



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
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## Agenda Bill Master Report

File Number: AB2022-562

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<b>File ID:</b>	AB2022-562	<b>Version:</b>	1	<b>Status:</b>	Approved
<b>File Created:</b>	10/03/2022	<b>Entered by:</b>	SDraper@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Resolution		
<b>Assigned to:</b>	Council Public Works & Health Committee	<b>Final Action:</b>	10/25/2022		
<b>Agenda Date:</b>	10/25/2022	<b>Enactment #:</b>	RES 2022-045		

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Primary Contact Email: sdraper@co.whatcom.wa.us

**TITLE FOR AGENDA ITEM:**

Resolution adopting Whatcom County Public Works policies as required by the County Road Administration Board

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

See Memo

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
10/25/2022	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL	
		Aye: 3 Buchanan, Galloway, and Kershner	
		Nay: 0	
		Absent: 0	
10/25/2022	Council	APPROVED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	
		Absent: 0	

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**Attachments:** Memo, Resolution, Exhibit A

PROPOSED BY: Public Works

INTRODUCED: 10/25/22

RESOLUTION NO. 2022-045

**ADOPTING WRITTEN POLICIES REQUIRED BY THE  
COUNTY ROAD ADMINISTRATION BOARD**

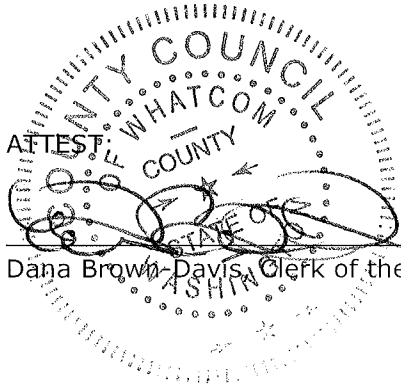
**WHEREAS**, this past year the County Road Administration Board amended WAC 136-50-050. The new addition includes *"In order to implement the requirements of this chapter, the county legislative authority shall develop and by resolution or ordinance adopt written policies, within the limits of existing state law, that cover any matters relating to county road department administration, maintenance, and construction as they may see fit. At a minimum, the following written policies must be adopted by the legislative authority:*

- 1. Organization*
- 2. Complaint handling*
- 3. Work for others*
- 4. County road standards*
- 5. Survey monument preservation"; and,*


**WHEREAS**, the Whatcom County Engineer and the Whatcom County Public Works Director have updated and approved the current policies;

**NOW, THEREFORE, BE IT RESOLVED** by the Whatcom County Council adopts the Whatcom County Public Works Department policies attached as exhibit A.

APPROVED this 25th day of October, 2022.

ATTEST:  
The seal of the Whatcom County Council is circular with a dotted border. The text "COUNTY COUNCIL" is at the top, "WHATCOM COUNTY" is in the middle, and "WASHINGTON STATE" is at the bottom. A signature is written across the seal.  
\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

