 defined in RCW 42.30.020 that on June 7<sup>th</sup>, (and other dates that will be shown) violated the  
3 Open Public Meetings Act by conducting an unlawful "meeting" and by deliberating and by  
4 taking "action" as defined in RCW 42.30.020 outside of a duly conducted open public meeting or  
5 legitimate executive session.

6 2.3. Defendant Thurston Conservation District Board members Eric Johnson, Richard  
7 Mankamyer, and Linda Powell are members of a governing body of a public agency that violated  
8 the OPMA by knowingly and deliberately taking "action" outside the context of a properly  
9 scheduled open public meeting or legitimate executive session.

10 2.4. Defendant State of Washington is an entity required to abide by the requirements of  
11 the Laws of the State of Washington, including the Open Public Meetings Act.

12 2.5. The Thurston County Superior Court has jurisdiction over the parties and subject  
13 matter of this claim.

### 14 III ALLEGATIONS

15 3.1. On or about June 7<sup>th</sup>, (and on other dates that may be shown after discovery) a  
16 quorum of the Thurston Conservation District Board took "action" as defined in RCW 42.30.020  
17 (3)<sup>2</sup> in violation of the Open Public Meetings Act (OPMA). A quorum of the Thurston  
18 Conservation Board members participated in the "meeting"<sup>3</sup>. (See letter appended as Exhibit I)

19 3.2. The "meeting" was deliberately conducted in the absence of proper notice or other  
lawful compliance with the OPMA.

3.3. By their actions and omissions, Thurston Conservation District members Eric  
Johnson, Richard Mankamyer, and Linda Powell knowingly and deliberately violated the  
OPMA.

<sup>2</sup> "Action" means the transaction of the official business of a public agency by a governing body including  
but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews,  
evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual  
vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion,  
proposal, resolution, order, or ordinance.

<sup>3</sup> "Meeting" means meetings at which action is taken. (See RCW 42.30.020 (3))

1 3.4. The District Board failed to provide adequate notice of the special meeting of June 7,  
2018, and/or otherwise failed to act in conformity with the OPMA.

2 3.5. Plaintiff alleges that the named defendants have demonstrated a policy and pattern of  
3 creating a hostile work environment and conducting the people's business behind closed doors  
and in defiance of the OPMA.

4 3.6. A present case and controversy exists concerning whether the District violated the  
OPMA that is subject to adjudication under the Uniform Declaratory Judgments Act.

6 **IV. CAUSES OF ACTION**

7 **4.1. OPMA CLAIM FOR PENALTIES, FEES, AND INJUNCTIVE RELIEF**

8 By their acts and omissions defendants created a cause of action under RCW 42.30 for  
9 penalties, costs, fees, and injunctive relief in regard to violations of the OPMA by a quorum of  
10 the governing body of the Thurston Conservation District, and plaintiff is entitled, under RCW  
42.30 and CR 65, to the relief sought below.

11 **4.2. UNIFORM DECLARATORY JUDGMENTS ACT (RCW 7.24)**

12 By their acts and omissions defendants, and each of them, created an uncertainty in the  
13 conduct of public officers and compliance with the OPMA, and a cause of action for a  
declaratory judgment in regard to whether the OPMA was violated by defendants' series of serial  
14 communications and/or meetings. Such declaration will conclusively terminate the controversy  
giving rise to this proceeding.

15 **4.3. WRITS OF MANDAMUS AND PROHIBITION**

16 By their acts and omissions defendants created a cause of action for statutory and  
17 constitutional writs of mandamus and prohibition for which there is no adequate remedy in the  
ordinary course of law, and for which plaintiff is entitled to the relief sought below.

1 V REQUEST FOR RELIEF

2 5.1. That a declaratory ruling issue declaring that the a quorum of the Thurston  
3 Conservation District violated the Open Public Meetings Act.

4 5.2. That a declaratory ruling issue that defendants violated the OPMA by deliberately  
5 conducting a meeting (or series of meetings) personally, by telephone, Email, or by other  
6 electronic means.

7 5.3. That an injunction and/or a writ of mandamus or prohibition issue to all of the named  
8 defendants barring further such violations of the OPMA, and that any named district members  
9 found to have knowingly violated the OPMA be fined the princely sum of \$500 for each  
10 violation.

11 5.4. That plaintiff be awarded costs, and any applicable attorney fees.

12 Done July 2<sup>nd</sup>, 2018, in Olympia, Washington.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

4 PLAINTIFF'S  
ORIGINAL  
COMPLAINT

ARTHUR WEST  
120 State Ave NE # 1497  
Olympia, WA. 98501

Statement of Paul Pickett and Doug Rushton  
Supervisors, Thurston Conservation District

The Laws of the State of Washington require that, with few exceptions, the public's business be done in a public way. The legislature has repeatedly confirmed this with statutes such as the Public Disclosure Act, the Public Records Act and the Open Public Meetings Act. This is not a new idea. As long ago as 1914, Justice Louis Brandeis wrote: "Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants."

We are concerned that events during the Thurston Conservation District Board of Supervisors Special Meeting on June 7, 2018 – before, during, and after the Executive Session – rendered that Executive Session unlawful. Because we were present and participated in that executive session, our participation may have placed us and the District in legal jeopardy. We believe that the actions of Supervisors Linda Powell, Richard Mankamyer, and Chair Eric Johnson violated the Open Meetings Act, Chapter 42.31 RCW; specifically RCW 42.31.110 (1)(f), (1)(g), and (2).

We have retained legal counsel, and on the advice of counsel, we are releasing this statement to remedy such unlawful action as we believe occurred. It is our understanding, confirmed by counsel, that the general remedy in Washington law for doing in the dark that which should have been done in the light is bring it into the light.

The following description is as accurate as our memories allow, but should be considered paraphrasing, since we can't guarantee that we recall the exact wording.

All five Supervisors were in attendance at the Special Meeting on June 7, along with Acting Executive Director (AED) Sarah Moorehead, staff from other agencies, and members of the public. A sign-in sheet was provided which can provide the names of the attendees. Copies of the agenda were also available for attendees.

The agenda called for an Executive Session that was listed on the agenda "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee," which is a proper subject for executive session under RCW 42.31.110 (1)(g).

An audio recording of the meeting was made until the Executive Session began. The recorder failed to operate after the Executive Session. We have listened to the audio recording of this portion of the meeting, and this is what was said, as best as we understand the recording.

- » When we reached the agenda item for the Executive Session, AED Sarah Moorehead stated: "I have a request to make that if it is to evaluate the performance of a public employee related to me, I'd like to have it in an open public meeting" This is an entirely appropriate request and must be honored under RCW 42.31.110 (1)(f).
- » Supervisor Johnson announced that the Executive Session was about to begin to discuss the evaluation of an employee.
- » AED Moorehead asked: "Is the public employee is to be evaluated myself?"

- Supervisor Johnson responded: "I don't believe so, no".
- Supervisor Pickett stated: "I thought we were discussing expectations for the executive director."
- Supervisor Johnson responded: "We will not be talking about her, but expectations for the position, correct?"
- Supervisor Pickett then stated: "True, if that's all we talk about. That doesn't have to be in executive session, though."
- Supervisor Johnson, responding to questions from Linda Powell, noted: "We get into more specifics on Sarah, then we might come out and go into public session".
- AED Moorehead then stated: "I believe that this use of executive session is supposed to evaluate specific performance of a specific employee, so talking generally about position expectations; I'm not sure that's a proper use of executive session."

One of our obligations and goals is for the District to operate legally. During the Executive Session, several events occurred that lead us to our need to make this statement:

- Supervisors Johnson and Mankamyer discussed a copy of a "Plaintiff's Reply Brief" from the case Eric Johnson vs. Washington State University (WSU) Energy Program Office. They quoted the brief with several statements that we interpreted as being critical of AED Moorehead. A copy of this brief is attached. The airing of complaints was inconsistent with the announced purpose of the meeting. In addition, we believe it would be improper to take any action based on one-sided statements or filings by a lawyer in ongoing litigation, particularly involving a Supervisor and an employee, and especially without being presented with opposing filings or hearing the evidence directly.
- Supervisor Mankamyer raised some of the issues in an April 24, 2018 draft "Letter of Direction". On June 4th Supervisor Mankamyer had emailed us this letter, and told us that he wanted the Board to discuss it. The letter outlined several expectations and included several complaints about AED Moorehead's performance. A copy of this letter is attached. This airing of complaints regarding AED Moorehead was also inconsistent with the announced purpose of the meeting.
- We asked several times to return to the topic of reviewing expectation as part of an evaluation process. Supervisor Pickett described the process that he felt was appropriate: first setting expectation, then completing an evaluation of the staff, and then describing areas of improvement for the staff. He tried to offer a draft list of expectations for discussion, but Supervisors Johnson, Mankamyer and Powell ignored him. Supervisor Rushton noted that he had redrafted the position description for the executive director position, as agreed at the March 27, 2018 board meeting. He had had the AED distribute it to the entire board on April 24, 2018 asking for comments from all supervisors — but received no response. Supervisor Rushton expressed support for Supervisor Pickett's suggested approach, and encouraged the others to follow that process. Both of us made good faith efforts to return the Executive Session to the announced topic, but we were rebuffed.

To us, the Executive Session seemed mostly to be an extended rant by Supervisors Johnson, Mankamyer and Powell about their perceived problems with AED Moorehead's performance in the past and the need to remove her from that position and find a consultant to take over as AED.

When we came out of the Executive Session, Supervisor Johnson reported that we had nothing to report and no action to take.

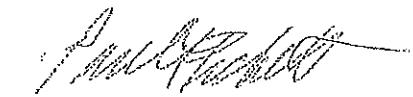
In conclusion, we believe the events of this meeting rendered it unlawful due to the following violations of state statute:

- RCW 42.30.110 (1) states that "Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting."
  - Subsection (f): "To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge."  
AED Moorehead made a request for an open meeting if we were to discuss a complaint against her. Supervisor Johnson said that we were not going to discuss her. But the Executive Session actually mostly consisted of Supervisors Powell, Mankmyer, and Johnson discussing complaints against AED Moorehead.
  - Subsection (g): "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee."  
This was the announced purpose of the meeting, but no discussion occurred regarding the evaluation of an employee.
- RCW 42.30.110 (2) states that "Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place". Considering what actually took place in the meeting, Supervisor Johnson, as Chair, provided false description of the purpose, and he and the other two Supervisors deviated from the announced purpose in a manner that he explicitly stated would not take place.

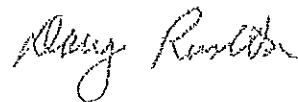
Because of the events in this meeting, we are taking actions consistent with our duty under Chapter 42.30 RCW regarding what appears to have been a violation of this statute. Supervisor Pickett contacted the Attorney General's Office, who advised him to consult the District's Counsel. Unfortunately, the District has no Counsel, who might have stopped the violations described here. We will be sending a copy of this statement to the State Auditor and the Washington Conservation Commission.

We take the confidentiality of executive sessions seriously but also take transparency of government operations in what we tell the public seriously. Therefore, because the meeting appears to have violated the law, pointing out and stopping that illegality supersedes executive session confidentiality.

Signed:



Paul Pickett, Supervisor



Doug Rushton, Supervisor



(Letter for discussion at executive session next special board meeting on 050718 for evaluation of public employee)

April 24, 2018

Sarah Moorehead  
Acting Executive Director, TCD

Re: Letter of Direction

Dear Sarah,

This is a letter of direction, which is not a disciplinary action. As we have discussed, since your becoming TCD Acting Executive Director and observing your work, I have had several concerns about your performance. Specifically, the areas are: working overtime, teamwork, and following my directions. Therefore, I am setting forth below my expectations for you in these areas.

1. Overtime—As an overtime eligible employee, you are expected to work your assigned hours and no more unless authorized to do so by the Board Chair or the Board Auditor.

2. Teamwork—You, Sarah, and the Board of Supervisors (BoS) are a team and we expect you to share information, work collaboratively, maintain a high level of communication with us, assist others and back up others at times. To date, the BoS was not informed of the absence of Mara Healy and why she is off work. We were also not informed of the resignation of Amy Franks in a timely manner and had to hear about it from a member of the greater community. We were also not informed of the reason and why Ashley McBee is no longer here and those circumstances of her departure.

3. Staff Reports — it has been a continuous point of contention, not getting the weekly staff reports in a timely manner. I am constantly having to ask for and remind you to get these reports to the board. Sometimes there have been no reports for over a month.

4. I have repeatedly ask for updates on the budget and we had all agreed that the board needs to approve any budget changes. This was discussed with you as recently as April 17, 2018 at TCD office.

New Directions—Although we are a team, I, and the BoS, are your supervisor's and expect you to follow our directions. I want a written report to me and the BoS of the personnel questions raised in #2 above within one working week from the date of this letter.

Again, please understand this letter does not constitute disciplinary action; it is a letter of direction intended to clarify what I (BoS) expect of you. If you have any questions about this letter, please let me know.

Best regards,

Eric Johnson, Chair  
TCD Board of Supervisors

Copy Received

Clerk's Stamp

SUPERIOR COURT OF WASHINGTON  
IN AND FOR THURSTON COUNTY

No. 18-2-03305-34

SCHEDULING QUESTIONNAIRE SUBMITTED BY:

☐ Plaintiff/Petitioner/Appellant DUE: October 26, 2018

☐ Defendant/Respondent DUE: October 31, 2018

☐ Joint Submission or ☐ Other Party: \_\_\_\_\_

DUE: October 31, 2018

See Local Court Rule 40 to learn how the court schedules cases.

1. Will this be a ☐ bench trial, ☐ jury trial, or ☐ appeal from lower court or agency?
2. What type of case is this (for example, contract, tort)? \_\_\_\_\_
3. What is the trial setting date for this case? \_\_\_\_\_
4. How long do you estimate the trial or final hearing will take? \_\_\_\_\_ hour or \_\_\_\_\_ days.
5. If this is an appeal, has the appellate record (including any transcript) been delivered to the court clerk, or is there a separate certification that the record at this court is complete? ☐ Yes ☐ No
6. Have all the defendants or respondents been served? ☐ Yes ☐ No
7. When do you anticipate this case will be ready for trial? \_\_\_\_\_
8. When are you unavailable for trial in the next 24 months? (attach unavailable dates).
9. Is this case subject to mandatory arbitration? ☐ Yes ☐ No ☐ Don't know
10. Should this case be scheduled as a priority or does this case require special management by the judge? ☐ No ☐ Yes (explain): \_\_\_\_\_

Date: 2nd day of July, 2018.

SIGNED/Bar No.: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

SIGNED/Bar No.: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

E-mail Address: \_\_\_\_\_

SCHEDULING QUESTIONNAIRE (last updated 11.17.16)

THURSTON COUNTY SUPERIOR COURT  
2000 Lakeridge Dr. SW, Bldg 2; Olympia, WA 98502  
Phone: (360) 786-5430 FAX: (360) 753-4033

July 24, 2018

To: Thurston Conservation District Board of Supervisors  
From: Paul J. Pickett, Supervisor, Thurston Conservation District  
Subject: Hiring of HR consultant

For the record I am noting my concerns that the actions of the majority of the Thurston Conservation District Board in authorizing Supervisor Mankamyer to hire an HR consultant by does not appear to have met the requirements of the law. I am attaching my emails on this subject sent on July 15, 2018 and distributed to the Board by Interim Executive Director Sarah Moorehead.

In summary, RCW 89.08.210 authorizes that "supervisors may employ a secretary, treasurer, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and determine their qualifications, duties, and compensation." The Board, in open meeting, never determined the qualification, duties, or compensation of the position.

RCW 89.08.210 also states that "supervisors may delegate to their chair, to one or more supervisors, or to one or more agents or employees such powers and duties as it deems proper." The Board delegated the power to "hire", but did not specifically delegate the power to set qualifications, duties, and compensation.

Since the June 26<sup>th</sup> meeting other Supervisors have taken actions to hire an HR consultant, but they have not sent me information or documentation of their actions. I understand that they have also not sent any information or documentation to the Interim Executive Director.

I support the hiring of an HR consultant, but the full Board needs to take the actions described above in an open public meeting, with full disclosure and sharing of relevant documents and summaries of actions. Otherwise, the Supervisors involved run the risk of violating state law. This can be corrected by the Board at this meeting or the next regular meeting.

The same concerns apply to hiring a legal counsel and any other future hiring by the Board.

----- Forwarded message -----

From: **Paul Pickett** <[paulpickett@conservewa.net](mailto:paulpickett@conservewa.net)>

Date: Sun, Jul 15, 2018 at 9:30 PM

Subject: Re: FW: HR Update 07.13.18

To: Sarah Moorehead <[SMoorehead@thurstoncd.com](mailto:SMoorehead@thurstoncd.com)>

Cc: Shana Joy <[sjoy@scc.wa.gov](mailto:sjoy@scc.wa.gov)>, "Halpern, Alison (SCC)" <[AHalpern@scc.wa.gov](mailto:AHalpern@scc.wa.gov)>

Sarah,

I would like to provide some comments on Richard's email regarding the contracting of HR services. Please forward a copy of this message to the other Supervisors and to the representatives of Smart Talent that Richard has mentioned.

1. The motion was passed by the vote of Supervisors Johnson, Mankamyer and Powell, I voted nay. Supervisor Rushton was not at the meeting.
2. My notes on the meeting show the same motion as described in the draft minutes. The motion was for Richard to contract with a Human Resources firm for an HR specialist who would report to the Board.
3. RCW 89.08.210 states in its first sentence: "The supervisors may employ a secretary, treasurer, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and determine their qualifications, duties, and compensation." It is within the power of the Board to hire an HR consultant, although I believe by taking this action the Board's actions are contrary to its own policy.
4. I also note that this statement says that the Supervisors "determine qualifications, duties, and compensation." Supervisors is in the plural, so the Board must make these decisions. The Board has taken no action to determine qualifications, duties or compensation. Therefore I infer that the law requires Supervisor Mankamyer to report back to the Board regarding these three items, and the Board must approve them.
5. RCW 89.08.210 also states "The supervisors may delegate to their chair, to one or more supervisors, or to one or more agents or employees such powers and duties as it deems proper." The Board's motion delegated to Supervisor Mankamyer that he "hire a qualified HR person". They did not delegate the determination of qualifications, duties or compensation.
6. The hiring of an HR consultant is not in the Thurston CD Annual Plan nor in its budget. The Board provided no direction on the amount Supervisor Mankamyer could pay for consultant services. I believe that the Board needs to amend its budget to include this expense, and provide a firm amount to spend on this expense. Smart Talent needs to know that the Board has provided no authorization to spend Thurston CD funds on their contract, and has specified no scope of duties.

In summary, although the Board authorized Supervisor Mankamyer to "hire an HR consultant", based both on the discussion at the meeting and the law, he will need to report to the Board so the Board can determine "qualifications, duties, and compensation." In effect, Supervisor Mankamyer should provide the Board with a draft contract that recommends these three items so the Board can vote on it. At the same time the Board should vote on a budget amendment that identifies the sources of funds for the contract. Otherwise, I am concerned that both Thurston Conservation District and Smart Talent will be exposed to legal liability if Supervisor Mankamyer enters into a contract without Board authorization.

Thank you,

Paul Pickett

Supervisor, Thurston Conservation District

---

On Fri, Jul 13, 2018 at 2:14 PM, Sarah Moorehead <[SMoorehead@thurstoncd.com](mailto:SMoorehead@thurstoncd.com)> wrote:

FYI – To keep everyone in the loop, please see below.

