

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Mark McCauley, County Administrator

From: Monte Reinders, Public Works Director/County Engineer 

Agenda Date: March 20, 2023

Subject: Updating County Right-of-Way Procedures

Statement of Issue: Public Works requests approval of the attached Resolution adopting updated County Right-of-Way Procedures.

Analysis/Strategic Goals/Pro's & Con's: Washington State Department of Transportation ("WSDOT") requires local jurisdictions to update their Right-of-Way Procedures ("ROW Procedures") at least once every three years. Jefferson County last updated its ROW Procedures in 2011 and updated its Appraisal Waiver Procedures separately in 2014. The proposed ROW Procedures incorporate Appraisal Waiver Procedures and Administrative Settlement authority in one document. As required by WSDOT, the updated ROW Procedures now identify staff by name, rather than by position, for Program Administration, Acquisition, Appraisal, Relocation and Property Management.

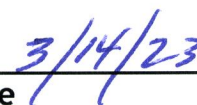
Fiscal Impact/Cost Benefit Analysis: For the most part, the updated ROW Procedures adopt previously-set monetary limits for staff to acquire right-of-way, to reach administrative settlements and to waive appraisals. The updated ROW Procedures set a new minimum payment policy of \$500 and add a dollar limit as well as a percentage increase under Administrative Settlement authority for each position.

Recommendation: Public Works requests the Board sign the attached Resolution incorporating the updated ROW Procedures and return it to Public Works for further processing. The updated ROW Procedures will not become effective until signed by the County's Local Program Right-of-Way Manager at WSDOT.

Department Contact: Colette Kostelec, P.E., Right-of-Way Representative, 385-9218.

Reviewed By:


Mark McCauley, County Administrator


Date

STATE OF WASHINGTON

County of Jefferson

In the Matter of Updating Right-of-Way
Acquisition Procedures and Replacing
Jefferson County Resolution No. 05-11 and
Superseding Previously-Adopted Appraisal
Waiver Procedures

RESOLUTION NO. _____

WHEREAS, Jefferson County adopted its most recent Right-of-Way Acquisition Procedures (ROW Procedures) in 2011, and;

WHEREAS, Jefferson County's Updated Appraisal Waiver Procedures were approved by the Washington State Department of Transportation (WSDOT) in 2014 at which time WSDOT also acknowledged the 2011 ROW Procedures were still in effect, and;

WHEREAS, current WSDOT rules require ROW Procedures to be updated every three years, and

WHEREAS, Jefferson County desires to continue to acquire real property in accordance with the State Uniform Relocation Assistance and Real Property Acquisition Act (Ch. 8.26 RCW) and State regulations (Ch. 468-100 WAC) and applicable Federal Regulations, and;

WHEREAS, the following Right-of-Way Procedures, including the appointment of staff responsible for various elements of the right-of-way acquisition process, replace Jefferson County Resolution 05-11 and supersede previously-adopted Appraisal Waiver Procedures,

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Commissioners that the following Right-of-Way Procedures, attached hereto and incorporated by reference as "Attachment 1" to this resolution, governing the County's acquisition of real property, are hereby adopted and effective as of the date of WSDOT approval and signature.

(SIGNATURES ON NEXT PAGE)

APPROVED AND ADOPTED this _____ day of _____, 2023 in Port
Townsend, Washington.

SEAL:

JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

Kate Dean, District 1

ATTEST:

Heidi Eisenhour, District 2

Carolyn Gallaway
Clerk of the Board

Greg Brotherton, District 3, Chair

ATTACHMENT 1

JEFFERSON COUNTY

RIGHT-OF-WAY PROCEDURES

Jefferson County (Agency), needing to acquire real property (obtain an interest in and/or possession of) in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act and applicable federal regulations (49 CFR Part 24) and state law (Ch. 8.26 RCW), and state regulations (Ch. 468-100 WAC) hereby adopts the following procedures to adhere to all applicable laws, statutes, and regulations. The Agency is responsible for the real property acquisition and relocation activities on projects administered by the Agency and must acquire right of way (ROW) in accordance with the policies set forth in the Washington State Department of Transportation Right of Way Manual M 26-01 and Local Agency Guidelines (LAG).

Below is a list of Agency staff, by names and position titles, that are qualified to perform specific ROW functions. Attached to these procedures are resumes for everyone listed within these procedures which provide a summary of their qualifications. The procedures shall be updated whenever staffing changes occur. Updates for staffing-only changes may be approved by the Public Works Director. The three-year updates of these procedures shall be reviewed and approved by the Board of County Commissioners.