A handwritten signature in black ink.  
\_\_\_\_\_  
Todd Donovan, Council Chair

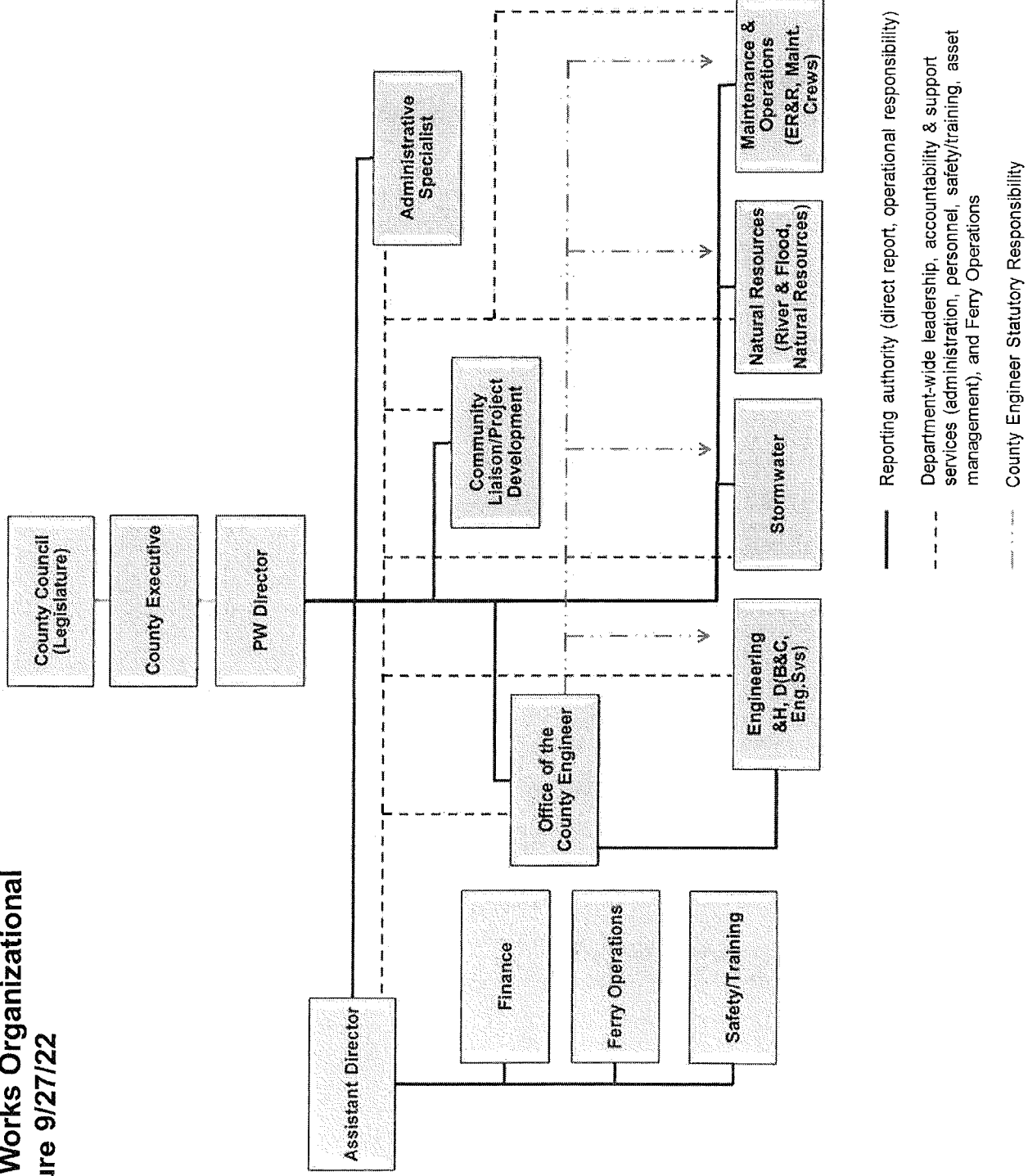
APPROVED AS TO FORM:

*C. Quinn 9/28/22*

\_\_\_\_\_  
Christopher Quinn  
Senior Civil Deputy Prosecuting Attorney

# Public Works Organizational Structure 9/27/22

Exhibit A



**POL PW 192001A**

**PUBLIC WORKS – PERSONNEL POLICY**

This policy applies to all Public Works Employees.

- All Public Works employees are to familiarize and have knowledge of key County personnel policies; these include the Unrepresented Resolution, collective bargaining agreements, Whatcom County Administrative Policies (APPOL), and Whatcom County Employee’s Personnel Handbook (currently under revision).
- The policies are located on Inside Whatcom.
- Personnel are to have knowledge of the regulations pertinent to their field of work (i.e. a Bridge & Hydraulic engineer will need to be well versed in the County Road Standards Manual).
- Personnel must be familiar with their job descriptions and will be evaluated on their performance annually.

**References**

- Collective Bargaining Agreements
  - Master Collective Bargaining Agreement – Represented by Teamsters Local No. 231
  - Ferry (IBU, MMP) – Represented by the Inland Boatmen’s Union and Masters, Mates and Pilots
- Unrepresented Employees’ Salary & Policy Resolution
- Administrative Policies & Procedures Online (APPOL)
  - Human Resources
    - Attendance & Time Off
    - Classification & Compensation
    - Performance Management
    - Discipline & Rules
    - Employee Benefits
    - Employee Safety & Health
    - Employment & Separation
    - Personnel Administration
    - Miscellaneous Personnel
- Whatcom County Employee’s Personnel Handbook

Whatcom County Public Works Policy  
PW162001A Personnel Policy

Topic:

Effective Date: 7/25/2021

Approved by: **Jon Hutchings, Public Works Director** *JH*

Approved by: **Jim Karcher, County Engineer** *JK*

Cancels: n/a

See Procedures:

See Tasks:

See Reference:

See Forms:

See Related Policies:

Council Approval:

Resolution #:

**POL PW 192002A**

**Public Works – Citizen Incident Reporting and Complaint Form**

**1. Office staff records complaint**

When a citizen comes to Public Works or calls with a complaint; or files an online request, office staff records information on the Citizens Inquiry Report form (CIR), including location where the problem exists.