*Sarah Moorehead*

Interim Executive Director | Agricultural Outreach Specialist

Thurston Conservation District

2918 Ferguson St. SW, Ste A Tumwater, WA 98512

(360) 754-3588 ext. 136

[www.thurstoncd.com](http://www.thurstoncd.com)



\*Legal Disclaimer:\*\* The contents of all e-mail transmissions to and from this office may be considered public information and subject to the provisions of the State of Washington Public Records Act.\*

---

**From:** Richard TCD [mailto:[rmtcd6@gmail.com](mailto:rmtcd6@gmail.com)]  
**Sent:** Friday, July 13, 2018 12:55 PM  
**To:** Sarah Moorehead; Eric Johnson  
**Subject:** HR Update 07.13.18

Please forward to the Board.

Hello Sarah,

Just wanted to let you know that I have scheduled the new contracted HR person, Diretha Hollenbaugh, with Smart Talent, to start Tuesday the 17 of June at 1PM at TCD. Approximately 12:30 pm of that same day, Tiffany Nevils, Business Development Manager, of Smart Talent, will arrive to do a quick walk through, work site inspection, of TCD. You indicated the other day during our phone conversation that you are familiar with this process. Paperwork for this is attached.

Ms. Hollenbaugh would like to meet with you and the staff at this time. Looks like you are having a staff meeting that day at 10 am and we hope this time will work out for all concerned.

As you may recall, at the board meeting on 06.26.18, a Motion was Passed directing the Board Auditor to Contract for/with (not Hire) an HR person that will report directly to the Board Auditor, as an independently contracted HR person, who then reports to the Board Chair and the Board. This HR person was to start ASAP. The meeting minutes of that board meeting have incorrectly stated the motion and the events that surrounded that Motion and the direction of that Motion. Section 10 B and the AI at the end of that section are in error.

I realize you have some questions about this process and I draw your attention to RCW 89.08.210 where it states the Board of Supervisors authority in Statute.

Thank you for helping make this transition a valuable step forward for the Thurston Conservation District.

Please let me know if there is anything else I can do to support you or the staff at this time.

Thank You for your attention to this.

Richard Mankamyer  
TCD Board, Auditor  
360-458-4333



Board of Supervisors  
Regular Board Meeting Minutes  
Tuesday, October 30, 2018 (2:00pm)

**Present at Meeting:**

Eric Johnson, TCD Board Chair	Sarah Moorehead, TCD Interim Executive Director
Richard Mankamy, TCD Board Auditor	Heather Roskelley, TCD Staff
Paul Pickett, TCD Board Supervisor	Doug Rushton, TCD Board Supervisor
Linda Powell, TCD Board Vice-Chair	Ben Cushman, Deschutes Law Group PLLC
Alison Halpern, WSCC	Chris Stearns, Associate Board Supervisor
Tom Salzer, NCDEA	Susan Shelton, TCD Staff
Susan Simon Bredensteiner, Public	Melinda Holman, Public
Pam Pride, Public	Mike Holly, Public
Barbara Anderson, Public	Noll Steinweg, WDFW
Ben Peterson, WFSE	Bryson Bristol, SAO
Tim Thorp, WFSE	Jeff Swotek, NRCS
Elena Guilfoil, WFSE	Matt Zuvin, WFSE
Patricia Harrigan, Public	

**Action Items:**

1. Ben Cushman and Paul Pickett will review minutes templates and discuss policy and report back with findings and recommendations at next Board meeting
2. Eric to sign all approved minutes before November 29 and to provide a signing statement for any that he does not sign
3. Staff to provide a report at November meeting on how to minimize the effect of reduced funds to the District's staff, finances, function, and products
4. Staff to send signed and approved letter to Office of the Washington State Auditor to commence 2018 audit; Sarah to notify Supervisors a minimum of seven (7) days ahead of audit so that they can attend
5. Staff to send approved letter and a letter of funding appeal from Ben Cushman to WSCC Commissioners
6. Staff to send approved letter with Linda's signature to WFSE Union

**1. Welcome, Introductions, Audio Recording Announcement and Pledge of Allegiance**

- Eric Johnson called the meeting to order at 2:07pm. There was a quorum.
- Welcome, Introductions, & Pledge of Allegiance conducted
- Chair announced meeting is audio recorded

**2. Public Comment (3 minutes per person)**

- Persons who provided public comment:
  - Nora White
  - Stephanie Bishop
  - Nicole Warren
  - Tom Salzer
  - Patricia Harrigan
  - Greg Devereux
  - Lee Riser
  - Paula Holroyde
  - Representative Laurie Dolan
  - Jeanne Janecki

54 3. **Agenda Review**, All

- 55     ▪ Reschedule November and December Board meetings – #7D  
56     ▪ Discussion of TCD Letter of Support for WSCC budget request to Governor's office – #7C  
57     ▪ Discuss June and July minutes – #4E  
58     ▪ After #5G – Third Party Auditor discussion – discuss #8A (Update on Rates and Charges) and  
59         #10A (Resolution #2018-04: TCD Governance Study)  
60     ▪ After #10, have #11 be discussion of Paul Pickett authorizations and community outreach  
61

62 4. **Board Meeting Minutes Review**, All

- 63     A. August 20, 2018 meeting minutes; September 25, 2018 meeting and work session minutes  
64

65         **Doug motioned to approve all three minutes with edits as discussed in Work Session.**  
66         **Linda seconded. Unanimous approval.**  
67

68     C. **Review of new minutes template and policy**

- 69         • Attorney Ben Cushman and Paul Pickett will review minutes templates and discuss  
70             policy and report back with findings and recommendations at next Board meeting  
71         • Potential Process: Discuss minutes during Work Session; AED edits and prints revised  
72             minutes to be approved during Board meeting  
73

74     D. **Discussion of past Board meeting minutes**

- 75         • Ben Cushman recommended that Eric sign all approved minutes before November 29; if  
76             Eric has a problem with any of the minutes, he should provide a signing statement  
77         • A folder of approved minutes that have not been signed were given to Eric during  
78             meeting

79     E. **Rescheduling of November and December meetings**

- 80         • Board rescheduled November 27th Board meeting to November 15th  
81         • The rescheduling of December meeting to be discussed during November meeting

82         **AI – Ben Cushman and Paul Pickett will review minutes templates and discuss policy and**  
83         **report back with findings and recommendations at next Board meeting**

84         **AI – Eric to sign all approved minutes before November 29 and to provide a signing**  
85         **statement for any that he does not sign**  
86

87 5. **Financial Report**, Sarah Moorehead

88     A. **Monthly Financial Report**

- 89         • Sarah introduced the new TCD accounting manager, Susan Shelton  
90

91     B. **October Check Register**

92         **Doug moved to approve checks 19762-19783 totaling \$59,966.49 with no voided checks.**  
93         **Paul seconded. Unanimous approval.**  
94

95     C. **Year End Budget Strategy**

- 96         • Susan discussed actions undertaken to remain within budget given WSCC's cessation of  
97             funding as of October 11 including: Return of State vehicles by Nov. 1; General  
98             suspension of equipment and soil testing programs with exceptions; limiting AED's time  
99             with administrative duties; reduced IT support from WSU extension service; delaying  
100            fulfillment of PDR requests until 2019; allocating accounting and admin staff time to  
101            grants rather than unrestricted funds  
102         • Susan made presentation regarding status of budget through early 2019. Bank balance  
103            is \$59,000 as of November 1. TCD will have sufficient funds through March 2019.  
104            Three budget scenarios were shown with the assumption that Rates and Charges are  
105            approved and WSCC funding restored.  
106

D. **Reduction in Force (RIF) Motion**



Richard introduced a motion proposing a Reduction in Force (handout), specifically calling for an elimination of the position of Deputy Director and a potential placement of remaining staff into lower rated positions. Linda seconded.

Paul proposed a friendly amendment stating that the TCD Board's intent is to eliminate the title of Deputy Director and to have a report in the November meeting on how to minimize the effect to the District's staff, finances, function, and products. Doug seconded. Unanimous approval.

AI – Staff to provide a report at November meeting on how to minimize the effect of reduced funds to the District's staff, finances, function, and products

*Break at 4:25pm. Meeting resumed at 4:37pm.*

**E. Equipment Rental & Soil Testing Programs**

- Eric would like programs to be reinstated
- Sarah noted these programs are covered by specific grants and Rates and Charges and are thus limited at this time.

**F. VSP MOU Update**

Doug motioned to have the VSP work agreement between Grays Harbor CD and Thurston CD approved. Linda seconded. Unanimous approval.

**G. 2018 Audit Engagement Letter**

Doug motioned to approve the letter to the Office of the Washington State Auditor and directed the Acting Executive Director to notify the Board in no less than seven (7) days from when the audit will take place so that Supervisors can attend. The TCD Board approved \$5,700 for the cost of the audit. WSCC will pay the balance up to \$10,000. Linda seconded. Vote: Doug, Linda, Paul, and Eric approved; Richard opposed. Motion passed.

AI – Staff to send signed and approved letter to Office of the Washington State Auditor to commence 2018 audit; Sarah to notify Supervisors a minimum of seven (7) days ahead of audit so that they can attend

**H. Update on Rates and Charges**

- Thurston County BoCC meeting will be on Tuesday, November 6<sup>th</sup>, 10am-11am, to further discuss Rates and Charges.

**I. Third Party Auditor Discussion**

- A resolution to accept the donated time and expertise of an auditor/forensic accountant, Edgar Ooms, was written up by Ben Cushman (handout) and presented by Linda
- Sarah recommended reviewing State accountability audit upon completion and then potentially have a third party delve in deeper on certain issues; Sarah recommends having a thorough contract if a third party auditor such as Mr. Ooms is contracted to do this work
- Attorney Ben Cushman will get Mr. Ooms' CV; Ben noted there is a difference between a forensic and a governance auditor; Mr. Ooms is a forensic auditor

**J. Review of TCD Governance Action Plan, All**

**A. Resolution #2018-04; TCD Governance Study**

- Paul: Approval of this resolution would show intent to WSCC that if Thurston CD gets this money, TCD will do everything it can to provide accountability

Paul motioned to approve Resolution #2018-04 with revisions as discussed in meeting.  
Doug seconded. Unanimous approval.

Enduris raised their rate to \$14,000 and wanted payment by October 31. Ben Cushman recommended paying for insurance and shopping around in the meantime.

**6. Discussion of Public Employee Sarah Moorehead, Eric Johnson**

- Ben Cushman recommended that the letter of reprimand in the Board packet be presented as a proposed letter to be fully considered at next Board meeting followed by a formal response from Sarah
- Ben stated there needs to be a process in place before formal disciplinary action is taken; TCD should develop formal disciplinary procedure for management in future

**7. Review of Conservation Accountability and Performance Program (CAPP), Eric Johnson**

**A. Adoption of CAPP Action Plan, All**

Paul motioned to have the Conservation Accountability and Performance Program (CAPP) Action Plan approved with amendments including potential training with collective bargaining and Robert's Rules of Order. Linda seconded. Unanimous approval.

Doug motioned to have approved minutes posted without public comments by November 29 but all meeting materials and communications will be preserved as public record and retained by TCD. Linda seconded. Unanimous approval.

**B. Discussion of WSCC Funding Appeal**

Paul motioned to have letter to WSCC Commissioners approved as well as a letter of funding appeal from Ben Cushman. Linda seconded. Unanimous approval.

AI – Staff to send approved letter and a letter of funding appeal from Ben Cushman to WSCC Commissioners

**8. 2019 District Funding**

**A. Discussion of Grant: Dept. of Health (revised)**

- Eric has issues with FarmLink in grant

Paul motioned to have Department of Health grant approved. Doug seconded. Vote: Doug and Paul approved. Richard, Eric, and Linda opposed. Motion did not pass.

**B. Discussion of Grant: Department of Ecology**

Doug motioned to have Department of Ecology grant approved. Paul seconded. Vote: Doug approved. Richard and Eric opposed. Linda and Paul abstained. Motion did not pass.

Eric left meeting at 7:48pm. TCD Board Vice-Chair Linda Powell assumed Chair duties.

**9. Letter to WFSE Union re: Negotiations Request**

Doug motioned to approve letter with amendments and Linda's name replacing Eric's name. Paul seconded. Vote: Linda, Richard, and Doug approved. Paul abstained. Motion passed.

AI – Staff to send approved letter with Linda's signature to WFSE Union

213  
214 **10. Adjourn, All**  
215 **Richard moved to adjourn. Linda seconded at 7:58pm. Unanimous.**  
216  
217 Respectfully Submitted,  
218  
219  
220  
221 

---

Eric Johnson, Board Chair

DRAFT



Board of Supervisors  
Special Meeting Minutes  
Thursday, November 15, 2018  
2:00pm

**Present at Meeting:**

Eric Johnson, TCD Board Chair	Pam Pride, Public
Richard Mankamy, TCD Board Auditor	Sue Bredsonsteiner, Public
Linda Powell, TCD Board Vice-Chair	Carol Goss, Public
Doug Rushton, TCD Board Supervisor (from 3:15 on)	Esther Kronenberg, Public
Ben Cushman, TCD Counsel	Pat Wald, Public
Alison Halpern, WSCC	Phyllis Ferrell, Public
Ben Peterson, WFSE	Stewart Smith, Public
Matt Zunich, WFSE	Ronald Holtcamp, Public

**Action Items:**

1. Eric Johnson and Ben Cushman to attend Commission meeting by phone to address CAP issues

Eric Johnson called the meeting to order at 2:05pm. There was a quorum.

Meeting audio recorded

1. **Welcome, Introductions, Audio Recording, and Pledge of Allegiance**

Eric Johnson called meeting to order at 2:05; no staff present due to illness, there was a quorum of the Board

Welcome, Introductions, and Pledge of Allegiance conducted

Chair announced meeting is audio recorded

2. **Public Comment** (3 minutes per person)

Esther Kronenberg

TJ Johnson

3. **Agenda Review**

Items 4A to 4C, 5A to 5F, and 6B tabled until next meeting. Motion to Table by Linda, Second by Richard. Motion to Table carried unanimously by three Supervisors in attendance.

4.D. TCD Resolution 2018-06 Contract of an Independent Auditor Considered

Motion to amend to: Correct spelling of name to "Ooms", remove "and report to the Board" from second Whereas and change "shall accept" to "shall negotiate with Edgar Ooms to accept" – Motion by Linda, Second by Richard. Motion to Amend carried unanimously by three Supervisors in attendance.

Motion to Approve as Amended by Linda, Second by Richard. Motion carried unanimously by three Supervisors in attendance.

6.C – Update on Rates and Charges

TCD Resolution 2018-1115B – Rates and Charges Schedule of Property and Applicable Rates

Motion to Amend to change "shall amend" to "shall accept an amendment of" – Motion by Linda, Second by Richard. Motion to Amend carried unanimously by three Supervisors in attendance.

52 Motion to Approve as Amended by Linda, Second by Richard. Motion carried unanimously by  
53 three Supervisors in attendance.  
54  
55 6.D – Staffing Plan Discussion  
56 TCD Resolution 2018-1115-DD – concerning the Deputy Director.  
57 Executive Session called during discussion to receive legal advice concerning this resolution only  
58 regarding employment and labor law implications.  
59  
60 Executive Session 2:55 to 3:10  
61 Return from Executive Session and Regular Session reopened at 3:15  
62  
63 Doug Rushton in attendance from this point.  
64  
65 Motion to Amend to strike fourth and fifth whereas language, change “does” to “do” in third  
66 whereas, change “according” to “accordance” in first paragraph of resolution section, and strike  
67 second paragraph of resolution section -- Motion by Linda, Second by Richard. Motion to Amend  
68 carried by votes of Eric, Richard and Linda; Doug abstained.  
69  
70 Motion to Approve as Amended Motion by Linda, Second by Richard. Motion to Approve as  
71 Amended carried by votes of Eric, Richard and Linda; Doug abstained.  
72  
73 6.E – Smart Talent  
74 TCD Resolution 2018-1115-ST  
75  
76 Motion to Approve Motion by Richard, Second by Linda. Motion to Approve as Amended carried  
77 by votes of Eric, Richard and Linda; Doug Opposed.  
78  
79 7. Tabled by unanimous vote to allow staff and Paul Picket to attend. Motion to Table by Linda,  
80 Second by Richard. Motion to Table carried unanimously by four Supervisors in attendance.  
81  
82 Motion to Adjourn at 3:40. Motion to Adjourn by Linda, Second by Richard. Motion to Table  
83 carried unanimously by four Supervisors in attendance.  
84  
85  
86 Respectfully Submitted,  
87  
88  
89  
90  
91 Eric Johnson, Board Chair



**Action Items:**

1. Susan will send Board WACD Dues expense in 2018 budget.
2. Ben Cushman will review the payment of the WACD Dues to ensure that TCD was followed.
3. Sarah to update the draft 2019 Board Calendar.
4. Susan will provide cash flow analysis report monthly through May.
5. Sarah will confirm with TC Elections that payment can be made in full in May 2019.
6. Sarah will communicate with Mark Hamilton (WFSE) regarding timeline and training.
7. Doug will send the draft District Manager position description to Board.
8. Sarah to propose draft organizational chart for TCD.
9. Alison to provide information on how similar CDs are organized and structured.
10. Alison will email WSCC budget info to TCD Board.
11. Sarah will email Board legislative days schedule for sign up.

1. **Welcome, Introductions, Audio Recording Announcement and Pledge of Allegiance**  
Board, staff and public introductions. Audio recording announced by Chair. Pledge of Allegiance.

**2. Agenda Review**

Add:

- February 26<sup>th</sup> meeting date change discussion (item #12)
- Legal report – Hanna & West vs. TCD (item #8)
- Move public comment up before 2019 Budget (item #5)
- Discussion on collective bargaining (item #9)

Remove:

Executive Session and Employee performance discussion

**3. Financial Report, All**

**a. Monthly Financial Report**

Susan answered questions from Board about November and December monthly check registers.

AI: Susan will send the Board WACD Dues expense in 2018 budget.



40 **b. November Check Register - Action Item**

41 Sarah stated staff followed policy to pay expenses authorized by the Board in the 2018  
42 budget, including the 2018 WACD dues.  
43 Richard stated that the Board Auditor should be involved in all financial discussions.  
44

45 *Doug moved to approve the November 2018 check register including check numbers*  
46 *19821-19847 totaling \$85,690.74 with four voided checks 19824, 19832, 19839, 19845,*  
47 *with exception of the WACD Dues payment pending legal opinion. Paul seconded.*  
48 *Motion passed. Richard, Doug, Paul, Linda for. Eric against.*  
49

50 AI: Ben Cushman will review the payment of the WACD Dues to ensure that TCD was  
51 followed.  
52

53 **c. December Check Register - Action Item**

54 *Linda moved to approve the December 2018 check register including check numbers*  
55 *19848 – 19862 totaling \$74,738.75 with no voided checks. Doug seconded. Motion*  
56 *passed. Unanimous.*  
57

58 **d. Authorized Bank Signers**

59 Sarah provided an update on the remaining supervisors to provide identification  
60 information to Timberland Bank to update the authorized bank signer card. Currently  
61 three of five Supervisors are authorized signers until the card is updated.  
62

63 **e. Cash Flow Analysis Presentation, Susan Shelton**

64 Susan presented a cash flow analysis for January 2019 – May 2019, until Rates and  
65 Charges funding comes to the District. The Board discussed processes for increasing  
66 communication and review of the annual budget.  
67

68 *Eric moved that the TCD Board will reapprove the 2019 Annual TCD budget quarterly,*  
69 *one month before the end of each quarter. Linda seconded. Motion failed. Doug,*  
70 *Richard, Paul voted against. Eric and Linda voted for.*  
71

72 *Paul moved to hold a quarterly work session before the end of each quarter dedicated*  
73 *to reviewing financial status of the District and revising the annual budget if*  
74 *necessary. Motion passed. Unanimous.*

75 Doug asked for inclusion on the draft 2019 Board Calendar.  
76

77 AI: Sarah to update the draft 2019 Board Calendar.

78 AI: Susan will provide cash flow analysis report monthly through May.



I. 2018 Elections Expense

The Board discussed ways to provide a payments until payoff can happen in May 2019. The Board decided to pay up to

AI: Sarah will confirm with TC Elections that payment can be made in full in May 2019.

f. TCD Resolution #2019-02: Shellfish Fund, All - Action Item

Richard moved to approve Resolution #2019-02: Shellfish Fund. Doug seconded.  
Motion Passed. Unanimous.

g. Third Party Audit Update, Sarah Moorehead

Sarah and Ben provided an update on the third party audit. The Board would like to see the third party audit move quicker. The next meeting with staff is scheduled for January 31<sup>st</sup>, 2019 at 2pm. Richard and Linda plan to attend. Staff will be fulfilling Edgar's request for information prior to meeting.