1. a. The Agency has the staff with the knowledge and experience to accomplish the following ROW Disciplines:

- i. **PROGRAM ADMINISTRATION:**

Oversee delivery of the ROW Program on federal aid projects for the Agency. Ensures ROW functions are carried out in compliance with federal and state laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Ensures Agency's approved ROW Procedures are current, including staff qualifications, and provides copies to consultants and Agency staff;
- Oversight of ROW consultants;
 - use of consultant contract approved by WSDOT
 - management of ROW contracts
 - management of ROW files
 - reviews and approves actions and decisions recommended by staff & consultants

- Overall responsibility for decisions that are outside the purview of consultant functions
- Sets Just Compensation prior to offers being made;
- Oversight and approval of Administrative Offer Summaries (AOS) per policy;
- Oversight and approval of Administrative Settlements per policy;
- Ensure Agency has a relocation appeal process in place prior to starting relocation activities;
- Obligation authority for their Agency;
- Obtain permits (Non-Uniform Relocation Act (URA));
- Ensures there is a separation of functions to avoid conflicts of interest;
- Verifies whether ROW is needed, and that the property rights and/or interests needed are sufficient to construct, operate and maintain the proposed projects (see LAG Appendix 25.174, 25.175, & 25.176).

Monte Reinders, P.E., Public Works Director/County Engineer

Eric Kuzma, Asst. Public Works Director, Engineering Services Manager

Mark Thurston, P.E., Project Manager, Engineer IV

John Wayand, Project Manager, Engineer III

John Fleming, P.E., Project Manager, Engineer III

Bruce Patterson, P.E., Project Manager, Engineer III

Colette Kostelec, P.E., J.D., Right-of-Way Representative, Engineer III

Note: Staff identified above under Program Administration have completed the eLearning *Administrative Settlement* and *No ROW Verification* training available at <http://www.wsdot.wa.gov/LocalPrograms/ROWServices/Training.htm>

ii. APPRAISAL

Prepare and deliver appraisals on federal aid projects for the Agency. Ensures that appraisals are consistent and in compliance with state and federal laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Use only qualified agency staff approved by WSDOT to perform appraisal work;
- Use Appraiser from WSDOT's Approved Consultant List if Agency does not have qualified staff;

- Prepare ROW Funding Estimate (not required to be completed by an appraiser & only when there are federal funds in the ROW Phase);
- Prepare AOS;
- Obtain specialist reports;
- Coordinate with engineering, program administration, acquisition, relocation, and/or property management as necessary.

Contract with Qualified Consultant.

iii. APPRAISAL REVIEW:

Review appraisals on federal aid projects for the Agency to make sure they are adequate, reliable, have reasonable supporting data, and approve appraisal reports. Ensures appraisals are adequately supported and represent fair market value and applicable costs to cure and are completed in compliance with state and federal laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Use only qualified agency staff approved by WSDOT to perform appraisal review work;
- Use review appraiser from WSDOT's Approved Consultant List if agency does not have qualified staff;
- Ensures project wide consistency in approaches to value, use of market data, and costs to cure;
- Coordinate with engineering, program administration, acquisition, relocation, and/or property management as necessary.

Contract with Qualified Consultant.

iv. ACQUISITION:

Acquire, through negotiation with property owners, real property, or real property interests (rights) on federal aid and other projects for the Agency. Ensures acquisitions are completed in compliance with federal and state laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Use only qualified staff to perform acquisition activities for real property or real property interests, including donations;

- To avoid a conflict of interest, when the acquisition function prepares an AOS, only acquires property valued at \$10,000 or less;
- Provide and maintain a comprehensive written account of acquisition activities for each parcel;
- Prepare AOS justification and obtain approval;
- Prepare Administrative Settlement and obtain approval;
- Prepare Right of Way Funding Estimate (when there are federal funds in the ROW Phase);
- Review title, and recommend and obtain approval for acceptance of encumbrances;
- Ensure acquisition documents are consistent with ROW plans, valuation, and title reports;
- Provide a negotiator disclaimer;
- Maintain a complete, well organized parcel file for each acquisition;
- Coordinate with engineering, program administration, appraisal, relocation, and/or property management as necessary.

Eric Kuzma, Asst. Public Works Director, Engineering Services Manager

Mark Thurston, P.E., Project Manager, Engineer IV

John Wayand, Project Manager, Engineer III

John Fleming, P.E., Project Manager, Engineer III

Bruce Patterson, P.E., Project Manager, Engineer III

Colette Kostelec, P.E., J.D., Right-of-Way Representative, Engineer III

Note: Staff identified above under Acquisition have completed the eLearning *Administrative Settlement* training available at

<http://www.wsdot.wa.gov/LocalPrograms/ROWServices/Training.htm>

v. RELOCATION:

Provide relocation assistance to occupants of property considered displaced by a federally funded projects for the Agency. Ensures relocations are completed in compliance with federal and state laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Prepare and obtain approval of relocation plan prior to starting relocation activities;

- Confirm relocation appeal procedure is in place;
- Provide required notices and advisory services;
- Make calculations and provide recommendations for Agency approving authority prior to making payment;
- Provide and maintain a comprehensive written account of relocation activities for each parcel;
- Maintain a complete, well organized parcel file for each displacement;
- Ensure occupants and personal property is removed from the ROW;
- Coordinate with engineering, program administration, appraisal, acquisition, and/or property management as necessary.