**2. Staff refers complaint for remedy**

Office staff routes one paper copy to the appropriate crew leader and forwards the email to the appropriate crew leader. Then puts the second paper copy into the CIR pending binder for reference.

**3. Crew leader handles the problem**

The crew leader checks out the problem at location reported. If work by the County is required, he/she schedules the work. If problem does not require work, the Crew Leader contacts the citizen and explains the circumstances.

**4. Crew leader completes the CIR form**

After the work or citizen contact is done, the crew leader completes the CIR Form documenting work and date completed. Crew leader routes this copy to office staff to be entered into the database.

**5. Office staff processes paperwork**

The office staff then pulls the copy out of the CIR pending binder and files away the completed CIR into the filing cabinet and then recycles the extra copy.

Whatcom County Public Works Policy – PW192002A Citizen Inquiry Report

Topic: **Operations**

Effective Date: **7/25/2022**

Approved by: **Jon Hutchings, Public Works Director** *JH*

Approved by: **Jim Karcher, County Engineer** *JK*

Cancels: n/a

See Procedures: n/a

See Tasks: n/a

See Reference: n/a

See Forms: **Citizens Inquiry Report Form (CIR, See attached)**

Council Approval:

Resolution #:



## COMPLAINT FORM

AD413200

Whatcom County takes all complaints seriously. This form can clarify issues, avoid confusion or misunderstanding, and aid us in investigation, if warranted. The form can be used either by a person making a complaint, or by a supervisor or staff member when taking a formal complaint.

Name: _____	Date: _____
Contact Info: _____ (provide best way to reach you)	
If applicable: Department: _____	Supervisor: _____
Summary of issue or concerns you have first-hand knowledge of:	
Detailed account of the issue with dates, times, places, and any other firsthand witnesses to the events:	
Have you brought up these issues before? If yes, when and with whom?	
List people who may have information relevant to the concern or issue:	
List and/or attach any supporting documents and other evidence:	

I acknowledge I've reviewed this document and any attachments for accuracy and agree with the statements provided.

Signature \_\_\_\_\_

Date \_\_\_\_\_

I am aware that Whatcom County prohibits retaliation against any employee who reports harassment (AD142300Z). \_\_\_\_\_ (Employee Initials)

**Note: County records may be disclosable under RCW 42.56 Public Records Act**

**POL PW 192003A**

**PUBLIC WORKS - WORK FOR OTHER PUBLIC AGENCIES AND COUNTY DEPARTMENTS**

This policy applies to performing reimbursable work with Public Works employees and/or equipment for other public agencies or county departments.

- Requests are submitted to the Director
- County Engineer will delegate the request to the appropriate division
- The division will review the request using the following criteria
  - Safety Concerns
  - Available work load capacity
  - Can we take on additional work
  - Resources evaluation
  - Equipment and staff availability
  - Cost analysis
  - Review distribution of work/equity with the public sector
  - Ensure we are not in conflict with other contracts or agreement or county policy

Once the review is completed and approved the requesting agency will need to submit an interlocal agreement.

**Approval**

- Work requested by other public agencies will be governed by an interlocal agreement approved by the County Council.
- The County Council is the sole authority to approve all interlocal agreements with other public agencies, except where the council has delegated specific authority by ordinance or resolution.

**Delegation of Authority**

- Reimbursable work for other public agencies, related to an approved interlocal agreement, is authorized by council subject to a work request being submitted to and approved by the Public Works Director.
- Reimbursable work for other county departments is authorized by council subject to a work request being submitted to and approved by the Public Works Director.

**Processing of Interlocal Agreements and Work Requests**

- The Public Works Department is responsible for processing all interlocal agreements and work requests related to Public Works services.

**References**

- WAC 136.50.054 Policy regarding approval of work for other public agencies and county departments
- RCW 39.34 Interlocal Cooperation Act



Topic:

Effective Date: 3/15/2021

Approved by: **Jon Hutchings, Public Works Director** *JH*

Approved by: **Jim Karcher, County Engineer** *JK*

Cancels: n/a

See Procedures:

See Tasks:

See Reference: RCW 39.34 Interlocal Cooperation Act; WAC 136.50.054 Policy regarding approval of work for other public agencies and county departments

See Forms:

See Related Policies:

Council Approval:

Resolution #:

**POL PW 192004A**

**PUBLIC WORKS – Roadway System Development Policy**

This policy applies to the Public Works Roadway System Development Policy. As delegated by the County Engineer, the Senior Technician for Engineering Services will monitor, update, and report on county road system development in Whatcom County.