4. WACD Legislative Days, All

Sarah provided information about WACD Legislative Days and Thurston CD legislative appointments. Doug noted the increase in ask by WSCC for Conservation Technical Assistance.

AI: Sarah will provide WSCC budget request information to the Board.

5. Public Comment

Esther Kronenberg  
Patricia Harrigan  
Carol Goss  
Paul Mikolowski





118 6. 2019 Budget, All - Action Item

119 The Board and staff reviewed the discussion from the Board work session on the 2019 budget.  
120 Ben Cushman provided council regarding an operating budget that begins January 1, 2019. The  
121 Board and staff discussed 2019 elections expenses. The Board re-opened the soil testing  
122 program at a limited capacity until it can be fully re-opened in May 2019.  
123

124 *Paul moved to adopt the 2019 Annual Budget approving those expenses marked with 'must*  
125 *have' and having expenditures before May (black numbers) on the understanding that*  
126 *additional 'must have' expenses and further budget items will be added at subsequent open*  
127 *meetings following the budget review process of the Thurston Conservation District and the*  
128 *effective date of this motion shall be January 1<sup>st</sup>, 2019. Doug seconded. Motion passed.*  
129 *Unanimous.*  
130

131 The Board would like to make a parking lot of items to continue to review through the year.  
132

133 7. 2019 Elections

134 Ben Cushman provided information on a mail ballot.

135 **AI: Sarah will follow up with Bill Eller & TC Elections re: Special Elections**

136 a. District Elections Timeline and Information, Sarah Moorehead

137 b. TCD Resolution #2019-01: 2019 District Elections, All - Action Item

138 *Paul moved to approve TCD Resolution #2019-01: 2019 District Elections. Doug seconded.*  
139 *Motion passed. Unanimous.*  
140

141 8. Legal Update: Status of Hanna vs. TCD & West vs. TCD

142 No status report on West vs. TCD.

143  
144 Disputes on Hanna vs. TCD. Ben has reviewed filings of parties. No arguments made that would  
145 prejudice our defense. No expense incurred, still in review process. Ben does not anticipate  
146 expense in appeal; does not anticipate any argument in appeal that would prejudice defenses  
147 CD has.  
148

149 Appeal of funding suspension with WSCC – should be resolved with CAPP process. General fee  
150 associated.  
151

152 Ben Cushman suspended invoice payment from TCD, with an established payment plan,  
153 including full pay off in May.  
154  
155  
156



157 **9. Labor Relations Discussion**

158 At some point legal action may be possible if TCD fails to negotiate. Funding has been included  
159 in the proposed 2019 Budget for Human Resources services to aid in negotiations after May.  
160 Sarah reported that she has been in communications with Mark Hamilton at WFSE and Matthew  
161 Greer at PERC regarding labor negotiations training for employers.

162 **AI: Sarah will communicate with Mark Hamilton (WFSE) regarding timeline and training.**

163  
164 **10. District Manager Discussion**

165 The Board discussed beginning a process of hiring a District Manager. The Board discussed  
166 changing the position title from Executive Director to District Manager.

167 **AI: Doug will send the draft District Manager position description to Board.**

168 **AI: Sarah to propose draft organizational chart for TCD.**

169 **AI: Alison to provide information on how similar CDs are organized and structured.**

170  
171 **11. Partner Report**

- 172 a. *Washington State Conservation Commission (WSCC), Alison Halpern*  
173 WSCC tour and meeting in Whidbey Island this week. WSCC will announce on Thursday  
174 who Interim Executive Director will be, still in hiring process for permanent Executive  
175 Director. Ron Schultz is on medical leave and doing well. The new WSCC Policy Assistant  
176 is Alison Halpern. Alison will continue to provide support to Thurston CD (and others)  
177 while a new Regional Manager is recruited. Alison asked that Board call in to give CAPP  
178 update at the January 17<sup>th</sup>, 2019 WSCC meeting. Ben Cushman will call in at the WSCC  
179 meeting. 5pm – 7pm Mark Clark farewell party – Matchless Brewery

180 **AI: Alison will email WSCC budget info to TCD Board.**

181 **AI: Sarah will email Board legislative days schedule for sign up.**

182  
183 **12. February 26<sup>th</sup> meeting date change discussion**

184 Eric proposed to tentatively reschedule the regular February meeting to Tuesday, February 12<sup>th</sup>  
185 at 2pm due to a conflict with February 26<sup>th</sup>. The Board agreed to notify Eric if the 12<sup>th</sup> would not  
186 work for their schedules.



13. Board Meeting Minutes Review, All - Action Item

- a. June 26th, 2018 Regular Meeting minutes – **Tabled**
- b. July 24th, 2018 Special Meeting minutes – **Tabled**
- c. October 30th, 2018 Regular Meeting & Work Session minutes – **Tabled**
- d. November 15th, 2018 Regular Meeting & Work Session minutes – **Tabled**
- e. Review of new minutes template and policy, Ben Cushman – **No discussion**
- f. Discussion of past board Meeting minutes  
2017 outstanding minutes (June, August, Sept, Oct). Eric signed all but August 29<sup>th</sup> meeting minutes due to confusion on lines 47 and 48.

*Paul moved to amend the August 29<sup>th</sup>, 2017 minutes to strike lines 47 and 48 for clarification. Linda second. Motion Passed. Eric, Linda, Richard, Paul voted in favor. Doug abstained.*

The August 29<sup>th</sup>, 2017 meeting minutes were updated by staff and signed by Eric.

14. 2018 CAPP Review, All

Seven past minutes were signed by the Chair and will be uploaded promptly to Thurston CD website by staff. Ben Cushman will provide CAPP status report during January 17<sup>th</sup>, 2019 Washington State Conservation Commission meeting.

15. Voluntary Stewardship Program Update, Sarah Moorehead

Sarah gave an update on the Voluntary Stewardship Program, the timeline for completing individual stewardship plans (ISPs) and an upcoming VSP workshop.

**Legal Counsel Statement:** Ben Cushman (attorney) reviewed the allegation of falsified records by Glen Morgan and found there was not a falsification of record. There has been confusion about what should go into a public record and meeting minutes, but that does not constitute a falsification of records. No felonious activity or falsification of records has taken place at Thurston CD.

16. Adjourn, All

*Richard moved. Linda seconded. Motion passed. Unanimous.*

2

2019 Election & Appointment Deadline Calculator

Enter election date: 3/26/2019 Your election must be held between January 1 and March 31, 2019!

MONTH / DAY / YEAR (XX / XX / XXXX)				
When	Date	Who	Form, Checklist or Appendix	Action
By:	2/4/19	ES	Appendix B	Decide if the notice of an appointed position vacancy will be combined and published at the same time as the notice of the intent to adopt an Election Resolution (see EM Section 3 (E)).
By:	2/4/19	ES	Appendix B	Publish the first notice of the intent to adopt an Election Resolution (at least 6 days before the 2 <sup>nd</sup> notice below).*
No later than:	2/11/19	ES	Appendix B	Publish the second notice of the intent to adopt an Election Resolution.*
On:	2/12/19	BOS	Appendix D	Hold BOS meeting to adopt the Election Resolution.*
As soon as:	2/13/19	ES	Appendix B	Publish the first notice of the adopted Election Resolution (at least 6 days before the 2nd notice below).*
No later than:	2/25/19	ES	Appendix B	Publish the second notice of the adopted Election Resolution.*#
No later than:	March 1	ES	Appendix B	Ensure that the notice of a vacant appointed position has been properly advertised.
By:	2/26/19	C	PF-A	Candidate provides information to CD by the filing deadline.*
By:	2/26/19	C	PF-B	Candidate provides the nominating petition and candidate statement (if CD allows) to CD by filing deadline.*
On:	2/26/19	N/A	EF1	Candidate filing deadline (at least 4 weeks before election date).*
No later than:	2/26/19	ES	EF1	Deadline for the ES to submit election data from the adopted Election Resolution to the WSCC.*
As soon as:	2/27/19	ES	Checklist 2	ES determines if the CD must automatically re-elect their incumbent.
	Before printing ballots	ES	Checklist 1	Verify each candidate is qualified to serve.
	Before printing ballots	ES	Checklist 1	Verify each candidate's nomination petition.
By:	3/5/19	ES	Appendix A, EF1	Suggested deadline for voters to request from the CD absentee ballots.
By:	3/12/19	ES	Appendix A, EF1	Suggested deadline for the CD to have sent out to voters all requested absentee ballots.
On election day:	3/26/19	POs	PF-C	Complete poll lists.
On election day:	3/26/19	POs	Checklist 3 & EF2	Count ballots, complete Checklist 3 for each poll site, transmit results to WSCC.
On election day:	3/26/19	ES	Checklist 2	If automatically re-electing an incumbent, take necessary pictures of election cancellation signs.
No later than:	March 31	A	AF1	Use AF1 online to apply for appointed positions on conservation district boards.
No later than:	4/23/19	ES	Appendix B, EF2	Provide Due Notice compliance.
No later than:	4/23/19	ES	EF2	Deadline for EF2 to the WSCC. Paper forms and checklists remain at the CD.

Abbreviations: C = Candidate; BOS = CD board of supervisors; ES = Election Supervisor; POs = Polling Officer; EF = Electronic Form; PF = Paper Form; A = Appointee Applicants  
\* PLEASE NOTE: These times are minimums, the BOS can set more than this minimum amount of time (WAC 135-110-330(2)); if they do so, all \* dates will have to be adjusted accordingly.  
# If the BOS has chosen to publish all notices after the intent to adopt the election resolution on-line, than the publication of the second notice of the adopted election resolution is the same as the first.  
For forms and procedures, please visit: <http://www.scc.wa.gov/elections>



# Thurston Conservation District RESOLUTION

Resolution #2019-02

Subject: Rescinding TCD Resolution 2019-01

**A RESOLUTION OF THE THURSTON CONSERVATION DISTRICT,  
RESCINDING TCD RESOLUTION 2019-01: ESTABLISHING THE 2019 ELECTION DATE,  
TIME, LOCATION AND METHOD**

WHEREAS, the Board of Supervisors of the Thurston Conservation District ("District") operates under the laws of the State of Washington applicable to conservation districts; and,

WHEREAS, the District is governed by a five-member board, as set out in RCW Chapter 89.08 and WAC Section 135-110,

WHEREAS, TCD Resolution #2019-01 included details regarding date, time, location and method of voting in the 2019 TCD Election that need to be changed through subsequent resolution of the TCD Board,

WHEREAS, these changes in date, time, location and method of voting are to allow for more voter access to TCD 2019 elections and are congruent with the Thurston County Auditor's Office requirements,

WHEREAS, a TCD Resolution #2019-03 will be adopted by the TCD Board of Supervisors establishing the 2019 Election Date, Time, Location and Method,

NOW THEREFORE,

BE IT RESOLVED BY THE THURSTON CONSERVATION DISTRICT, that TCD Resolution #2019-01 has been rescinded, effective immediately.

**ADOPTED AT A REGULAR BOARD MEETING BY THE BOARD OF THE THURSTON  
CONSERVATION DISTRICT ON FEBRUARY 12<sup>TH</sup>, 2019.**

\_\_\_\_\_  
Eric Johnson, Board Chair

\_\_\_\_\_  
Linda Powell, Board Member

\_\_\_\_\_  
Paul Pickett, Board Member

\_\_\_\_\_  
Doug Rushton, Board Member

\_\_\_\_\_  
Richard Mankamyer, Board Member



# Thurston Conservation District RESOLUTION

Resolution #2019-03

Subject: 2019 District Election (Updated)

## A RESOLUTION OF THE THURSTON CONSERVATION DISTRICT, ESTABLISHING THE 2019 ELECTION DATE, TIME, LOCATION AND METHOD

WHEREAS, the Board of Supervisors of the Thurston Conservation District ("District") operates under the laws of the State of Washington applicable to conservation districts; and,

WHEREAS, the District is governed by a five-member board, as set out in RCW Chapter 89.08 and WAC Section 135-110,

It is RESOLVED that a poll site and absentee ballot election for an open position on the District Board of Supervisors will be held on Tuesday, March 26<sup>th</sup>, 2019 from 8:00 AM until 8:00 PM at the Thurston County Auditor's Ballot Processing Center, 2905 29<sup>th</sup> Ave. E., Suite E, Olympia, WA 98502. The Thurston County Auditor's Election Office will assist with this election.

Interested candidates must be registered voters who reside within the boundaries of the District. Candidates may be required to be landowners or operators of a farm, depending on the current composition of the District Board of Supervisors. Interested candidates must file their candidate information with the TCD Elections Supervisor at the District Office, located at 2918 Ferguson Street SW, Suite A, Tumwater, WA 98512. The filing deadline is February 26<sup>nd</sup>, 2019 at 4:30 pm.

Eligible voters are registered voters who reside within the boundaries of the District. The last day and time that voters can request absentee ballots to be mailed to voter mailing address for this election is March 21<sup>st</sup>, 2019 at 4:30 pm. The last day and time that voters can request absentee ballots in person at the Auditor's office for this election is March 25<sup>st</sup>, 2019 at 4:30 pm. All absentee ballots can be requested from the Thurston County Auditor's Election Office, 200 Lakeridge Drive SW, Bldg 1, Suite 118, Olympia, WA 98502, (360) 786-5408.

The election supervisor will be Nora White, Education and Outreach Specialist, Thurston Conservation District.

A conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district. The published election procedures can be viewed at the District office and the website at [www.thurstoncd.com](http://www.thurstoncd.com), or from the Washington State Conservation Commission at [www.scc.wa.gov](http://www.scc.wa.gov).

ADOPTED AT A REGULAR BOARD MEETING BY THE BOARD OF THE THURSTON  
CONSERVATION DISTRICT ON FEBRUARY 12<sup>TH</sup>, 2019.

\_\_\_\_\_  
Eric Johnson, Board Chair

\_\_\_\_\_  
Linda Powell, Board Member

\_\_\_\_\_  
Paul Picket, Board Member

\_\_\_\_\_  
Doug Rushton, Board Member

\_\_\_\_\_  
Richard Mankamy, Board Member

UPDATED 2.6.2019



**INTERLOCAL AGREEMENT BETWEEN THE THURSTON  
CONSERVATION DISTRICT AND THURSTON COUNTY AUDITOR,  
RELATING TO CONDUCTING ELECTIONS**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019. The parties ("Parties") to this Agreement are the Conservation District, a State of Washington municipal corporation ("TCD") and Thurston County Auditor's Office, Elections Division, a local unit of government of the State of Washington ("Auditor").

WHEREAS, the TCD and the Auditor's Office routinely run elections; and

WHEREAS, the Auditor's Office assisted with the TCD election in March 2018; and

WHEREAS, the Auditor's Office, consistent with the Interlocal Agreement in place at the time, invoiced the TCD \$24,930.18, on June 21, 2018, for its service in assisting with the 2018 TCD Election; and

WHEREAS, the TCD partially reimbursed the Auditor's Office \$ 5,500.00 October 18, 2018; and

WHEREAS, the TCD still owes the Auditor's Office \$19,430.18 for its services for the 2018 TCD election; and

WHEREAS, the TCD wants assistance with conducting the March 2019 TCD election; and

WHEREAS, the Auditor's Office is willing to assist with the March 2019 TCD election, provided that assurances are put in place in this Intergovernmental Agreement for full and timely reimbursement for both the 2018 TCD Election and the 2019 TCD Election costs; and

WHEREAS, RCW 39.34.080 and other Washington law, as amended, authorizes any local unit of government to enter into an interlocal agreement to permit another government entity to perform any governmental service, activity or undertaking which either entity is authorized by law to perform; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into this Agreement as authorized and provided for the Interlocal Cooperation Act, codified at Chapter 39.34 RCW, and other Washington law, as amended;

NOW THEREFORE, in consideration of the mutual terms, provisions and obligations contained herein, it is agreed by and between the TCD and the Auditor as follows:

1. TERM. This Agreement shall be in effect for one year following the approval of the Agreement by the official action of the TCD and the Auditor and the signing of the Agreement by the duly authorized representative of the Parties.

2. TERMINATION. Either Party may terminate its obligations under this Agreement upon 90 days advance written notice to the other Party and subject to the following condition: Following a termination, the Parties are mutually responsible for fulfilling any outstanding obligations under this Agreement incurred prior to the effective date of the amendment or termination.

3. ELECTIONS.

a. Services Provided by the Auditor's Office: The Auditor agrees to (a) be in charge of ballot processing; (b) program the tabulating equipment and supply all ballot materials; (c) track all absentee ballots that are requested, mailed, returned credited, and challenged; (d) open and manage ballot box located at the Thurston County Courthouse parking lot (e) assist running the poll site on Election Day; (f) track all poll site voters in the Election voter registration system; (g) tabulate both absentee ballots and poll site ballots on one DS850 tabulation system; (h) supply all ballot materials and reports to the TCD for finalization of the election; and (i) cooperate and collaborate with TCD and provide TCD with clear protocols for communication including dispute resolution and bringing issues of interest to the attention of the TCD.

b. Services Provided by the TCD : The TCD agrees to be responsible (a) for all other aspect of the Election according the their election processes set forth in TCD's "Election and Appointment Procedures for Conservation District Supervisor" Manual ("TCD Manual") and chapter 135-110 WAC; (b) to ensure that the Auditor is running the Election pursuant to the TCD Manual and chapter 135-110 WAC; and (c) for following appropriate protocols and operate with transparency and clarity in communicating with the Auditor and utilizing dispute resolution when necessary.

4. COMPENSATION

(a) For the services performed in section 3.a. the Auditor's Office has prepared an estimate as per Exhibit A which is attached hereto and incorporated herein by reference. The actual election costs for the 2019 TCD Election will be prepared, invoiced and distributed to the TCD within 30 days of the election certification. TCD will pay the invoice for reimburse of election costs to the Auditor by July 31, 2019.

(b) For the services performed in 2018, which have not been fully reimbursed yet, the Auditor's Office shall be paid as per Exhibit B, which is attached hereto and incorporated herein by reference, by May 31, 2019.

