

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of Commissioners
Mark McCauley, County Administrator

FROM: Philip C. Hunsucker, Chief Civil Deputy Prosecuting Attorney

DATE: December 12, 2022

RE: Termination of Interlocal Agreement Between Clallam, Kitsap, Jefferson
and Mason Counties and the Kitsap Public Health District for Regional
Septic Loan Program

STATEMENT OF ISSUE:

Clallam, Kitsap, Jefferson and Mason Counties and the Kitsap Public Health District for entered into a Regional Septic Loan Program through an interlocal agreement (ILA). Funding for the program came from the State. The Regional Septic Loan Program was to terminate if funding for the program no longer existed. Subsequently, a statewide program was established and funding for the Regional Septic Loan Program no longer exists. Accordingly, the parties should terminate the Regional Septic Loan Program ILA.

ANALYSIS:

Since funding for the Regional Septic Loan Program no longer exists, the attached termination should be signed.

FISCAL IMPACT:

None.

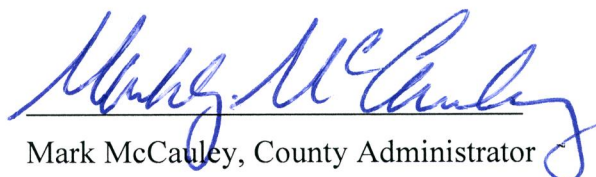
RECOMMENDATION:

Sign the attached termination.

DEPARTMENT CONTACT:

Philip C. Hunsucker, Chief Civil DPA at Extension 219

REVIEWED BY:

 12/9/22
Mark McCauley, County Administrator Date

2a
7/5/22

**HOOD CANAL REGIONAL SEPTIC LOAN PROGRAM
AGREEMENT TO TERMINATE INTERLOCAL AGREEMENT BETWEEN**

Clallam County
Jefferson County
Kitsap County
Mason County
Kitsap Public Health District

This Mutual Termination Agreement ("Agreement") is entered into between Clallam County, Jefferson County, Kitsap County, Mason County, and the Kitsap Public Health District (collectively "the Parties").

RECITALS

WHEREAS, the Parties entered into an Interlocal Agreement for the purpose of participating in a Clean Water (septic) loan program to provide financial assistance to citizens residing within the jurisdictional boundaries of the parties to address water quality issues in Hood Canal caused by onsite sewage systems;

WHEREAS, the purpose of the Interlocal Agreement was to establish the joint and cooperative undertaking in connection with the Regional Septic Loan Program;

WHEREAS, Section 1.2 of the Interlocal Agreement states that the Interlocal Agreement has no termination date unless funding for the program is fully expended, ends, or is no longer available;

WHEREAS, Section 2.5 of the Interlocal Agreement states that the program shall be terminated only when the legislative authorities of the Parties determine that they no longer wish to participate in the Regional Septic Loan Program;

WHEREAS, the Washington State Department of Ecology has since developed a statewide Regional Septic Loan Program;

WHEREAS, the Interlocal Agreement is no longer necessary to implement the Regional Septic Loan Program after the Centennial Clean Water Program Grant and Clean Water Act Revolving Fund loan ("Revolving Fund Loan"), attached as Exhibit B to the Interlocal Agreement, is fully repaid;

WHEREAS, the Revolving Fund Loan is anticipated to be repaid in full by June 30, 2022;

WHEREAS, no agreement regarding payment of financial responsibilities, collection of loans, division of remaining funds, and ongoing implementation of the program is necessary; and

WHEREAS, the parties have now mutually agreed to terminate effective thirty (30) days after the Revolving Fund Loan is fully repaid.

AGREEMENT

NOW, THEREFORE, the parties agree that the Interlocal Agreement shall terminate thirty (30) days after the last loan repayment of the Revolving Fund Loan. Close-out of the Revolving Fund Loan means the loan has reached maturity and is fully repaid to the Washington State Department of Ecology.

The Agreement is effective upon approval and execution by the parties.

Executed this 5 day of July, 2022

Executed this ___ day of ___, 2022

Clallam County

Jefferson County

Board of County Commissioners

By: [Signature] 7/19/22

By: _____

Title: maru ozias, chair

Title: Heidi Eisenhour, Chair

Board of Clallam County Commissioners

Executed this ___ day of ___, 2022

Executed this ___ day of ___, 2022

Mason County

Kitsap County

By: _____

By: _____

Title: _____

Title: _____

Executed this ___ day of ___, 2022

Kitsap Public Health District

By: _____

Title: _____

Approved as to form only by:

[Signature]
Elizabeth Stanley
Civil Deputy Prosecuting Attorney
Clallam County

Approved as to form only:

[Signature] December 9, 2022
Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney
Jefferson County