**Roadway System Development**

- Whatcom County identifies, prioritizes, and programs transportation improvement project per Road Log Summary Record.
- The Public Works Roadway System Development is implemented in a manner consistent with WAC 136-14-030 Public Works Roadway System Development is an inclusive process welcoming input and participation from the general public, community groups and other County Departments.
- Public Works Roadway System Development is an adaptive process reviewed on an annual basis and modified to address emergent issues, community goals, and changing priorities.

**References**

- WAC 136-14-030 Priority Programming Procedures

Whatcom County Public Works Policy –  
PW192004A Roadway System  
Development Policy

Topic:

Effective Date: 3/15/2021

Approved by: Jon Hutchings, Public Works Director *JH*

Approved by: Jim Karcher, County Engineer *JK*

Cancels: n/a

See Procedures:

See Tasks:

See Reference: WAC 136-14-030 Priority Programming Procedures

See Forms:

See Related Policies:

Council Approval:

Resolution #:

POL PW192005A

**PUBLIC WORKS – Utility Accommodation**

This policy applies to the utility accommodation within the county right-of-way. Public Works grants utility accommodation in accordance with

1. **WCC12.16: Revocable Encroachment Permits**
2. **WCC12.24: Franchise Requirements**
3. **WCC12.27: Accommodation of Utilities on Rights-Of-Way**
4. **WCC12.28: Utility Construction**

Definitions

- “Utility” means all public and private companies and agencies operating utility systems with Whatcom County including all Public Works utility operations.
- “Six-Year Transportation Improvement Program” (STIP). An adopted document identifying specific infrastructure improvement projects scheduled over a given time period, commonly 6-years. This includes Whatcom County Six-Year Transportation Improvement Program as well as those of others.

STIP Planning Coordination

- Coordination of capital planning efforts between utilities and Whatcom County facilitates efficient engineering design, project scheduling, and construction.

STIP Coordination

- Coordination of Public Works capital projects with affected utilities helps to assure that project development, engineering design, and construction proceeds in an efficient and timely manner.

Contractual Agreements

- Where warranted and in the best interest of all parties, contractual agreements are developed between Whatcom County Public Works and participating Utilities. Agreements address delegation of costs, responsibility for tasks or time responsiveness on reviews, submittals, design/construction issues and pay requests.

References

- Whatcom County Codes 12.16, 12.24, 12.27, 12.28
- WAC 136.50.055 Policy regarding accommodation of utilities on county road right of way

Whatcom County Public Works Policy –  
PW192005A Utility Accommodation

Topic:

Effective Date: 3/15/2021

Approved by: **Jon Hutchings, Public Works Director** *JH*

Approved by: **Jim Karcher, County Engineer** *JK*

Cancels: n/a

See Procedures:

See Tasks:

See Reference: **WCC 12.16, 12.24, 12.27 & 12.28; WAC 136.50.055**

See Forms:  
See Related Policies:  
Council Approval:  
Resolution #:

POL PW192006A

**PUBLIC WORKS – Survey Monument Protection and Preservation Policy and Procedure**

This policy is to ensure that the Whatcom County Public Works understands its duty to protect and preserve survey monuments when performing any type of work. This document outlines a procedure that shall be used to protect and preserve survey monuments as part of the County's annual construction and maintenance programs.

**POLICY AND PROCEDURE**

- **CHIP-SEALING & PRE-LEVELING**

By January 1st of each year, the County Engineer will prepare a notification to the Washington Department of Natural Resources (WDNR) Public Land Survey Office (PLSO) detailing the upcoming summer's chip seal and pre-level program, as required by the Memorandum of Understanding (MOU), see attached. In PLSO requirements, the County survey group will provide map exhibits of the proposed works areas depicting the found survey monuments to the chip seal and pre-level program Foreman (County staff) to assist in preservation.

Monuments may be preserved in one of two ways:

1. **Monument in Existing Case** – If the survey monument is already protected by a monument case, it may only be necessary to temporarily cover the monument during construction. If the monument is already below the surrounding pavement surface, or the existing grade is being raised, then a riser should be added to the monument case to ensure it is flush with adjacent pavement surface.
2. **Monument Not in Existing Case** – If a survey monument is not protected by an existing monument case, then a monument case/riser should be installed.

At the completion of the chip seal / pre-level season, the County Engineer will prepare a letter for signature by the County Engineer to be transmitted to the WDNR PLSO as required by the MOU.