5. GENERAL PROVISIONS.

- a. Entire Agreement. This Agreement contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior agreements shall be effective for any purpose.
- b. Filing. A copy of this Agreement shall be filed with the TCD and recorded with the Thurston County Auditor.
- c. Records. Both Parties shall maintain adequate records to document obligations performed under this Agreement. Both parties shall have the right to review the other Party's records with regard to the subject matter of this Agreement upon reasonable notice. Such rights last for six (6) years from the date of permit issuance for each specific development subject to this Agreement.
- d. Amendments. No provision of this Agreement may be amended or modified except by written agreement signed by the Parties.
- e. Severability. If one or more of the clauses of this Agreement is found to be unenforceable, illegal, or contrary to public policy, the Agreement will remain in full force and effect except for the clauses that are unenforceable, illegal, or contrary to public policy.
- f. Successors in Interest. Subject to the foregoing Subsection, the rights and obligations of the Parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs, and assigns.
- g. Applicable Law. Washington law shall govern the interpretation of this Agreement. Thurston County shall be the venue of any arbitration or lawsuit arising out of this Agreement.
- h. Authority. Each individual executing this Agreement on behalf of the City and the County represents and warrants that such individuals are duly authorized to execute and deliver the Agreement on behalf of the City or the County.

IN WITNESS THEREOF, the Parties have executed this Agreement.

THURSTON CONSERVATION DISTRICT    THURSTON COUNTY AUDITOR:

\_\_\_\_\_

Mary Hall, Auditor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

DRAFT

[illegible]

**Allocation Factor of 1 plus .2**  
Conservation District Estimated Election Cost

## Exhibit A

Conservation District Estimated Election Cost													
DRAFT				TOTAL ALLOCATED COST			\$	22,428	Total Cost		22,728		
1	2	3	4	5	6	7	8	9	10	11	12	13	
Jurisdiction	Registered Voters	Issues & Office #	Issue and Office Fact	Weighted Registration Factor	Percentage Cost Factor	Allocation of Election Costs	Total Basic Fee	Direct Costs	Adjusted TOTAL COST	Fund 0010			Check Fields TOTAL COST
										Fund 1090			
TC Conservation	179,193	1	1	179,193.00	1.000000	\$	22,428.00	300.00	\$	22,728.00	\$	26,137.20	
TOTALS	179,193	1	1	179,193	1.000000	\$	22,428.00	\$	300	\$	22,728.00	\$	26,137.20

3

Date

2/7/2019

Check #

19863

through

Check #

19892

Totaling

107,354.22

Voided Check #'s

19882

Detail

The following checks were written on Timberland Bank:

1/1/2019	EFT		EFT	2,770.34	Health Insurance Premium
1/3/2019	EFT		EFT	30.00	Stop Payment Fee
1/3/2019	EFT		EFT	525.00	Wells Fargo
1/3/2019	19863		19879	11,353.71	Accounts Payable
1/9/2019	dd04251928		dd04251933	8,335.83	Payroll
1/10/2019	EFT		EFT	2,333.38	IRS Payroll Tax
1/15/2019	19880		19881	5,682.68	Accounts Payable
1/16/2019	dd04251934		dd04251934	2,926.75	Payroll
1/16/2019	EFT		EFT	560.00	Olympia Bookkeeping
1/23/2019	EFT		EFT	2,975.00	OfficeTeam
1/23/2019	19883		19892	55,475.67	Accounts Payable
1/24/2019	dd04251935		dd04251940	8,625.74	Payroll
1/24/2019	EFT		EFT	50.70	Pacific Disposal
1/25/2019	EFT		EFT	15.00	DRS - DCP
1/28/2019	EFT		EFT	2,435.54	IRS Payroll Tax
1/28/2019	EFT		EFT	15.00	DRS - DCP
1/28/2019	EFT		EFT	933.22	IRS Payroll Tax
1/28/2019	EFT		EFT	94.52	WA St Dept of Revenue - Sales Tax
1/28/2019	EFT		EFT	623.23	WA St Dept of L&I
1/28/2019	EFT		EFT	728.42	WA St Dept of Employmet Security
1/29/2019	EFT		EFT	864.49	IRS Payroll Tax
1/31/2019	EFT		EFT		

Grant Total

107,354.22

Richard Mankamyer, Board Auditor

Date



Thurston Conservation District  
Payroll Transactions by Payee  
January through March 2019

Date	Name	Num	Type	Memo	Account	Amount
Internal Revenue Service						
01/10/2019	Internal Revenue Se...	EFT	Liability Check	91-1011612	3081001 · 308.10.01...	-2,333.38
01/28/2019	Internal Revenue Se...	EFT	Liability Check	91-1011612	3081001 · 308.10.01...	-2,435.54
01/28/2019	Internal Revenue Se...	EFT	Liability Check	91-1011612	3081001 · 308.10.01...	-933.22
02/06/2019	Internal Revenue Se...	EFT	Liability Check	91-1011612	3081001 · 308.10.01...	-2,518.48
Total Internal Revenue Service						-8,220.62
QuickBooks Payroll Service						
01/09/2019	QuickBooks Payroll ...		Liability Check	Created by P...	3081001 · 308.10.01...	-8,335.83
01/16/2019	QuickBooks Payroll ...		Liability Check	Created by P...	3081001 · 308.10.01...	-2,926.75
01/24/2019	QuickBooks Payroll ...		Liability Check	Created by P...	3081001 · 308.10.01...	-8,625.74
02/07/2019	QuickBooks Payroll ...		Liability Check	Created by P...	3081001 · 308.10.01...	-8,880.81
Total QuickBooks Payroll Service						-28,769.13
WA St Dept of Employment Security						
01/29/2019	WA St Dept of Empl...	EFT	Liability Check	ES#930464 0...	3081001 · 308.10.01...	-728.42
Total WA St Dept of Employment Security						-728.42
WA St Dept of L&I						
01/28/2019	WA St Dept of L&I	EFT	Liability Check	386 002-00	3081001 · 308.10.01...	-623.23
Total WA St Dept of L&I						-623.23
WA St Dept of Retirement Systems						
01/25/2019	WA St Dept of Retir...	EFT	Liability Check		3081001 · 308.10.01...	-15.00
01/28/2019	WA St Dept of Retir...	EFT	Liability Check		3081001 · 308.10.01...	-15.00
02/06/2019	WA St Dept of Retir...	EFT	Liability Check		3081001 · 308.10.01...	-50.00
Total WA St Dept of Retirement Systems						-80.00
Bishop, Stephanie E						
01/10/2019	Bishop, Stephanie E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
01/25/2019	Bishop, Stephanie E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
02/08/2019	Bishop, Stephanie E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
Total Bishop, Stephanie E						0.00
Hatch-Winecka, Amy B						
01/17/2019	Hatch-Winecka, Am...	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
Total Hatch-Winecka, Amy B						0.00
Healy, Mara E						
01/10/2019	Healy, Mara E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
01/25/2019	Healy, Mara E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
02/08/2019	Healy, Mara E	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
Total Healy, Mara E						0.00
Moorehead, Sarah						
01/10/2019	Moorehead, Sarah	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
01/25/2019	Moorehead, Sarah	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
02/08/2019	Moorehead, Sarah	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
Total Moorehead, Sarah						0.00
Shelton, Susan A						
01/10/2019	Shelton, Susan A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
01/25/2019	Shelton, Susan A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
02/08/2019	Shelton, Susan A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
Total Shelton, Susan A						0.00
Warren, Nicole A						
01/10/2019	Warren, Nicole A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
01/25/2019	Warren, Nicole A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00
02/08/2019	Warren, Nicole A	dd042...	Paycheck	Direct Deposit	3081001 · 308.10.01...	0.00

Thurston Conservation District  
Payroll Transactions by Payee  
January through March 2019

Date	Name	Num	Type	Memo	Account	Amount
Total Warren, Nicole A						0.00
White, Nora E						0.00
01/10/2019	White, Nora E	dd042...	Paycheck	Direct Deposit	3081001 - 308.10.01...	0.00
01/25/2019	White, Nora E	dd042...	Paycheck	Direct Deposit	3081001 - 308.10.01...	0.00
02/08/2019	White, Nora E	dd042...	Paycheck	Direct Deposit	3081001 - 308.10.01...	0.00
Total White, Nora E						0.00
TOTAL						-38,421.40



Regence

Regence Health Plans are not licensed in the state of Washington and are not subject to the supervision of the Washington State Department of Financial Institutions.

1800 NINTH AVENUE  
SEATTLE WA 98101  
www.regence.com

20150102B08  
0117  
1259 12445

J01F [4,471] 1 of 2 B 4



[DM-]

### Forwarding Service Requested

\*\*\*\*\*ALL FOR AADC 983  
PB-STL\_UNSORTED-MACH-ENV 4471 16  
THURSTON CONSERVATION DISTRICT  
2918 FERGUSON ST SW STE A  
TUMWATER WA 98512-6187

Group No. 60011200  
Sub-Group No. 0001  
Billing Period 01/01/19-01/31/19  
Invoice No. 183650000144  
Bill Print Date 12/31/2018  
Bill Due Date 01/01/2019

### BILLING SUMMARY

CURRENT MONTH BILLING	\$2,770.34
ADJUSTMENT	\$0.00
VARIANCE	\$0.00
OUTSTANDING BALANCE	\$0.00
UNAPPLIED PREMIUM	\$0.00
<b>TOTAL AMOUNT DUE</b>	<b>\$2,770.34</b>

Please send correspondence and address changes to:

REGENCE MEMBERSHIP  
MS WW4-45  
PO BOX 1271  
Portland, OR 97207

For questions on your account, please call, fax or email:

PHONE (800) 505-6801  
FAX (866) 303-5117  
EMAIL Regence\_Membership@regence.com

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic funds transfer from your account or to process the payment as a check transaction.

FOLD AND TEAR HERE

FOLD AND TEAR HERE

Group Name THURSTON CONSERVATION DISTRICT  
Group No. 60011200  
Sub-Group No. 0001  
Billing Period 01/01/19-01/31/19  
Invoice No. 183650000144

### DO NOT PAY

FUNDS WILL AUTOMATICALLY BE DEDUCTED FROM YOUR ACCOUNT  
ON THE DESIGNATED DRAFT DATE.

0000027703412311800002770344106001120000010000000000

4

Thurston Conservation District  
Check Detail  
January 3, 2019

12:54 PM  
01/03/2019

Num	Date	Name	Account	Paid Amount
19867	01/03/2019	A & L Western Agricultural Laboratories		
214066	11/27/2018	UNRESTRICTED:A098- Soil Tests	5314117 · Soil Testing	<div>-223.20</div> <div>-223.20 ✓</div>
19868	01/03/2019	Culligan Water Co.		
402736	11/30/2018	UNRESTRICTED:A010-Overhead	5313101 · Office Supplies	<div>-31.41</div> <div>-31.41 ✓</div>
19869	01/03/2019	EMD Millipore		
8691743	10/15/2018	Shellfish Fund:M041.1 Students and the Shore	5313103 · Project Supplies	<div>-469.06</div> <div>-469.06 ✓</div>
19870	01/03/2019	Island Johnny		
636643	12/05/2018	Shellfish Fund:M041.1 Students and the Shore	5314901 · Meeting & Event Supplies	<div>-157.37</div> <div>-157.37 ✓</div>
19871	01/03/2019	Jan-Pro Cleaning Systems		
18-6476	12/01/2018	UNRESTRICTED:A010-Overhead	5314104 · Janitorial Services	<div>-225.00</div> <div>-225.00 ✓</div>
19872	01/03/2019	North Thurston Public Schools		
1819000122	11/26/2018	GREEN:G019-SS GREEN(General)	5314113 · Teacher Supstitude Stipends	-393.65
		GREEN:TCC:G019.28 Dawkins	5314113 · Teacher Supstitude Stipends	<div>-738.10</div> <div>-1,131.75 ✓</div>
19873	01/03/2019	Olympia School District		
8445	11/27/2018	GREEN:G019-SS GREEN(General)	5314112 · Bus Transportation	<div>-639.19</div> <div>-639.19 ✓</div>
19874	01/03/2019	Puget Sound Energy		
	11/29/2018	UNRESTRICTED:A010-Overhead	5314701 · Electricity	-147.90
		UNRESTRICTED:A010-Overhead	5314703 · Gas	<div>-147.42</div> <div>-295.32 ✓</div>
19875	01/03/2019	Ricoh USA, Inc.		
101419775	11/30/2018	UNRESTRICTED:A010-Overhead	5314503 · Equipment Leases	<div>-184.67</div> <div>-184.67 ✓</div>
19876	01/03/2019	Ricoh, USA Inc - Usage		
4220043	11/23/2018	UNRESTRICTED:A010-Overhead	5313102 · Photocopier Usage	<div>-269.70</div> <div>-269.70 ✓</div>

Num	Date	Name	Account	Paid Amount
19863	01/03/2019	Riverbend Properties, LLC		
004	12/11/2018	WSCC:W070 - CREP	5314108 · Construction & Landscaping	-1,530.00
				-1,530.00 ✓
19864	01/03/2019	Smart Talent		
83735	07/26/2018	UNRESTRICTED:A010-Overhead	5314100 · Professional Services	-838.26
83878	08/01/2018	UNRESTRICTED:A010-Overhead	5314100 · Professional Services	-465.70
				-1,303.96 ✓
19877	01/03/2019	Tumwater Printing		
119414	11/13/2018	UNRESTRICTED:A010-Overhead	5314203 · Printing Services	-130.68
				-130.68 ✓
19865	01/03/2019	VSP - Vision Care		
805991670	11/17/2018	UNRESTRICTED:A010-Overhead	5312011 · Medical Benefits	-9.40
				-9.40 ✓
19878	01/03/2019	WA St University Energy Program		
19-0174	12/03/2018	UNRESTRICTED:A010-Overhead	5314103 · Computer Services	-653.00
				-653.00 ✓
19879	01/03/2019	Washington Conservation Society		
	11/30/2018	UNRESTRICTED:A010-Overhead	5314902 · Dues and Subscriptions	-150.00
				-150.00 ✓
19866	01/03/2019	Whitlock Limited Partnership 1		
	12/12/2018	UNRESTRICTED:A010-Overhead	5314501 · Office Rent	-3,950.00
				-3,950.00 ✓
Grand Total				11,353.71

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against Thurston Conservation District, and that I am authorized to authenticate and certify the said claim."

Richard Mankamy, Auditor 01/03/19  
Richard Mankamy, District Auditor

Angie Rusk JAN. 4, 2019  
Board Member

Deposit Confirmation

Your payment has been accepted.

Payment Successful

An EFT Acknowledgement Number has been provided for this payment. Please keep this number for your records.

REMINDER: REMEMBER TO FILE ALL RETURNS WHEN DUE!

EFT ACKNOWLEDGEMENT NUMBER:	270941125778693
-----------------------------	-----------------

PLEASE NOTE

Any amounts represented in the subcategories of Social Security, Medicare, and Income Tax Withholding are for informational purposes only.

Payment Information	Entered Data
Taxpayer EIN	xxxxx1612
Tax Form	941 Employers Federal Tax
Tax Type	Federal Tax Deposit
Tax Period	Q1/2019
Payment Amount	\$2,333.38
Settlement Date	01/11/2019
Subcategories:	
1 Social Security	\$1,350.54
2 Medicare	\$315.84
3 Tax Withholding	\$667.00
Account Number	xxxxx6554
Account Type	CHECKING
Routing Number	325170754
Bank Name	TIMBERLAND BANK

Num	Date	Name	Account	Paid Amount
19880	01/15/2019	Native Plant Salvage Foundation		-3,582.68
8485	11/26/2018	Shellfish Fund:M041.12 Shoreline TA	5314100 · Professional Services	-3,582.68
				-3,582.68
19881	01/15/2019	Riverbend Properties, LLC		-2,100.00
8545	12/13/2018	WSCC:W070 - CREP	5314108 · Construction & Landscaping	-1,680.00
8558	01/09/2019	WSCC:W070 - CREP	5314108 · Construction & Landscaping	-420.00
				-2,100.00
		Grand Total		\$5,682.68

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against Thurston Conservation District, and that I am authorized to authenticate and certify the said claim."

Richard Mankamyer, District Auditor

Board Member

# Bill Payment Stub

Check Date:	1/16/2019
Check No.:	EFT
Check Amount:	560.00

Thurston Conservation District  
Bldg 1 Suite A  
Tumwater, WA 98512  
2918 Ferguson St SW

Paid To: Olympia Bookkeeping  
2413 Pacific Ave SE Suite A  
Olympia, WA 98501

Date	Type	Reference	Original Amt.	Balance	Discount	Payment
10/5/2018	Bill	3875	450.00	450.00		450.00
12/15/2018	Bill	4081	110.00	110.00		110.00



This website uses cookies to improve user experience. By clicking any link on this page, you are giving your consent for us to use cookies. [Read more](#)  
[I agree](#)



[Contact Us](#) [Request Staff](#)

Payment Submitted

Thank you for your payment. Your balance due will be updated once the transaction is successfully processed, which may take up to 3-5 business days.

Company Name: THURSTON CONSERVATION DISTRICT  
Customer Number: 04440-000020000  
Payment type: Checking Account  
Account ending in: 6554  
Confirmation Number: RAPPQNZZJR7SAXAS  
Confirmation date: January 23, 2019  
Amount paid: \$2,975.00

To make another payment, enter the invoice information [here](#).

Need help or a copy of your invoice?  
Contact us at [inquiries.srm@roberthalf.com](mailto:inquiries.srm@roberthalf.com) or 1-800-356-1994

Thurston Conservation District  
Check Detail  
January 23, 2019

8:36 AM  
01/25/2019

Num	Date	Name	Account	Paid Amount
19883	01/23/2019	A & L Western Agricultural Laboratories		
214324	12/17/2018	UNRESTRICTED:A098- Soil Tests	5314117 · Soil Testing	-12.00 ✓
				-12.00
19884	01/23/2019	FCS Group		
2659-218120	12/14/2018	UNRESTRICTED:A010-Overhead	5314100 · Professional Services	-2,250.00 ✓
				-2,250.00
19885	01/23/2019	Kysar & Koistinen, Inc		
1013-616	11/05/2018	RCO:R030 - E Fork McLane	5314108 · Construction & Landscaping	-51,319.13 ✓
				-51,319.13
19886	01/23/2019	Pacific Education Institute		
20181214-02	12/14/2018	GREEN:G019.106 NOAA B-WET	5314100 · Professional Services	-859.00 ✓
				-859.00
19887	01/23/2019	Pioneer Fire & Security, Inc		
38824	12/18/2018	UNRESTRICTED:A010-Overhead	5314704 · Security Monitoring	-106.18
89360	12/20/2018	UNRESTRICTED:A010-Overhead	5314704 · Security Monitoring	-72.00 ✓
				-178.18
19888	01/23/2019	Regence - Life Insurance		
0409220	12/16/2018	UNRESTRICTED:A010-Overhead	5312017 · Life Insurance	-9.86 ✓
				-9.86
19889	01/23/2019	Ricoh, USA Inc - Usage		
5055439165	12/23/2018	UNRESTRICTED:A010-Overhead	5313102 · Photocopier Usage	-92.38 ✓
				-92.38
19890	01/23/2019	WA St Auditor's Office		
L128709	12/12/2018	UNRESTRICTED:A010-Overhead	5314102 · Audit & Accounting	-523.05 ✓
				-523.05

Num	Date	Name	Account	Paid Amount
19891	01/23/2019	Wa St Conservation Commission		
120	12/18/2018	UNRESTRICTED:A120-Vehicles	5314504 · Vehicle Leases	-175.75
				-175.75
19892	01/23/2019	VSP - Vision Care		
805991670	11/17/2018	UNRESTRICTED:A010-Overhead	5312011 · Medical Benefits	-9.40
806147332	12/17/2018	UNRESTRICTED:A010-Overhead	5312011 · Medical Benefits	-46.92
				-56.32
Grand Total				\$55,475.67

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against Thurston Conservation District, and that I am authorized to authenticate and certify the said claim."

Richard Mankamy  
Richard Mankamy, District Auditor

Ang Rubin 1/29/18  
Board Member

# Bill Payment Stub

Thurston Conservation District  
Bldg 1 Suite A  
Tumwater, WA 98512  
2918 Ferguson St SW

Paid To: Lemay - Pacific Disposal  
A Waste Connections Company  
2910 Hogum Bay Rd NE  
Lacey, WA 98516-3133

Check Date:	1/24/2019
Check No.:	EFT
Check Amount:	50.70

Date	Type	Reference	Original Amt.	Balance	Discount	Payment
1/1/2019	Bill	10836175	22.26	22.26		22.26
1/1/2019	Bill	10836176	28.44	28.44		28.44



Washington State Department of Retirement Systems  
Electronic Payments  
Completed Payment Advice

Employer: THURSTON CONSERVATION DISTRICT  
Report Period: 01/2019  
Retirement Due Date: 02/15/2019  
Payment Status: Submitted ( 01-23-19 11:20:10 AM by S. Shelton )

System	Report Group/Invoice #	Amount			
Deferred Compensation Program Payment					
DCP	919			15.00	
		Total Amount for DCP:			15.00
Plan 1 Payments					
PERS	2358			0.00	
		Total Amount for Plan 1:			0.00
Plan 2 Payments					
PERS	2358			0.00	
		Total Amount for Plan 2:			0.00
Plan 3 Payments					
		DB Employer	DC WSIB	DC Self	
PERS	2358	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	
		Total Amount for Plan 3:			0.00
		Total Payment Amount:			15.00
		Scheduled Date of Payment:			1/25/2019

Deposit Confirmation

Your payment has been accepted.

Payment Successful

An EFT Acknowledgement Number has been provided for this payment. Please keep this number for your records.

REMINDER: REMEMBER TO FILE ALL RETURNS WHEN DUE!

EFT ACKNOWLEDGEMENT NUMBER:	270942983992098
-----------------------------	-----------------

PLEASE NOTE

Any amounts represented in the subcategories of Social Security, Medicare, and Income Tax Withholding are for informational purposes only.

Payment Information	Entered Data
Taxpayer EIN	xxxxx1612
Tax Form	941 Employers Federal Tax
Tax Type	Federal Tax Deposit
Tax Period	Q1/2019
Payment Amount	\$2,435.54
Settlement Date	01/29/2019
Subcategories:	
1 Social Security	\$1,402.62
2 Medicare	\$328.02
3 Tax Withholding	\$705.00
Account Number	xxxxx6554
Account Type	CHECKING
Routing Number	325170754
Bank Name	TIMBERLAND BANK



Washington State Department of Retirement Systems  
Electronic Payments  
Completed Payment Advice

Employer: THURSTON CONSERVATION DISTRICT  
Report Period: 01/2019  
Retirement Due Date: 02/15/2019  
Payment Status: Submitted ( 01-28-19 11:40:25 AM by S. Shelton )

System	Report Group/Invoice #	Amount			
Deferred Compensation Program Payment					
DCP	919			15.00	
		Total Amount for DCP:			15.00
Plan 1 Payments					
PERS	2358			0.00	
		Total Amount for Plan 1:			0.00
Plan 2 Payments					
PERS	2358			0.00	
		Total Amount for Plan 2:			0.00
Plan 3 Payments					
		DB Employer	DC WSIB	DC Self	
PERS	2358	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	
		Total Amount for Plan 3:			0.00
		Total Payment Amount:			15.00
		Scheduled Date of Payment:			1/30/2019

16

Deposit Confirmation

Your payment has been accepted.

Payment Successful

An EFT Acknowledgement Number has been provided for this payment. Please keep this number for your records.

REMINDER: REMEMBER TO FILE ALL RETURNS WHEN DUE!

EFT ACKNOWLEDGEMENT NUMBER:	270942930209820
-----------------------------	-----------------

PLEASE NOTE

Any amounts represented in the subcategories of Social Security, Medicare, and Income Tax Withholding are for informational purposes only.

Payment Information	Entered Data
Taxpayer EIN	xxxxx1612
Tax Form	941 Employers Federal Tax
Tax Type	Federal Tax Deposit
Tax Period	Q1/2019
Payment Amount	\$933.22
Settlement Date	01/29/2019
Subcategories:	
1 Social Security	\$470.24
2 Medicare	\$109.98
3 Tax Withholding	\$353.00
Account Number	xxxxx6554
Account Type	CHECKING
Routing Number	325170754
Bank Name	TIMBERLAND BANK



Your Return has been submitted and your confirmation number is 0-006-381-486

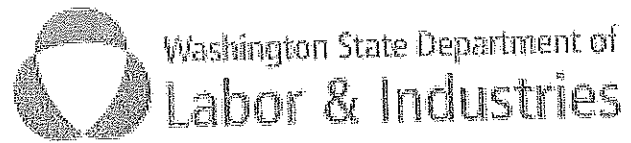
Below is information from your Return Submission for December 31, 2018

Filing Date	January 28, 2019
Account Id	600-330-344
Primary Name	THURSTON COUNTY CONSERVATION DISTRICT
Payment Method	ACH Debit/E-Check
Payment Effective	January 31, 2019
Total Tax	99.52
Total Credits	5.00
Total Due	94.52

Check the status of your return from the **Submissions** tab.

Print a copy of your return below. You can always "Print" your return by navigating to the "Submissions" tab and finding this request.

Give us your feedback



Quarterly Report  
Submit Date: 1/28/2019  
Confirmation Number: 6202422

## Quarterly Report

THURSTON CONSERVATION DISTRICT  
2918 FERGUSON ST SW BLDG 1  
SUITE A  
TUMWATER, WA 98512

WA UBI: 600330344  
L&I Account ID: 386,002-00  
Phone Number: 3607543588 Ext: 120

Account Manager: CHRISTOPHER WASSON  
4th Quarter: 10/1/2018 - 12/31/2018

### Volunteer Reporting

Class Code	Nature of Work	Number of New Volunteers Reported			
6901-00	Volunteers-Excl Law Enf Offrs	0			

Class Code	Nature of Work	Gross Payroll	Worker Hours	Rate Per Hour	Amount Owed
1501-00	County/Tax Dist NOC Othr Empls	\$2,951.00	78	1.5627	\$121.89
5306-07	Counties/Tax Dist Adm/CI Offc	\$95,414.00	2,532	0.1980	\$501.34
6901-00	Volunteers-Excl Law Enf Offrs	\$0.00	0	0.0568	\$0.00
Total of Premiums:					\$623.23
Grand Total:					\$623.23

### Preparer's Information

Preparer: Susan A Shelton  
Daytime Phone: 360-754-3588  
Email: accounting@thurstoncd.com

### Payment Information

Method of Payment: eCheck  
Payment Amount: \$623.23  
Bank Routing Information: 325170754  
Bank Account Information: XXXXXXXXXXXX6554  
Bank Account Type: BusinessChecking  
Scheduled Payment Date: 1/28/2019

Pay Taxes

Payment Confirmation

THURSTON CONSERVATION  
930464-00-4  
THIS PAYMENT WAS SUCCESSFULLY PROCESSED.

Payment confirmation number: PRR3-QJHL-RD7R-SRLD

Total payment amount: \$728.42  
Debit date: 1/29/2019  
Year/Quarter: 4th quarter 2018

Bank routing number: 325170754  
Name on bank account: Timberland Bank  
Bank account number: xxxxx6554  
User bank reference: ESD WA UI-TAX

Prepared by: Susan Shelton  
(360) 754-3588 Ext. 120  
accounting@thurstoncd.com

I authorize the Washington State Employment Security Department to process the transaction as detailed above. I also certify that I am legally authorized to enter into this agreement for the above referenced business or transmitter.

Deposit Confirmation

Your payment has been accepted.

Payment Successful

An EFT Acknowledgement Number has been provided for this payment. Please keep this number for your records.

REMINDER: REMEMBER TO FILE ALL RETURNS WHEN DUE!

EFT ACKNOWLEDGEMENT NUMBER:	270943233927859
Payment Information	Entered Data
Taxpayer EIN	xxxxx1612
Tax Form	941 Employers Federal Tax
Tax Type	Balance due on return or notice
Tax Period	Q2/2017
Payment Amount	\$864.49
Settlement Date	02/01/2019
Account Number	xxxxx6554
Account Type	CHECKING
Routing Number	325170754
Bank Name	TIMBERLAND BANK

Thurston Conservation District  
Grant Balances Reprt  
January 2018

\* We have not yet vouchered for January 2019

Suspended Grants

	Account Number	Grant Number	Grant Period		Total Grant Amount	Thru Dec 31	Remaining Balance	% of Time	% of Budget
RCO	East Fork McLane Project	R030	1-Mar-17	31-Dec-20	110,500.00	94,592.62	15,907.38	48.89%	85.60%
WA Conservation Commission	Implementaton	W086	1-Jul-18	30-Jun-19	90,000.00	90,000.00	0.00	54.55%	100.00%
	Chehalis Flood Plain Outreach	W050	1-Mar-18	30-Jun-19	132,400.00	67,629.49	64,770.51	66.67%	51.08%
	CREP TA	W070	1-Jul-17	30-Jun-19	68,247.00	46,515.09	21,731.91	78.26%	68.16%
	NRI Cost Share	W070	1-Jul-17	30-Jun-19	72,812.50	57,598.47	15,214.03	78.26%	79.11%
	Livestock	W025	1-Jul-17	30-Jun-19	27,654.00	27,565.29	88.71	78.26%	99.68%

	Account Number	Grant Number	Grant Period		Total Grant Amount	Thru Dec 31	Remaining Balance	% of Time	% of Budget
South Sound Green	General	G019-SS	1-Jan-19	31-Dec-19	49,200.00	0.00	49,200.00	0.00%	0.00%
	TCC	TCC	1-Jan-18	Until Spent	44,724.00	25,036.01	19,687.99	NA	55.98%
	NOAA ELG	G019.105	1-Jan-18	30-Jun-19	43,709.00	40,709.00	3,000.00	70.59%	93.14%
	NOAA B-WET	G019.106	1-Nov-18	31-Jul-19	5,007.00	1,843.69	3,163.31	25.00%	36.82%
	Prairies and Pollinators	G019.27	22-Mar-17	31-May-19	30,000.00	10,141.22	19,858.78	84.62%	33.80%

Thurston Conservation District  
Grant Balances Reprt  
January 2018

	Account Number	Grant Number	Grant Period		Total Grant Amount	Thru Dec 31	Remaining Balance	% of Time	% of Budget
Miscellaneous	Soil Health Grant	M065	16-49-TS	21-Jun-17 31-Dec-20	29,986.34	6,283.83	23,702.51	45.24%	20.96%
	VSP	M400		1-Jan-18 30-Jun-19	77,460.00	11,522.22	65,937.78	70.59%	14.88%

Thurston Conservation District  
Balance Sheet  
As of January 31, 2019

	Jan 31, 19
ASSETS	
Current Assets	
Checking/Savings	
3088010 Checking Accounts	33,156.74
3088020 Savings Accounts	10,775.85
3088030 Petty Cash	-349.10
Total Checking/Savings	43,583.49
Accounts Receivable	33,707.26
Other Current Assets	13,176.00
Total Current Assets	90,466.75
TOTAL ASSETS	90,466.75
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	94,092.90
Long Term Liabilities	60,741.35
Total Liabilities	154,834.25
Equity	-64,367.50
TOTAL LIABILITIES & EQUITY	90,466.75

**Thurston Conservation District**  
**Balance Sheet Prev Year Comparison**  
**As of January 31, 2019**

	Jan 31, 19	Jan 31, 18	\$ Change	% Change
<b>ASSETS</b>				
Current Assets				
Checking/Savings				
3088010 Checking Accounts	33,156.74	38,689.38	-5,532.64	-14.3%
3088020 Savings Accounts	10,775.85	284,462.47	-273,686.62	-96.2%
3088030 Petty Cash	-349.10	346.84	-695.94	-200.7%
Total Checking/Savings	43,583.49	323,498.69	-279,915.20	-86.5%
Accounts Receivable	33,707.26	115,623.96	-81,916.70	-70.9%
Other Current Assets	13,176.00	16,006.12	-2,830.12	-17.7%
Total Current Assets	90,466.75	455,128.77	-364,662.02	-80.1%
<b>TOTAL ASSETS</b>	<b>90,466.75</b>	<b>455,128.77</b>	<b>-364,662.02</b>	<b>-80.1%</b>
<b>LIABILITIES &amp; EQUITY</b>				
Liabilities				
Current Liabilities	94,092.90	63,136.41	30,956.49	49.0%
Long Term Liabilities	60,741.35	230,949.14	-170,207.79	-73.7%
Total Liabilities	154,834.25	294,085.55	-139,251.30	-47.4%
Equity	-64,367.50	161,043.22	-225,410.72	-140.0%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>90,466.75</b>	<b>455,128.77</b>	<b>-364,662.02</b>	<b>-80.1%</b>



Thurston Conservation District  
A/R Aging Detail  
As of February 7, 2019

Type	Date	Num	Name	Open Balance
Current				
Total Current				
1 - 30				
Total 1 - 30				
31 - 60				
Invoice	12/31/2018	20160908	GREEN:G019-SS GREEN(General):G019.3 City of Olympia	3,600.00
Invoice	12/31/2018	20160911	GREEN:G019.27 Prairies and Pollinators	189.10
Invoice	12/31/2018	20160915	MISC:M065 - Soil Health	1,194.17
Invoice	12/31/2018	20160916	MISC:M400 - VSP	2,404.01
Invoice	12/31/2018	20160923	WSCC:W050 - Chehalis Flood Outreach	3,921.69
Total 31 - 60				11,308.97
61 - 90				
Invoice	11/30/2018	20160902	WSCC:W070 - CREP	1,245.08
Invoice	11/30/2018	20160904	MISC:M060 - Orca Recovery Day	4,497.18
Invoice	11/30/2018	20160905	MISC:M400 - VSP	1,454.81
Total 61 - 90				7,197.07
> 90				
Invoice	09/30/2018	20160874	WSCC:W025 - Livestock	0.01
Invoice	10/31/2018	20160881	WSCC:W070 - CREP	6,985.83
Total > 90				6,985.84
TOTAL				25,491.88

Thurston Conservation District  
Profit & Loss  
January 2019

	Jan 19
Ordinary Income/Expense	
Income	
3431100 · Retail Sales	111.85
3611100 · Interest Income	9.09
Total Income	120.94
Gross Profit	120.94
Expense	34,903.81
5531010 · Salaries & Benefits	567.02
5314108 · Construction & Landscaping	54.45
5314102 · Audit & Accounting	686.00
5314103 · Computer Services	99.00
5314106 · PDR Expense	225.00
5314104 · Janitorial Services	1,543.78
5314100 · Professional Services	50.70
5314700 · Utilities	184.67
5314503 · Equipment Leases	312.82
5314400 · Advertising	96.89
5313101 · Office Supplies	55.00
5314302 · Conference and Training Fees	26.38
5314202 · Postage & Shipping	40.80
5314117 · Soil Testing	1,730.72
Project Expenses	34.39
5314300 · Travel	150.00
5314902 · Dues and Subscriptions	30.00
5314110 · Bank Fees & Interest Charges	1,265.40
5314111 · Late Fees & Penalties	42,056.83
Total Expense	-41,935.89
Net Ordinary Income	-41,935.89
Net Income	

Thurston Conservation District  
Profit & Loss Prev Year Comparison  
January 2019

	Jan 19	Jan 18	\$ Change	% Change
Ordinary Income/Expense				
Income				
3431100 · Retail Sales	111.85	9,530.99	-9,419.14	-98.8%
3300000 · Grant Revenue	0.00	24,809.33	-24,809.33	-100.0%
3611100 · Interest Income	9.09	23.38	-14.29	-61.1%
3685000 · Assessment	0.00	3,175.05	-3,175.05	-100.0%
Total Income	120.94	37,538.75	-37,417.81	-99.7%
Gross Profit	120.94	37,538.75	-37,417.81	-99.7%
Expense				
5531010 · Salaries & Benefits	34,903.81	64,991.23	-30,087.42	-46.3%
5314108 · Construction & Landscaping	567.02	2,532.88	-1,965.86	-77.6%
5314101 · Legal Services	0.00	1,607.50	-1,607.50	-100.0%
5314102 · Audit & Accounting	54.45	80.00	-25.55	-31.9%
5314103 · Computer Services	686.00	1,287.00	-601.00	-46.7%
5314106 · PDR Expense	99.00	0.00	99.00	100.0%
5314104 · Janitorial Services	225.00	529.46	-304.46	-57.5%
5314100 · Professional Services	1,543.78	552.00	991.78	179.7%
5314501 · Office Rent	0.00	3,950.00	-3,950.00	-100.0%
5314700 · Utilities	50.70	826.69	-775.99	-93.9%
5314503 · Equipment Leases	184.67	184.67	0.00	0.0%
5314504 · Vehicle Leases	0.00	1,127.29	-1,127.29	-100.0%
5314400 · Advertising	312.82	132.57	180.25	136.0%
5314200 · Communications	0.00	370.63	-370.63	-100.0%
5313101 · Office Supplies	96.89	1,103.30	-1,006.41	-91.2%
5314302 · Conference and Training Fees	55.00	0.00	55.00	100.0%
5313102 · Photocopier Usage	0.00	244.07	-244.07	-100.0%
5314202 · Postage & Shipping	26.38	102.39	-76.01	-74.2%
5354800 · Repairs & Maintenance	0.00	155.18	-155.18	-100.0%
5314117 · Soil Testing	40.80	486.00	-445.20	-91.6%
Project Expenses	1,730.72	820.23	910.49	111.0%
5314300 · Travel	34.39	598.04	-563.65	-94.3%
5314999 · Overhead Allocation	0.00	0.00	0.00	0.0%
5966699 · Vehicle Allocation	0.00	0.00	0.00	0.0%
Licenses and Permits	0.00	69.00	-69.00	-100.0%
5314902 · Dues and Subscriptions	150.00	59.00	91.00	154.2%
5314600 · Liability Insurance Premiums	0.00	951.25	-951.25	-100.0%
5314110 · Bank Fees & Interest Charges	30.00	114.04	-84.04	-73.7%
5314111 · Late Fees & Penalties	1,265.40	25.00	1,240.40	4,961.6%
Total Expense	42,056.83	82,899.42	-40,842.59	-49.3%
Net Ordinary Income	-41,935.89	-45,360.67	3,424.78	7.6%
Net Income	-41,935.89	-45,360.67	3,424.78	7.6%

10:45 AM  
02/06/19

Thurston Conservation District  
Reconciliation Summary  
3082003 · Saving-2410 Shellfish Fund, Period Ending 01/31/2019

	Jan 31, 19	
Beginning Balance		19,558.93
Cleared Transactions		
Checks and Payments - 1 item	-10,000.00	
Deposits and Credits - 1 item	0.38	
Total Cleared Transactions	-9,999.62	
Cleared Balance		9,559.31
Register Balance as of 01/31/2019		9,559.31
Ending Balance		9,559.31

Thurston Conservation District  
Reconciliation Detail  
3082002 - Saving-6568 - Timberland, Period Ending 01/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						1,216.53
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	01/31/2019			X	0.01	0.01
Total Deposits and Credits					0.01	0.01
Total Cleared Transactions					0.01	0.01
Cleared Balance					0.01	1,216.54
Register Balance as of 01/31/2019					0.01	1,216.54
Ending Balance					0.01	1,216.54



Page 1 of 1 01/31/2019

THURSTON CONSERVATION DISTRICT  
SHELLFISH FUND  
2918 FERGUSON ST SW STE A BLDG 1  
TUMWATER WA 98512

CYCLE-101 \*\*\*\*\*2410

REG SV MO STMT \*\*\*\*\*02410

BEGINNING RATE	0.03000	
PREVIOUS STATEMENT BALANCE AS OF 12/31/18		19,558.93
PLUS 1 DEPOSITS AND OTHER CREDITS		.38
LESS 1 CHECKS AND OTHER DEBITS		10,000.00
LESS MAINTENANCE FEE		0
CURRENT STATEMENT BALANCE AS OF January 31, 2019		9,559.31
NUMBER OF DAYS IN THIS STATEMENT PERIOD: 31		

\*\*\* ELECTRONIC / NON-CHECK TRANSACTIONS \*\*\*

Date	Description	Amount
01/23	Funds Transfer via Online	10,000.00

\*\*\* DEPOSITS \*\*\*

Date	Description	Amount
01/31	INTEREST PAYMENT	.38

\*\*\* BALANCE BY DATE \*\*\*

Date	Balance	Date	Balance	Date	Balance	Date	Balance
12/31	19,558.93	01/23	9,558.93	01/31	9,559.31		
				PAYER FEDERAL ID NUMBER.....		91-0260220	
				INTEREST PAID YEAR TO DATE.....		.38	

Federal law requires us to tell you how we collect, share, and protect your personal information. Our privacy policy has not changed and you may review our policy and practices with respect to your personal information at [www.timberlandbank.com/privacy-policy](http://www.timberlandbank.com/privacy-policy) or we will mail you a free copy upon request if you call us at 1-800-562-8761.