- **CAPITAL & MAINTENANCE WORK**

Whatcom County shall adequately search the records and the physical location of the proposed maintenance operation or construction project that may impact existing survey monuments. When it becomes obvious that a survey marker may be affected or removed, either temporarily or permanently, Whatcom County must apply for a "application and permit to remove or destroy a survey monument" to the WDNR PLSO prior to beginning any fieldwork.

- **ENGAGING EMPLOYEES & COMMUNITY**

Whatcom County will try to encourage current employees, private engineering firms and the private survey community to report issues with survey monuments they encounter in the county road right of way. The County's Professional Land Surveyor or the County Engineer are both acceptable contacts for notification on survey information.

Whatcom County Public Works Policy –

Topic: PW192006A Policy for Survey Monument Preservation  
Effective Date: 3/15/2021

Approved by: Jon Hutchings, Public Works Director *JH*

Approved by: Jim Karcher, County Engineer *JK*

Cancels: n/a

See Procedures:

See Tasks:

See Reference: WAC 332-120-080, WAC 332-120-020, WAC 332-120-070, RCW 58.24.040(8)

See Forms:

See Related Policies:

Council Approval:

Resolution #:

MEMORANDUM OF UNDERSTANDING WITH THE STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES PUBLIC LAND SURVEY OFFICE  
AND WHATCOM COUNTY

I. GENERAL INFORMATION:

This Memorandum of Understanding (MOU) is between the State of Washington, Department of Natural Resources, Public Land Survey Office, hereinafter referred to as the PLSO, and The County Road Engineer of WHATCOM COUNTY, whose address is 322 COMMERCIAL #210 BELLINGHAM, WA 98225-4038, hereinafter referred to as the County. #210  
301 gpc

II. PURPOSE:

The purpose of this MOU is to ensure preservation of land survey monuments in compliance with Washington Administrative Code (WAC) 332-120-080. This MOU acknowledges the County's responsibility to ensure that all known survey monuments within all pavement preservation treatment project areas are located and perpetuated.

III. RESPONSIBILITIES OF PARTIES:

The County will:

- Search for and identify all existing visible survey monuments within the project limits.
- Send notification with attachments to the PLSO of planned projects for the upcoming year which may cover survey monuments including road names and mileposts and/or beginning and ending intersections. Include start date and expected date of completion.
- Ensure monuments that were covered during a project are uncovered and made accessible after completion of annual activities.
- Submit a signed and sealed annual letter to the department with attachments certifying that the affected monuments were uncovered as soon as possible after completion.
- Attachments will include a map showing locations, or a spread sheet listing road names by mile post for the project limits.
- Comply with RCW 58.24.040(8), WAC 332-120-020 through 070, RCW 58.09, and WAC 332-130, for every monument disturbed, replaced, or modified in character.

PLSO will:

- Assist County to facilitate success of this MOU.
- Acknowledge receipt of each document via email.
- Review and verify the documents are complete and sufficient.
- Index both the planned and completed report documents to the WebXtender public facing database.
- Maintain a copy of this signed MOU.
- Provide communication at least annually to the County Road Administration Board (CRAB) on the status of this MOU.

IV. SUBSIDIARY AGREEMENTS:

Additional working agreements, regarding specific cooperative efforts, if needed, shall be effected in writing by both parties as the need arises.

V. AMENDMENTS AND REVIEW:

This MOU may be amended if PLSO and a majority of affected agencies concur at any time by the mutual written consent of the parties concerned or terminated with thirty (30) days written notice by either party.

VI. NATURE OF AGREEMENT

This MOU is intended to facilitate the statutory obligations imposed upon the various counties and the State of Washington with respect to the preservation of survey monuments.

It is understood that professionally licensed engineers and land surveyors hold themselves to the professional standards of conduct as outlined in Chapter 196-27A WAC "Rules of Professional Conduct and Practice".

*This MOU does not take effect until signed by both parties.*

APPROVED:

WHATCOM COUNTY ROAD ENGINEER  
Jim Karcher, PE

James P. Karcher  
Signature  
6-05-2020  
Date

Address  
322 Commercial #210 301 91K  
Bellingham, WA 98225-4038

(360) ~~676-6692~~ 778-6271 91K  
Phone

DEPARTMENT OF NATURAL RESOURCES  
Bob Knuth, PLS, Manager of the PLSO

Bob Knuth  
Signature  
6/4/2020  
Date

Address  
801 88th Ave SE, MS 47019  
Tumwater, WA 98501-7019

(360) 902-1197  
Phone