[www.timberlandbank.com](http://www.timberlandbank.com)



Thurston Conservation District  
Reconciliation Summary  
3082002 · Saving-6568 - Timberland, Period Ending 01/31/2019

	Jan 31, 19
Beginning Balance	1,216.53
Cleared Transactions	
Deposits and Credits - 1 item	0.01
Total Cleared Transactions	0.01
Cleared Balance	1,216.54
Register Balance as of 01/31/2019	1,216.54
Ending Balance	1,216.54

Thurston Conservation District  
Reconciliation Detail  
3082003 - Saving-2410 Shellfish Fund, Period Ending 01/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						19,558.93
Cleared Transactions						
Checks and Payments - 1 item						
Transfer	01/23/2019			X	-10,000.00	-10,000.00
Total Checks and Payments					-10,000.00	-10,000.00
Deposits and Credits - 1 item						
Deposit	01/31/2019			X	0.38	0.38
Total Deposits and Credits					0.38	0.38
Total Cleared Transactions					-9,999.62	-9,999.62
Cleared Balance					-9,999.62	9,559.31
Register Balance as of 01/31/2019					-9,999.62	9,559.31
Ending Balance					-9,999.62	9,559.31





10:41 AM

02/06/19

Thurston Conservation District

Reconciliation Summary

3081001 - 308.10.01 Cash TimberLand Bank, Period Ending 01/31/2019

	Jan 31, 19
Beginning Balance	27,720.49
Cleared Transactions	
Checks and Payments - 36 items	-48,079.87
Deposits and Credits - 33 items	113,900.80
Total Cleared Transactions	65,820.93
Cleared Balance	93,541.42
Uncleared Transactions	
Checks and Payments - 13 items	-60,384.68
Total Uncleared Transactions	-60,384.68
Register Balance as of 01/31/2019	33,156.74
New Transactions	
Checks and Payments - 4 items	-14,220.33
Deposits and Credits - 1 item	8,215.38
Total New Transactions	-6,004.95
Ending Balance	27,151.79

Thurston Conservation District  
Reconciliation Detail

3081001 - 308.10.01 Cash TimberLand Bank, Period Ending 01/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						27,720.49
Cleared Transactions						
Checks and Payments - 36 items						
Bill Pmt -Check	11/08/2018	19841	Sound Native Plants	X	-691.71	-691.71
Bill Pmt -Check	12/12/2018	19858	Rushton, Clifford D.	X	-303.02	-994.73
Bill Pmt -Check	12/12/2018	19850	Half Moon Sanitation	X	-125.00	-1,119.73
Check	01/01/2019	EFT	Regence - Health C...	X	-2,770.34	-3,890.07
Bill Pmt -Check	01/03/2019	19863	Riverbend Propertie...	X	-1,530.00	-5,420.07
Bill Pmt -Check	01/03/2019	19864	Smart Talent	X	-1,303.96	-6,724.03
Bill Pmt -Check	01/03/2019	19872	North Thurston Publi...	X	-1,131.75	-7,855.78
Bill Pmt -Check	01/03/2019	19878	WA St University En...	X	-653.00	-8,508.78
Bill Pmt -Check	01/03/2019	19873	Olympia School Dist...	X	-639.19	-9,147.97
Check	01/03/2019	EFT	Wells Fargo	X	-525.00	-9,672.97
Bill Pmt -Check	01/03/2019	19869	EMD Millipore	X	-469.06	-10,142.03
Bill Pmt -Check	01/03/2019	19874	Puget Sound Energy	X	-295.32	-10,437.35
Bill Pmt -Check	01/03/2019	19876	Ricoh, USA Inc - Us...	X	-269.70	-10,707.05
Bill Pmt -Check	01/03/2019	19871	Jan-Pro Cleaning Sy...	X	-225.00	-10,932.05
Bill Pmt -Check	01/03/2019	19867	A & L Western Agric...	X	-223.20	-11,155.25
Bill Pmt -Check	01/03/2019	19875	Ricoh USA, Inc.	X	-184.67	-11,339.92
Bill Pmt -Check	01/03/2019	19870	Island Johnny	X	-157.37	-11,497.29
Bill Pmt -Check	01/03/2019	19879	Washington Conser...	X	-150.00	-11,647.29
Bill Pmt -Check	01/03/2019	19877	Tumwater Printing	X	-130.68	-11,777.97
Bill Pmt -Check	01/03/2019	19868	Culligan Water Co.	X	-31.41	-11,809.38
Check	01/03/2019	EFT	Timberland Bank	X	-30.00	-11,839.38
Liability Check	01/09/2019		QuickBooks Payroll ...	X	-8,335.83	-20,175.21
Liability Check	01/10/2019	EFT	Internal Revenue Se...	X	-2,333.38	-22,508.59
Bill Pmt -Check	01/15/2019	19880	Native Plant Salvag...	X	-3,582.68	-26,091.27
Bill Pmt -Check	01/15/2019	19881	Riverbend Propertie...	X	-2,100.00	-28,191.27
Liability Check	01/16/2019		QuickBooks Payroll ...	X	-2,926.75	-31,118.02
Bill Pmt -Check	01/16/2019	EFT	Olympia Bookkeeping	X	-560.00	-31,678.02
Bill Pmt -Check	01/23/2019	EFT	OfficeTeam	X	-2,975.00	-34,653.02
Liability Check	01/24/2019		QuickBooks Payroll ...	X	-8,625.74	-43,278.76
Bill Pmt -Check	01/24/2019	EFT	Pacific Disposal	X	-50.70	-43,329.46
Liability Check	01/25/2019	EFT	WA St Dept of Retir...	X	-15.00	-43,344.46
Liability Check	01/28/2019	EFT	Internal Revenue Se...	X	-2,435.54	-45,780.00
Liability Check	01/28/2019	EFT	Internal Revenue Se...	X	-933.22	-46,713.22
Liability Check	01/28/2019	EFT	WA St Dept of L&I	X	-623.23	-47,336.45
Liability Check	01/28/2019	EFT	WA St Dept of Retir...	X	-15.00	-47,351.45
Liability Check	01/29/2019	EFT	WA St Dept of Empl...	X	-728.42	-48,079.87
Total Checks and Payments					-48,079.87	-48,079.87
Deposits and Credits - 33 items						
Bill Pmt -Check	01/03/2019	19882	VSP - Vision Care	X	0.00	0.00
Deposit	01/03/2019			X	6,700.10	6,700.10
Paycheck	01/10/2019	dd042...	Healy, Mara E	X	0.00	6,700.10
Paycheck	01/10/2019	dd042...	Moorehead, Sarah	X	0.00	6,700.10
Paycheck	01/10/2019	dd042...	Shelton, Susan A	X	0.00	6,700.10
Paycheck	01/10/2019	dd042...	White, Nora E	X	0.00	6,700.10
Paycheck	01/10/2019	dd042...	Bishop, Stephanie E	X	0.00	6,700.10
Paycheck	01/10/2019	dd042...	Warren, Nicole A	X	0.00	6,700.10
Deposit	01/10/2019			X	114.69	6,814.79
Deposit	01/10/2019			X	667.45	7,482.24
Deposit	01/10/2019			X	9,998.47	17,480.71
Deposit	01/14/2019			X	127.69	17,608.40
Paycheck	01/17/2019	dd042...	Hatch-Winecka, Am...	X	0.00	17,608.40
Deposit	01/18/2019			X	2,462.09	20,070.49
Transfer	01/23/2019			X	10,000.00	30,070.49
Deposit	01/24/2019			X	13,312.27	43,382.76
Paycheck	01/25/2019	dd042...	Moorehead, Sarah	X	0.00	43,382.76
Paycheck	01/25/2019	dd042...	White, Nora E	X	0.00	43,382.76
Paycheck	01/25/2019	dd042...	Bishop, Stephanie E	X	0.00	43,382.76
Paycheck	01/25/2019	dd042...	Healy, Mara E	X	0.00	43,382.76
Paycheck	01/25/2019	dd042...	Warren, Nicole A	X	0.00	43,382.76
Paycheck	01/25/2019	dd042...	Shelton, Susan A	X	0.00	43,382.76
Deposit	01/28/2019			X	3,647.00	47,029.76
Deposit	01/29/2019			X	6,621.44	53,651.20
Deposit	01/31/2019			X	1,262.37	54,913.57

Thurston Conservation District

Reconciliation Detail

3081001 · 308.10.01 Cash TimberLand Bank, Period Ending 01/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
Deposit	01/31/2019			X	11,922.28	66,835.85
Deposit	01/31/2019			X	47,064.95	113,900.80
Paycheck	02/08/2019	dd042...	Moorehead, Sarah	X	0.00	113,900.80
Paycheck	02/08/2019	dd042...	Bishop, Stephanie E	X	0.00	113,900.80
Paycheck	02/08/2019	dd042...	White, Nora E	X	0.00	113,900.80
Paycheck	02/08/2019	dd042...	Shelton, Susan A	X	0.00	113,900.80
Paycheck	02/08/2019	dd042...	Warren, Nicole A	X	0.00	113,900.80
Paycheck	02/08/2019	dd042...	Healy, Mara E	X	0.00	113,900.80
Total Deposits and Credits					113,900.80	113,900.80
Total Cleared Transactions					65,820.93	65,820.93
Cleared Balance					65,820.93	93,541.42
Uncleared Transactions						
Checks and Payments - 13 items						
Bill Pmt -Check	01/03/2019	19866	Whitlock Limited Par...		-3,950.00	-3,950.00
Bill Pmt -Check	01/23/2019	19885	Kysar & Koistinen, Inc		-51,319.13	-55,269.13
Bill Pmt -Check	01/23/2019	19884	FCS Group		-2,250.00	-57,519.13
Bill Pmt -Check	01/23/2019	19886	Pacific Education In...		-859.00	-58,378.13
Bill Pmt -Check	01/23/2019	19890	WA St Auditor's Office		-523.05	-58,901.18
Bill Pmt -Check	01/23/2019	19887	Pioneer Fire & Secu...		-178.18	-59,079.36
Bill Pmt -Check	01/23/2019	19887	Pioneer Fire & Secu...		-175.75	-59,255.11
Bill Pmt -Check	01/23/2019	19891	Wa St Conservation ...		-92.38	-59,347.49
Bill Pmt -Check	01/23/2019	19889	Ricoh, USA Inc - Us...		-56.32	-59,403.81
Bill Pmt -Check	01/23/2019	19892	VSP - Vision Care		-12.00	-59,415.81
Bill Pmt -Check	01/23/2019	19883	A & L Western Agric...		-9.86	-59,425.67
Bill Pmt -Check	01/23/2019	19888	Regence - Life Insur...		-94.52	-59,520.19
Sales Tax Payment	01/28/2019	EFT	WA St Dept of Reve...		-864.49	-60,384.68
Check	01/31/2019	EFT	Internal Revenue Se...			
Total Checks and Payments					-60,384.68	-60,384.68
Total Uncleared Transactions					-60,384.68	-60,384.68
Register Balance as of 01/31/2019					5,436.25	33,156.74
New Transactions						
Checks and Payments - 4 items						
Check	02/06/2019	EFT	Regence - Health C...		-2,770.34	-2,770.34
Liability Check	02/06/2019	EFT	Internal Revenue Se...		-2,518.48	-5,288.82
Bill Pmt -Check	02/06/2019	EFT	Pacific Disposal		-50.70	-5,339.52
Liability Check	02/07/2019		QuickBooks Payroll ...		-8,880.81	-14,220.33
Total Checks and Payments					-14,220.33	-14,220.33
Deposits and Credits - 1 item						
Deposit	02/01/2019				8,215.38	8,215.38
Total Deposits and Credits					8,215.38	8,215.38
Total New Transactions					-6,004.95	-6,004.95
Ending Balance					-568.70	27,151.79



THURSTON CONSERVATION DISTRICT  
2918 FERGUSON ST SW STE A BLDG 1  
TUMWATER WA 98512

Page 1 of 4 01/31/2019  
CYCLE-030 \*\*\*\*\*6554

FREE BUSINESS CK \*\*\*\*\*06554

PREVIOUS STATEMENT BALANCE AS OF 12/31/18	27,720.49
PLUS 13 DEPOSITS AND OTHER CREDITS	113,900.80
LESS 37 CHECKS AND OTHER DEBITS	48,079.87
LESS MAINTENANCE FEE	0
CURRENT STATEMENT BALANCE AS OF January 31, 2019	93,541.42
NUMBER OF DAYS IN THIS STATEMENT PERIOD: 31	

\*\*\* CHECK TRANSACTIONS \*\*\*

Date	Serial	Amount	Date	Serial	Amount	Date	Serial	Amount
01/07	19841 *	691.71	01/17	19869	469.06	01/23	19876	269.70
01/04	19850 *	125.00	01/16	19870	157.37	01/16	19877	130.68
01/24	19858 *	303.02	01/15	19871	225.00	01/15	19878	653.00
01/22	19863 *	1,530.00	01/16	19872	1,131.75	01/30	19879	150.00
01/23	19864	1,303.96	01/23	19873	639.19	01/17	19880	3,582.68
01/28	19867 *	223.20	01/17	19874	295.32	01/25	19881	2,100.00
01/16	19868	31.41	01/16	19875	184.67			

(\*) Asterisk denotes skip in check sequence

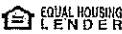
\*\*\* ELECTRONIC / NON-CHECK TRANSACTIONS \*\*\*

Date	Description	Amount
01/03	STOP PAYMENT FEE	30.00
01/04	AC WELLS FARGO CARD PHONE PYMT	525.00
01/08	AC InstaMed REGENCE BL	2,770.34
01/09	AC INTUIT PAYROLL S QUICKBOOKS	8,335.83
01/11	AC IRS USATAXPYMT	2,333.38
01/16	AC OLYMPIA BOOKKEEP HOURLY	560.00
01/16	AC INTUIT PAYROLL S QUICKBOOKS	2,926.75
01/24	AC ROBERT HALF, INC INTERNET	2,975.00
01/24	AC INTUIT PAYROLL S QUICKBOOKS	8,625.74
01/25	AC WA DEPT RET SYS DRS EPAY	15.00
01/28	AC WASTE CONNECTION WEB_PAY	22.26
01/28	AC WASTE CONNECTION WEB_PAY	28.44
01/29	AC IRS USATAXPYMT	933.22
01/29	AC IRS USATAXPYMT	2,435.54

Federal law requires us to tell you how we collect, share, and protect your personal information. Our privacy policy has not changed and you may review our policy and practices with respect to your personal information at [www.timberlandbank.com/privacy-policy](http://www.timberlandbank.com/privacy-policy) or we will mail you a free copy upon request if you call us at 1-800-562-8761.



[www.timberlandbank.com](http://www.timberlandbank.com)





THURSTON CONSERVATION DISTRICT  
2918 FERGUSON ST SW STE A BLDG 1  
TUMWATER WA 98512

\*\*\*\*\*6554

\*\*\* ELECTRONIC / NON-CHECK TRANSACTIONS \*\*\*

Date	Description	Amount
01/30	AC WA DEPT RET SYS DRS EPAY	15.00
01/30	AC LABOR&INDUSTRIES L&I ELF	623.23
01/30	AC STATE OF WA ESD ESD ACH 6	728.42

\*\*\* DEPOSITS \*\*\*

Date	Description	Amount
01/03	CK Deposit	6,700.10
01/10	AC TCTREASURER 1104 CITYREMIT	667.45
01/10	AC WA ST SCC VENDOR PAY	9,998.47
01/10	CK Deposit	114.69
01/14	CK Deposit	127.69
01/18	AC WA ST SCC VENDOR PAY	2,462.09
01/23	Funds Transfer via Online	10,000.00
01/24	CK Deposit	13,312.27
01/28	CK Deposit	3,647.00
01/29	AC WA ST SCC VENDOR PAY	6,621.44
01/31	AC WA ST SCC VENDOR PAY	1,262.37
01/31	AC WA ST RCFB VENDOR PAY	47,064.95
01/31	CK Deposit	11,922.28

\*\*\* BALANCE BY DATE \*\*\*

Date	Balance	Date	Balance	Date	Balance	Date	Balance
12/31	27,720.49	01/03	34,390.59	01/04	33,740.59	01/07	33,048.88
01/08	30,278.54	01/09	21,942.71	01/10	32,723.32	01/11	30,389.94
01/14	30,517.63	01/15	29,639.63	01/16	24,517.00	01/17	20,169.94
01/18	22,632.03	01/22	21,102.03	01/23	28,889.18	01/24	30,297.69
01/25	28,182.69	01/28	31,555.79	01/29	34,808.47	01/30	33,291.82
01/31	93,541.42						

NOTE: THERE IS A NEW PHONE NUMBER TO CALL TO REPORT A  
LOST OR STOLEN CARD. THE NUMBER IS 1-800-500-1044.



THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/28/2019		19841 1/28/2019
PAY TO THE ORDER OF Sound Native Plants PO Box 7558 Olympia, WA 98503-7558		\$ 691.71		
MEMO Sound Native Plants PO Box 7558 Olympia, WA 98503-7558		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> AUTHORIZED SIGNATURE		
*019841* 1325170754* 490006554*				

01/07/2019 19841 \$691.71

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 12/12/2018		19850 12/12/2018
PAY TO THE ORDER OF Hill Moon Sanitation 17210 153rd Ave SE Yuba, WA 98597		\$ 125.00		
MEMO Hill Moon Sanitation 17210 153rd Ave SE Yuba, WA 98597		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019850* 1325170754* 490006554*				

01/04/2019 19850 \$125.00

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 12/12/2018		19858 12/12/2018
PAY TO THE ORDER OF Doug Ruckert Three Hundred Three and 00/100		\$ 303.02		
MEMO Ruckert, Doug 2120 - 26th Ave NE Olympia, WA 98506		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019858* 1325170754* 490006554*				

01/24/2019 19858 \$303.02

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19863 1/9/2019
PAY TO THE ORDER OF One Thousand Five Hundred Thirty and 00/100		\$ 1,530.00		
MEMO Overland Properties, LLC 2040 181st Ave SE Yuba, WA 98599		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019863* 1325170754* 490006554*				

01/22/2019 19863 \$1,530.00

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19864 1/9/2019
PAY TO THE ORDER OF Smart Talent One Thousand Three Hundred Three and 00/100		\$ 1,303.96		
MEMO Smart Talent PO Box 2205 Oly Harbor, WA 98535-4205		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019864* 1325170754* 490006554*				

01/23/2019 19864 \$1,303.96

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19867 1/9/2019
PAY TO THE ORDER OF Two Hundred Twenty Three and 20/100		\$ 223.20		
MEMO A & L Western Agricultural Laboratories 1311 Woodland Avenue, Suite 1 Modesto, CA 95351		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019867* 1325170754* 490006554*				

01/28/2019 19867 \$223.20

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/5/2019		19868 1/5/2019
PAY TO THE ORDER OF Clyde's Hair Co. 3728 E. Longfellow Ave Seattle, WA 98117		\$ 31.41		
MEMO Clyde's Hair Co. 3728 E. Longfellow Ave Seattle, WA 98117		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019868* 1325170754* 490006554*				

01/16/2019 19868 \$31.41

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/5/2019		19869 1/5/2019
PAY TO THE ORDER OF Four Hundred Sixty Nine and 00/100		\$ 469.06		
MEMO EKO MILK 25709 Network Place Chicago, IL 60675-1257		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019869* 1325170754* 490006554*				

01/17/2019 19869 \$469.06

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/3/2019		19870 1/3/2019
PAY TO THE ORDER OF One Hundred Fifty Seven and 30/100		\$ 157.37		
MEMO Island Johnny Island Johnny		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019870* 1325170754* 490006554*				

01/16/2019 19870 \$157.37

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19871 1/9/2019
PAY TO THE ORDER OF Two Hundred Twenty Five and 00/100		\$ 225.00		
MEMO Jay Pro Cleaning Systems 500 South 35th St, Suite 201 Federal Way, WA 98003		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019871* 1325170754* 490006554*				

01/15/2019 19871 \$225.00

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19872 1/9/2019
PAY TO THE ORDER OF One Thousand One Hundred Thirty One and 75/100		\$ 1,131.75		
MEMO North Thurston Public Schools 305 College St NE Olympia, WA 98516		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019872* 1325170754* 490006554*				

01/16/2019 19872 \$1,131.75

THURSTON CONSERVATION DISTRICT 2918 FERGOUSON ST SW, SUITE A TUMWATER, WA 98512-6187 360-754-3588		TIMBERLAND BANK 423 WASHINGTON STREET SE OLYMPIA, WA 98501 1/9/2019		19873 1/9/2019
PAY TO THE ORDER OF Six Hundred Thirty Nine and 15/100		\$ 639.19		
MEMO Olympia School District 1113 Lagoon Way SE Olympia, WA 98501		THURSTON CONSERVATION DISTRICT <i>Richard M. Manthey</i> <i>Doug Ruckert</i> AUTHORIZED SIGNATURE		
*019873* 1325170754* 490006554*				

01/23/2019 19873 \$639.19

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19874  
1/15/2019

PAY TO THE ORDER OF  
Pugh Sound Energy  
Two Hundred Twenty-Five and 00/100

\$ 225.32

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Pugh Sound Energy  
Payment Processing Center, 801-6111  
PO Box 91288  
Bellevue, WA 98009-9288

MEMO  
\*019874\* 1325170754 490006554\*

01/17/2019 19874 \$295.32

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19875  
1/20/19

PAY TO THE ORDER OF  
Rock USA, Inc.  
One Hundred Eighty-Four and 87/100

\$ 184.67

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Rock USA, Inc.  
PO Box 650973  
Dallas, TX 75265

MEMO  
\*019875\* 1325170754 490006554\*

01/16/2019 19875 \$184.67

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19876  
1/20/19

PAY TO THE ORDER OF  
Rock USA, Inc.  
Two Hundred Sixty-Nine and 78/100

\$ 269.70

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Rock USA, Inc.  
PO Box 30031-5803  
Falmouth, ME 04101-0555

MEMO  
\*019876\* 1325170754 490006554\*

01/23/2019 19876 \$269.70

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19877  
1/20/19

PAY TO THE ORDER OF  
Turnover Printing  
One Hundred Thirty and 68/100

\$ 130.68

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Turnover Printing  
7875 New Market St SW  
Tumwater, WA  
98501-2769

MEMO  
\*019877\* 1325170754 490006554\*

01/16/2019 19877 \$130.68

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19878  
1/20/19

PAY TO THE ORDER OF  
WA State Utility Energy Program  
Six Hundred Fifty-Three and 00/100

\$ 653.00

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
WA State Utility Energy Program  
PO Box 43185  
955 First St SE  
Olympia, WA 98504-0185

MEMO  
\*019878\* 1325170754 490006554\*

01/15/2019 19878 \$653.00

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19879  
1/30/19

PAY TO THE ORDER OF  
Washington Conservation Society  
One Hundred Fifty and 00/100

\$ 150.00

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Washington Conservation Society  
CO WACO  
1664 Broadway Rd  
Olympia, WA 98502

MEMO  
\*019879\* 1325170754 490006554\*

01/30/2019 19879 \$150.00

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19880  
1/15/2019

PAY TO THE ORDER OF  
Native Plant Salvage Foundation  
Three Thousand Five Hundred Eighty-Two and 66/100

\$ 3,582.68

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Native Plant Salvage Foundation  
3033 Hamilton Ave NW  
Olympia, WA 98502

MEMO  
\*019880\* 1325170754 490006554\*

01/17/2019 19880 \$3,582.68

THURSTON CONSERVATION DISTRICT  
2818 FERGUSON ST SW, SUITE A  
TUMWATER, WA 98512-8187  
360-754-3588

19881  
1/15/2019

PAY TO THE ORDER OF  
Henderson Properties, LLC  
Two Thousand One Hundred and 00/100

\$ 2,100.00

THURSTON CONSERVATION DISTRICT  
Richard M. Wankamper  
Henderson Properties, LLC  
2840 18th Ave SE  
Tumwater, WA 98509

MEMO  
\*019881\* 1325170754 490006554\*

01/25/2019 19881 \$2,100.00



Thurston Conservation District  
Reconciliation Summary  
Wells Fargo, Period Ending 01/18/2019

	Jan 18, 19
Beginning Balance	10,268.93
Cleared Transactions	
Charges and Cash Advances - 16 items	-3,072.85
Payments and Credits - 1 item	525.00
Total Cleared Transactions	-2,547.85
Cleared Balance	12,816.78
Register Balance as of 01/18/2019	12,816.78
New Transactions	
Charges and Cash Advances - 2 items	-26.38
Total New Transactions	-26.38
Ending Balance	12,843.16

Thurston Conservation District  
Reconciliation Detail  
Wells Fargo, Period Ending 01/18/2019

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						10,268.93
Cleared Transactions						
Charges and Cash Advances - 16 items						
Bill Pmt -CCard	12/17/2018		United Concordia In...	X	-353.23	-353.23
Credit Card Charge	12/18/2018	181395	Crains Office Supply	X	-8.59	-361.82
Credit Card Charge	12/20/2018		UPS	X	-9.73	-371.55
Credit Card Charge	12/21/2018		Crains Office Supply	X	-10.41	-381.96
Credit Card Charge	12/26/2018	8553	Ink+Volt	X	-10.96	-392.92
Credit Card Charge	12/27/2018		Crains Office Supply	X	-53.36	-446.28
Credit Card Charge	12/28/2018	8555	Russel Hazel	X	-21.56	-467.84
Credit Card Charge	01/01/2019	8402	MRSC	X	-35.00	-502.84
Bill Pmt -CCard	01/03/2019		OfficeTeam	X	-2,100.00	-2,602.84
Credit Card Charge	01/07/2019		T Sheets	X	-54.45	-2,657.29
Credit Card Charge	01/09/2019	8559	AM PM	X	-34.39	-2,691.68
Credit Card Charge	01/11/2019		US Postal Service	X	-6.70	-2,698.38
Credit Card Charge	01/14/2019	8603	Pierce County	X	-20.00	-2,718.38
Credit Card Charge	01/16/2019	182401	Crains Office Supply	X	-96.89	-2,815.27
Credit Card Charge	01/17/2019	8563	Concrete Recyclers	X	-147.02	-2,962.29
Credit Card Charge	01/18/2019			X	-110.56	-3,072.85
Total Charges and Cash Advances					-3,072.85	-3,072.85
Payments and Credits - 1 item						
Check	01/03/2019	EFT	Wells Fargo	X	525.00	525.00
Total Cleared Transactions					-2,547.85	-2,547.85
Cleared Balance					2,547.85	12,816.78
Register Balance as of 01/18/2019					2,547.85	12,816.78
New Transactions						
Charges and Cash Advances - 2 items						
Credit Card Charge	01/24/2019	8606	UPS		-15.44	-15.44
Credit Card Charge	01/31/2019	8607	UPS		-10.94	-26.38
Total Charges and Cash Advances					-26.38	-26.38
Total New Transactions					-26.38	-26.38
Ending Balance					2,574.23	12,843.16

4

Thurston Conservation District  
Position Description – Executive Director ~~May 2014~~ Date of adoption

Position:	Executive Director	Reports To: Board of Supervisors
Date of this update:	<del>February 2014</del> <u>April 2018</u> <u>Dated for whenever it is adopted</u>	Position Type: Exempt, non-union.
FTE:	1.0 <u>Exempt</u>	Funding Source: <u>Overhead and grants</u> <u>As specified in adopted budget</u>

Formatted: Numbering: Continuous

General Description

The Executive Director (ED; including any acting or interim EDs) is the chief executive of the Conservation District acting under the direction of the Board of Supervisors (Board) with responsibility for all District activities, including: 1. Overall management, supervision of district programs and employees, and satisfaction of district clients, partners, and board. 2. Implementation of the district mission, annual and strategic plans, policies and budget in a timely and efficient manner. 3. Coordinate and/or develop sufficient financial resources to fund district programs. 4. Engaging-Engage programs and partners that further the mission of the district. 5. Ensuring-Ensure all district functions and services are managed and provided in accordance with all applicable laws and regulations. 6. Operate in accordance to the Executive Director's Delegation of Authority (TCD Policy #1.3). EDs primary point of contact is the Board chair. C

Comment [JS(1): I would suggest comparing this paragraph with the delegation of authority to make sure there is agreement.

Comment [CDR2]: Concur that this should be compared to delegation & any other similar documents.

Employment Requirements

A minimum of a bachelor's degree in public administration, business administration, communications, agriculture, natural resource, or closely allied field; and, at least three years of supervisory and program management and experience. Additional qualifying experience may be substituted year-for-year for the education requirement. Eligibility for this position is contingent upon meeting the minimum requirements and the individual's demonstrated ability to perform the essential functions with or without reasonable accommodations.

Comment [JS(3): I would suggest focusing on a manager/executive rather than someone with technical/scientific background or experience.

Comment [CDR4]: Experience in working lands (e.g. agriculture, shellfish, forestry) would be a plus.

A demonstrated ability to manage multiple, diverse, potentially controversial issues and a proven-strong commitment to support agriculture, natural resources conservation, land stewardship, and public service are required. Clear, concise and timely communication with the board required. Good teambuilding and interpersonal skills are required.

Comment [CDR5]: Retain ""proven"" as that means it has been demonstrated; "strong" could simply be intent.

Experience in conflict resolution, strategic planning, budget development, fiscal management desired.

Formatted: Right

Updated 2.7.2019

**Working Conditions**

Work is normally performed in an office setting, occasional field visits and ~~with~~ irregular scheduling of meetings, project deadlines, and seasonal workload that may result in extended and outside-of-normal office hours. Both local and out-of-town travel is expected.

**Responsibilities**

This general outline of job duties and responsibilities is not intended to be comprehensive in nature. The ~~Administrator~~ Executive Director is responsible for implementing these responsibilities with the oversight and concurrence of the Board.

**A. Planning, Policy, and Procedures**

1. ~~Promulgate~~ Propose District policy to the Board of Supervisors. Upon adoption of ~~procedure or~~ policy by the Board of Supervisors, the ED shall implement that direction ~~by designing and implementing such procedures~~ as appropriate.
2. Coordinate updating Annual and Strategic Plans and monitor and report progress throughout the year. Drafts annual plan for board approval by March 1<sup>st</sup> ~~DATE~~ of each year.
3. Prepare/update 5 year strategic plan for board approval by DATE.
4. Organizes and implements staff and resources in alignment with annual and strategic plans. Maintains appropriate staffing levels.
5. ~~Seeks~~ and researches potential new directions, efforts and programs for possible inclusion in district's annual plan.
6. Establishes and implements short term plans consistent with the long term plans and policies set by the Board.
7. Schedules and proposes updates and revisions for ~~outdated board/district~~ policies, based on update plan and urgency.
8. Supports TCD Board in annual Washington Association of Conservation District's resolutions process.
- 7-9. Participates in Washington Conservation Commission Committees and comment periods relevant to Thurston CD priorities.

Comment [JS(6)]: This should be compared with the delegation of authority to make sure there is no conflict in expectations for this position.

Formatted: Superscript

Comment [CDR7]: Do we want to have a specific date here?

Formatted: Highlight

Comment [CDR8]: Continuously

**Performance Measures:**

- a. Draft annual plans timely and accurately proposed for board approval by DATE March 1<sup>st</sup> of each year.
- b. ~~Craft and implement a P~~ plan for updating all District policies and demonstrate consistent progress in implementing plan ~~toward all policies and procedures being up-to-date~~.

**B. Financial**

1. Controls internal operations and budgets activities and keeps board apprised of deviations. In absence of financial staff, ED is ~~able to run the function~~ cross trained in essential financial procedures (pay roll, vouchering, accounts payables and receivables).

Comment [CDR9]: What this means is that the ED can run the financial aspects of the district in the absence of financial staff.

Comment [JS(10)]: What does this mean?

Formatted: Right

Updated 2.7.2019



- 83 2. Prepares annual budget, consistent with annual plan, for the Board's review and  
84 adoption-at least once per year, or as they directed.
- 85 3. Seeks, researches, writes and applies for grants and contracts (public and private)  
86 for existing and potential programs defined within the 5-year strategic plan.
- 87 4. Designs and implements appropriate procedures to maintain control over all fiscal  
88 matters of the District.
- 89 5. Sets salary levels (in consultation with and upon approval by the board), determine  
90 merit/step pay changes, implementing these decisions in an orderly manner  
91 consistent with maintaining employee morale, retaining competent staff to conduct  
92 District operations.
- 93 6. With board input, set benefit levels and select benefits providers and systems that  
94 are consistent with maintaining employee morale and retaining competent staff to  
95 conduct District operations.
- 96 7. Hire consultants, including legal advisors, financial advisors, public relations  
97 advisors, engineers, and other professional advisors as the needs of the District  
98 dictate, subject to the limitations of the approved budget and appropriate  
99 procurement procedures.
- 100 8. Negotiate and oversee implementation of contracts with funding agencies and  
101 partners. Keep board apprised monthly of status of grants, or more often as needed.
- 102 9. Maintain terms and conditions, including reporting schedule associated with Rates  
103 and Charges funding.
- 104 8-10. Facilitate Rates and Charges renewal process.

Comment [CDR11]: Agree with SJ comment.

Comment [JS(12)]: For some reason I think this was noted as a District Auditor/Treasurer task in recent updates to the delegations of authority.

Comment [SM13R12]: Perhaps, 'Oversees the design and implementation of appropriate procedures to maintain control over all fiscal matters of the District.'

Comment [CDR14]:

Performance Measures:

- 108 a. Draft complete annual budget timely and accurately proposed for board approval  
109 by DATE of each year.
- 110 b. Number of new programs, grants, funding, and other opportunities; both number  
111 researched and number submitted. Apply for 5 funding sources annually.  
112 research a minimum of 8 new funding sources annually.
- 113 c. Be on top of financial circumstances so if the board asks a financial questions,  
114 there is a prompt and accurate response. Promptly and accurately respond to all  
115 questions pertaining to district finances.
- 116 d. Ensure timely, complete, and accurate monthly financial presentation reports are  
117 provided to the board.
- 118 e. No funding returned to granting agency without substantial, pre-approved cause.
- 119 f. Submit required reporting associated with Rates and Charges to Thurston  
120 County, as specified in TCD's interlocal agreement.
- 121 e.g. Submit Rates and Charges proposal to Thurston County before August  
122 1<sup>st</sup> 2019.
- 123
- 124 C. Representation/Coordination/Outreach with clients, partners and others.
- 125 1. Represents district at meetings and other events with local, state, Tribal, federal and  
126 private and professional organizations.

Comment [SM15]: November 15<sup>th</sup>?

Comment [CDR16]: We should specify date

Formatted: Highlight

Comment [JS(17)]: This isn't a performance measure. This indicates acceptable performance whether the person researches 1 new grant or 100. Indicate a solid # for both researching and applications.

Comment [SM18R17]: This should include new proposals from both new and previously applied for sources.

Comment [CDR19]: , including grant updates, at monthly board meetings (or more often as needed)

Comment [JS(20)]: Is this once a year? Quarterly? During annual budget preparation? This needs to be clearer what is expected.

Comment [SM21]: 'Ensure all grant funds are utilized to complete deliverables appropriately and on time.'

Formatted: Superscript

Formatted: Right



2. ~~Involved-Participates~~ in district and Washington Association of Conservation Districts' legislative efforts. Coordinate the efforts for the Annual Legislative Day and ~~oversees the development of~~ Conservation tour(s).

4.3. ~~Ensures regular information and communication provided to local and state elected officials (program and project successes, landowner testimonials, event invites, etc.)~~

4. Issues official District statements for the media and public, in consultation with the Board.

2.5. ~~Participates in annual Washington Association of District Employees (WADE) training and supports association through voluntary positions and conference planning, as available.~~

3.6. Coordinates requests for services from individuals, governmental agencies and other entities using agreements and Memoranda of Understanding.

4. ~~Coordinates District's Shellfish Fund Program, including funding aspects~~

5. ~~Outreach will be keyed to target audience(s) — e.g. print or meetings or webpage or social media, as warranted.~~

6.7. As other matters arise, the ED is authorized to act or not act in any circumstance deemed to be advisable in the judgment of the ED.

**Performance Measures:**

a. Plan for community engagement. Based on committee listing, determine which groups we do not have a connection with and should; and those groups which fit less well with the District's direction and maybe we should reduce or curtail involvement. ~~Work with staff to evaluate productivity and strength of existing partnerships and report to TCD Board annually.~~

b. Set up and coordinate ~~a minimum of 3~~ legislative/conservation tour(s) ~~annually.~~ ~~Provide post-tour reports to the Board.~~

c. Oversee ~~staff implementation of~~ plant sale and make 10% profit.

d. ~~Number of City council and BOCC meetings attended and the number where CD presentation was made.~~ ~~Attend city council meetings of all incorporated cities within Thurston County at least twice annually, ensuring one presentation annually.~~

d.e. ~~Attend Thurston County Commissioner meetings quarterly, ensure presentations are given twice annually.~~

e.f. ~~WADE participation~~ Participate in WA Association of District Employees annual conference and ~~— provide a follow up report to the Board~~ on benefits to the CD.

**D. Management/Supervision/Personnel**

1. Provides staff direction and motivation via frequent interactions, communications and staff meetings. Mentoring of staff.

2. ~~Recommends proper level of staffing to the Board at least once each year in conjunction with annual budget, and include in annual plan, in the proposed annual plan.~~

3. Hire, promote, or retain employees as needed to meet the approved staffing level.

4. Conduct formal performance reviews of employees at least annually.

Comment [CDR22]: ED is encouraged to take part in the Washington Association of District Employees (WADE).

Comment [SM23]: No longer active

Comment [SM24]: Responsibility of outreach specialist/department

Comment [JS(25)]: This isn't specific either. Suggest forming a new partnership with 1 new organization annually. Annually evaluate productivity and strength of existing partnerships and report results to the Board.

Comment [SM26R25]: Agreed with JS comment.

Comment [JS(27)]: Again, this isn't a performance measure.

Formatted: Font: (Default) Arial, 12 pt

Formatted: Font: (Default) Arial, 12 pt

Comment [SM28]: Delegation of Authority dictates annual budget, not annual plan

Formatted: Right



5. Ensure employees receive appropriate training, certifications, counseling, and other tools needed to carry out the mission of the District. Maintain staff certifications necessary to implement District services and programs.
6. Take all disciplinary measures as needed, up to and including termination.
7. In consultation with the Board, Appoint ~~appoint~~ employees to management positions based on District needs, and as the budget allows,
8. Design, implement, change, or suspend routine management practices as needed.
9. Design and implement procedures for public meetings to ensure compliance with all laws, rules, and regulations.
10. As other matters arise, the ~~District Administrator~~ Executive Director is authorized to act or not to act in any circumstance deemed to be advisable in the judgment of the ~~Administrator~~ Executive Director.
11. Ensure District compliance, within job authority, with the Washington Conservation Commission's Conservation Accountability Program, the Open Public Meetings Act, the Public Records Act, RCW 89.08, and all other local, state and federal laws.
12. Work cooperatively with staff collective bargaining unit and the Washington Federation of State Employees Union.

Comment [CDR29]: Not sure this is consistent with the delegation of authority

**Performance Measures:**

- ~~a. Develop plan and progress toward goal of resurrecting habitat program.~~
- a. Develop Farmland Preservation/Easement Program
- b. Develop Voluntary Stewardship Program
- b.c. All Good Governance Conservation Accountability and Performance Program (CAPP) accountability elements successfully met. Continue to support TCD Board in meeting Governance Action Plan deliverables.
- ~~c. Propose succession plan for lead positions (e.g. ED, SS green, dairy, others).~~
- d. Cross-training of staff increasing capacity and having back-up. Listing of who has been trained to back-up/substitute for whom.
- d. All staff annual performance reviews conducted timely annual upon hire date.
- e. Facilitate training opportunities for ED and TCD Board regarding labor negotiations and collective bargaining in 2019.
- e.f. Participate in negotiations and uphold contract with staff collective bargaining unit.

Comment [JS(30)]: I believe this is outdated. Suggest easement program goal?

**E. Board Coordination**

1. Timely advice to board on challenges and opportunities. No surprises.
2. Activity update for Board at monthly meetings, with additional updates as necessary.
3. ~~Administer the Board of Supervisors Annual Election.~~
3. Assist the TCD Board with annual Elections and support Elections Supervisor as needed.
4. Solicit Board members as connections with groups where we should have a connection, and for various events during the year.
- 4.5.

Comment [CDR31]: Concur with SJ

Comment [JS(32)]: This may not be this person's task each year since the person selected is at the discretion of the Board. Suggest dropping this.

Comment [SM33]: This is confusing. I think it is trying to say, 'utilize individual TCD Board of Supervisors expertise and connections to carry out the mission of the District'.

Formatted: Right



**Performance Measures:**

- a. Board sense that TCD is aggressively pursuing grants and other funding opportunities to increase current and establishing new programs.
- b. Look ahead on programs and opportunities – anticipate board direction and desires.
- c. Prepare Elections resolution and appropriately advertise, by the November Board meeting annually.
- b.d. Ensures Board meeting materials (agendas, minutes, packets) are prepared and sent to the Board timely each month.

**Comment [CDR34]:** I'd agree a nd b are hard to measure. These were included as the board felt the former ED wasn't aggressive enough in these arenas.

**Comment [SM35]:** New grant metrics included under 'financial' section

**Comment [JS(36):** This is not clear at all. Need to be specific.

**Essential Functions and Knowledge, Skills, and Abilities**

1. Utilize administration, personnel, and technical and analytical skills to act independently in directing district operations.
2. Consistent with annual and strategic plans, seek and secure funding, including from public and private sources.
3. Meet deadlines and attend meetings.
4. Provide timely, complete and accurate information to Board.
5. Skilled in mediation, negotiation, team building and public relations.
6. Ability to delegate to, and mentor, other employees.
7. Ability to communicate (*both written and oral*) effectively, including public speaking.
8. Maintain cooperative relationships and partnerships; working with staff, clients, partners, and Board.
9. Proficiency in using computer programs (including, but not limited to, MS Word, Excel, PowerPoint, e-mail).

**Comment [JS(37):** I think this should go near the beginning of this document.

**Comment [CDR38]:** I agree that this essential functions part should go at the beginning right after the General Description.

\_\_\_\_\_  
Employee Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Approved on behalf of the Board

\_\_\_\_\_  
Board Chair Signature

Date: \_\_\_\_\_

Formatted: Right

5

To: TCD Board of Supervisors

From: Sarah Moorehead (*Interim Executive Director*)

Date: February 12, 2019

Subject: Interim Executive Director's Report



---

## **Priority Initiative Updates**

### **Voluntary Stewardship Program**

Please see attached handout for upcoming February 28<sup>th</sup>, 2019 VSP Workshop (6pm – 8pm @ Brighton Park Grange, Tumwater).

Throughout the last month, Thurston CD and Grays Harbor CD staff have been focusing on: collaboration and communication with the VSP workgroup, site visits to landowners, Individual Stewardship Plan development, outreach to producers, coordination of a February VSP workshop, creation of an online web form for completion of the ISP checklist, and working with Thurston County on reporting mechanisms for the 5-year reporting period.

Nine (9) ISP checklists have been completed, with eight (8) site visits to develop the required action plan completed. Thurston CD staff goal is to complete the required 11 checklists and site visits before the next VSP Workgroup meeting (March 28<sup>th</sup>), with at least six (6) action plans developed, resulting in six (6) finished ISPs. We are well on track to meet the goal of 11 finished ISPs by June 30<sup>th</sup> and will exceed that number with the time and funds remaining.

### **Easement Program**

To establish an Easement Program at Thurston Conservation District, staff have done an analysis of the workload and associated cost to begin developing this program. A Farmland Preservation Specialist position has been added to the draft 2019 Budget and staffing plan. This position description is under development, but will focus on developing a sustainable easement program at Thurston CD, obtaining funding to maintain the program, outreach and education to producers, and submitting local, state and federal grant application for easements.

This month, I have also contact the Washington State Conservation Commission's Office of Farmland Preservation to discuss putting in a pre-proposal (due May 1) to the

Washington Wildlife and Recreation Program, which facilitates working lands preservation grants (both farmland and forestry). Additional coordination is schedule to assess the feasibility of putting a proposal forward to this funding source. More information on the funding source and requirements can be found here:

<https://www.rco.wa.gov/grants/farmland.shtml>

A follow up report will be provided to the TCD Board by the March Board Meeting, and sooner electronically as developments occur.

### **Legislative Day**

On 1.28.2019 Thurston CD Supervisors Paul Pickett and Doug Rushton, along with the Interim Executive Director participated in WACD's Legislative Day outreach. Board and staff met with: Senator Braun's staff, Senator Hunt, Representative Orcutt, Representative DeBolt, Representative Dolan's staff. Appointments went well. All of our legislators were well aware of Thurston CD and some of the programs and projects we do within their legislative district. In particular, discussions focused on Conservation Technical Assistance, Chehalis Basin Strategy, CREP and VSP. There were some comments regarding Thurston CD's organizational dysfunction by legislators during a few appointments, however, the conversations primarily focused on conservation implementation. All meetings shared support for CD work.

A highlight of some comments/questions:

- Representative Orcutt – interested in prior WSCC funds associated with TA statewide. Representative Orcutt has been connected with WSCC Policy Assistant to discuss details of WSCC Budget request.
- Representative DeBolt – felt that CREP would be funded and remained a priority, the Chehalis Basin Strategy work was another priority.

### **District Operations**

**January 15<sup>th</sup>, 2019 Action Items:**

**1. Susan will send Board WACD Dues expense in 2018 budget.**

*This item will be sent electronically prior to 2.12.2019 Board meeting.*

**2. Ben Cushman will review the payment of the WACD Dues to ensure that TCD was followed.**

*Review will happen upon receipt of electronic information from TCD staff.*

**3. Sarah to update the draft 2019 Board Calendar.**

*Complete. Included in 2.12.2019 Board Packet.*

**4. Susan will provide cash flow analysis report monthly through May.**

*Complete. Included in 2.12.2019 Board Packet.*

**5. Sarah will confirm with TC Elections that payment can be made in full in May 2019.**

*Complete. Included in 2.12.2019 Board Packet (2018 and 2019 payment schedules included in Interlocal Agreement).*

**6. Sarah will communicate with Mark Hamilton (WFSE) regarding timeline and training.**

*Complete. Included in 2.12.2019 Board Packet (Interim Executive Director Report - see below for details).*

**7. Doug will send the draft District Manager position description to Board.**

*Complete. Sent electronically 1.22.2019. Included in 2.12.2019 Board Packet.*

**8. Sarah to propose draft organizational chart for TCD.**

*Complete. Included in 2.12.2019 Board Packet (Interim Executive Director Report - see below for details).*

**9. Alison to provide information on how similar CDs are organized and structured.**

*Information will be sent electronically.*

**10. Alison will email WSCC budget info to TCD Board.**

*Complete. Sent electronically 1.24.2019 from Sarah.*

**11. Sarah will email Board legislative days schedule for sign up.**

*Complete. Sent electronically 1.22.2019.*

## **Grant Funding**

Deliverable completion as well as fund management of existing grants remains on track for all grants.

Additional awarded grants from DOE and Thurston County remain in contracting. Draft contracts are expected to arrive at Thurston CD for review in March. These grants include funding for conservation planning, technical assistance, cost share, habitat restoration and education in geographies the District does not currently have adequate funding to serve landowners.

## **Staffing Capacity**

A draft staffing plan was provided to the TCD Board of Supervisors as a component to the draft 2019 Annual Budget for discussion at the 1.15.2019 Board Meeting. Since then, staff has added 1 FTE to the draft staffing plan to include funding for a Farmland Preservation Specialist to develop an easement program at Thurston CD.

The recommended staffing positions for hire are as follows:

- For hire in April 2019:
  - Natural Resource Specialist (VSP, cost share, conservation planning) 1 FTE
  - Environmental Program Manager (grant writing, project management and implementation oversight) 1 FTE
- For hire in May 2019:
  - Executive Director (District management) 1 FTE
  - Administrative Assistant (reception, E.D. support, meeting support) 1 FTE
- For hire in June 2019:
  - Education Assistant (events, social media, workshops) .5 FTE
  - South Sound GREEN Program Assistant (water quality monitor, classroom lessons) .5 FTE
- For hire in July 2019:
  - Farmland Preservation Specialist (develop easement program) 1 FTE

Attached is a proposed staffing plan for consideration as Thurston CD explores restructuring. This includes a more department-focused approach, with three departments: 1.) technical, 2.) education, communications and outreach, and 3. administrative and finance. Each department has a lead staff position that is responsible for mentoring staff, tracking deliverables and funds, and carrying out direction from the Executive Director – within their assigned departments. This is a similar structure, although smaller in scale, to Pierce Conservation District that has been adapted to fit our program areas.

### **2018 Accountability Audit (2015-2017)**

The Washington State Auditor's Office continues to do planning work and request initial documents. An orientation date has not been proposed, nor scheduled at this time.

### **Third Party Audit**

Thurston CD's Accountant, Supervisor Paul Pickett and Supervisor Richard Mankamyer met with third-party auditor Edgar Ooms on January 31<sup>st</sup>. The discussion focused on cost share implementation, CREP and reimbursement processes for landowner cost share projects. A follow up meeting with the Interim Executive Director was scheduled for February 8<sup>th</sup> to continue conversations about project implementation and the competitive bid process.

### **Labor Negotiations Preparation**

I have been in contact with both the Washington Federation of State Employees negotiator, Mark Hamilton and the Public Employee Relations Commission, Matt Greer, to discuss scheduling training for both employer and employees about the negotiations process. A half day training is proposed to occur in mid-March to early-April.

It is important that all Supervisors and the Interim Executive Director establish a training date where full participation is possible. This is an unfamiliar process to many of us and certainly to Conservation Districts. Please look for additional electronic correspondence regarding scheduling.

### **2019 Board Calendar**

Please see the attached updated draft 2019 Board Calendar. This calendar has been updated since the 1.15.2019 Board Meeting to include feedback and additional dates and details that have arisen. Again, this is a working document that is meant to be a tool for annual planning, process development, anticipating and preparing for upcoming business and workload, and orienting potential new Supervisors to the District. Please take a look and suggest revisions.

### **WSCC Cost Share and CREP Training**

On 2.7.2019, WSCC staff provided a training to TCD staff on the new Conservation Practice Database System (CPDS) and WSCC cost share processes, along with important information about implementation through CREP. The training provided very detailed information and allowed for important discussion about increasing the number of cost share projects Thurston CD plans to put forth in 2019 and subsequent years for funding consideration. In addition, it became clear that the CPDS system will soon have the ability to track all strategic plan outcomes and deliverables, function as a customer database, and include a tracking system for education and outreach. This user-friendly system is the mechanism that staff utilize to put forth projects to WSCC for funding, but will also be able to track progress on non-WSCC grants and projects. This is very exciting and will allow TCD a streamlined and accurate tracking and reporting system in the future.





# Voluntary Stewardship Program 101



Have you heard of the Voluntary Stewardship Program?  
Are you curious how an Individual Stewardship Plan might serve  
your land and future plans? Join us for a hands-on work session  
where we'll walk you through the program, benefits, and process.  
Fill out the initial checklist with the assistance of Conservation  
District Staff and learn about next steps!  
Snacks provided.

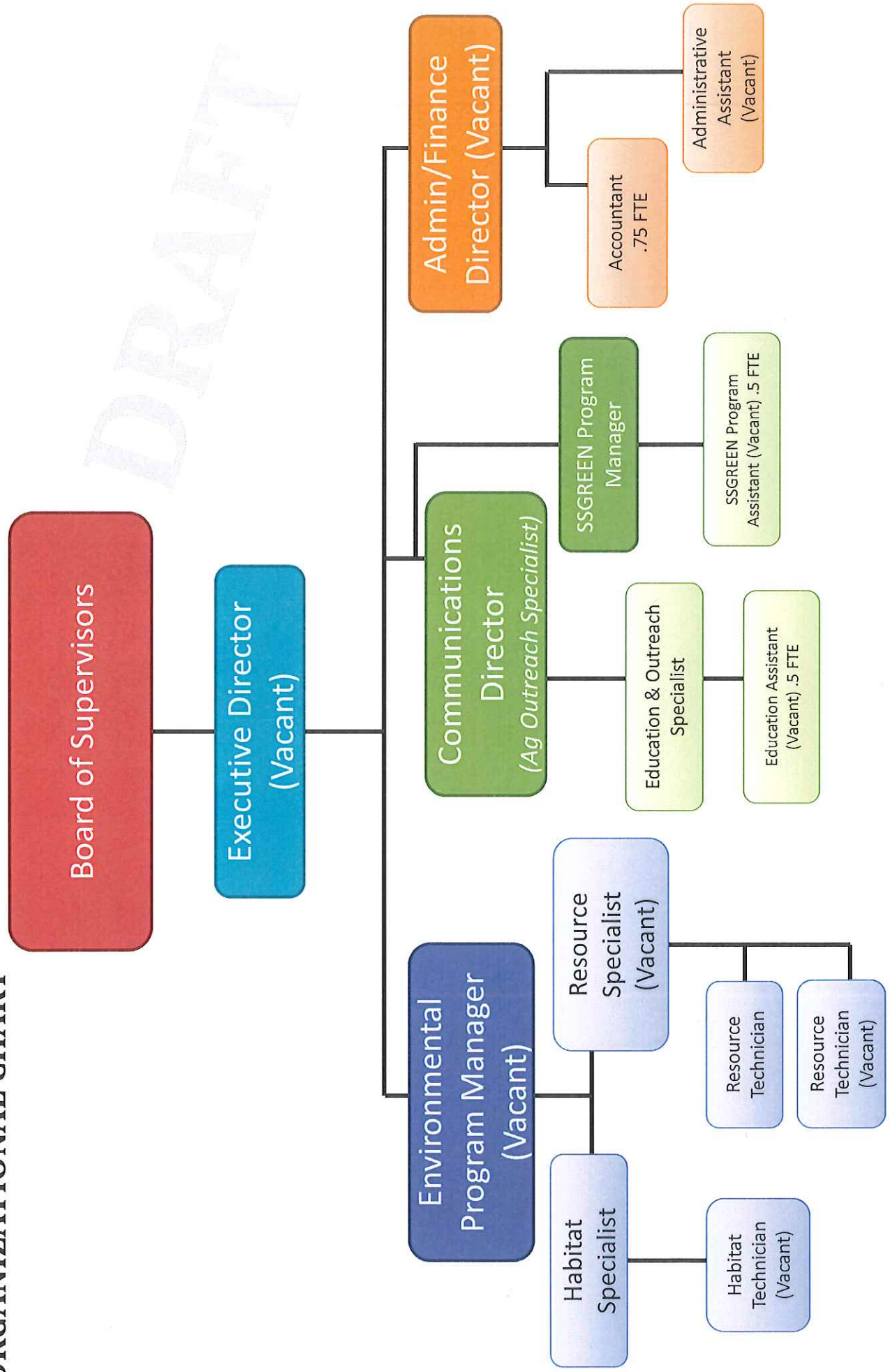
**THURSDAY, FEBRUARY 28, 2019 | 6-8 PM**  
**Brighton Park Grange Hall**  
**815 73rd Ave SW, Tumwater**

Please RSVP:

Nora White, [nwhite@thurstoncd.com](mailto:nwhite@thurstoncd.com) or 360-754-3588 ext. 105



PROPOSED THURSTON CONSERVATION DISTRICT  
ORGANIZATIONAL CHART



DRAFT

# THURSTON CONSERVATION DISTRICT 2019 BOARD CALENDAR

JANUARY	FEBRUARY	MARCH	APRIL
WACD Legislative Day: January 28th WSCC Meeting: 16th & 17th - Whidbey Island	1st Quarter 2019 Budget Review Work Session	Plant Sale, GREEN Congress Draft 2019 Annual Plan Hold Election, WSCC Appointment Deadline  WSCC Meeting: 20th & 21st - Renton	
MAY	JUNE	JULY	AUGUST
2nd Quarter 2019 Budget Review Work Session Elections & Appointments Certified by WSCC  WSCC Meeting: 14th, 15th, 16th - Spokane	Mid-year 2019 Budget Revision  WADE Training	   WSCC Meeting: 17th & 18th - Moses Lake	3rd Quarter 2019 Budget Review Work Session  Adopt WACD Resolutions for SW Area Meeting
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Resolution: Set WSCC Cost Share Rate for 2019-2020 WSCC Meeting: 18th & 18th - Walla Walla	Begin 2020 Annual Plan Development Begin 2020 Budget Development  SW Area Meeting	Draft 2020 Annual Plan Draft 2020 Annual Budget 4th Quarter 2019 Budget Review Work Session	Adopt 2020 Annual Plan Adopt 2020 Annual Budget Adopt Election Resolution  WACD Annual Meeting: 2nd, 3rd, 4th - Tri-Cities WSCC Meeting: 5th - Tri-Cities

UPDATED: 1.25.2019