Contract with Qualified Consultant.

vi. PROPERTY MANAGEMENT:

Establish property management policies and procedures that will assure control and administration of ROW, excess lands, and improvements acquired on federal aid projects for the Agency. Ensures property management activities are completed in compliance with federal and state laws, regulations, policies, and procedures.

Responsibilities/Expectations:

- Account for use of proceeds from the sale/lease of property acquired with federal funds on other title 23 eligible activities;
- Keep ROW free of encroachments;
- Obtain WSDOT/FHWA approval for change in access control along interstate;
- Maintain property records;
- Ensure occupants and personal property is removed from the ROW;
- Maintain a complete, well organized property management file;
- Coordinate with engineering, program administration, appraisal, acquisition, and/or property management as necessary.

Monte Reinders, P.E., Public Works Director/County Engineer

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Colette Kostelec, P.E., J.D., Right-of-Way Representative, Engineer III

- b. Any functions for which the Agency does not have qualified staff, the Agency will contract with another local agency with approved procedures, a qualified consultant, or the WSDOT. An Agency that proposes to use qualified consultants for any of the above functions will need to work closely with their ROW Local Agency Coordinator (LAC) and Local Programs to ensure all requirements are met. When the Agency proposes to have staff approved to negotiate who have limited experience in negotiation for FHWA funded projects, the LAC must be given an opportunity to review all offers and supporting data prior to offers being made to the property owners.
 - c. The Agency's Administrative Settlement Procedures indicating the approval authorities and the procedures involved in making administrative settlement is included with these procedures as Exhibit A.
 - d. The Agency, wishing to take advantage of the AOS process for properties valued at \$25,000 or less, has included an Appraisal Waiver Policy with these procedures as Exhibit B.
- 2. All projects shall be available for review by the FHWA and WSDOT at any time and all project documents shall be retained and available for inspection during the plan development, ROW, construction stages, and for a three-year period following acceptance of the projects by WSDOT.
 - 3. Approval of the Agency's procedures by WSDOT Local Programs may be rescinded at any time the Agency is found to no longer have qualified staff or is found to be in non-compliance with the regulations. The rescission may be applied to all or part of the functions approved.



Monte Reinders, P.E.

Jefferson County Public Works
Director/County Engineer

Date

3/10/23

Washington State Department of Transportation

Approved By:

Local Programs Right of Way Manager

Date

Exhibit A

Jefferson County's Administrative Settlement Policy

Jefferson County (Agency) shall make every reasonable effort to expeditiously acquire real property by negotiation. However, the purchase price for the property may exceed the amount offered as just compensation when reasonable efforts to negotiate an agreement at that amount have failed and the Agency approves an Administrative Settlement as being reasonable, prudent, and in the public interest. An Administrative Settlement is a negotiated settlement of a right-of-way acquisition case in which the Agency has administratively approved payment in excess of the Agency's offer of just compensation. Administrative Settlements are a valuable tool for avoiding litigation (thus relieving congestion in the courts) and avoiding project construction schedule delays. The following nonexclusive factors shall be considered in determining whether to pursue an Administrative Settlement:

1. All available appraisals, including the property owner's, comparable sales not included in an appraisal, and changes in the real estate market since the appraisal was completed.
2. Ability of the Agency to acquire the property through the condemnation process.
3. Impact of construction delays.
4. Parcel-specific information and owner's rationale for increased compensation.
5. Recent court awards in cases involving similar acquisition and appraisal disputes.
6. Opinion of legal counsel, when appropriate.
7. Trial costs weighed against other factors.

The authority granted to County officials to provide Administrative Settlements is as follows:

- A. Right-of-Way Representative – authorized to make a counter-offer of Just Compensation plus an Administrative Settlement not to exceed 20% of the Just Compensation value, or a total counteroffer of \$5,000, whichever is greater.
- B. Project Manager – authorized to make a counter-offer of Just Compensation plus an Administrative Settlement not to exceed 30% of the Just Compensation value, or a total counteroffer of \$10,000, whichever is greater.
- C. Public Works Director/County Engineer - authorized to make a counter-offer of Just Compensation plus an Administrative Settlement not to exceed 50% of the Just Compensation value, or a total counteroffer of \$25,000, whichever is greater.
- D. Board of County Commissioners - authorized to make a counter-offer of Just Compensation plus an Administrative Settlement in excess of 50% of the Just Compensation value.



Monte Reinders, P.E.
Jefferson County Public Works Director/ County Engineer

3/10/23
Date

Washington State Department of Transportation
Approved By:

Local Programs Right of Way Manager

Date

EXHIBIT B
Waiver of Appraisal
Jefferson County's Administrative Offer Summary (AOS) Procedures

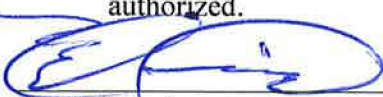
Jefferson County (Agency), desiring to acquire Real Property according to 23 CFR, Part 635, Subpart C and State directives, and desiring to take advantage of the \$25,000.00 appraisal waiver process approved by the Federal Highway Administration (FHWA) for Washington State, hereby agrees to follow the procedure approved for the Washington State Department of Transportation (WSDOT) as follows:

Rules

- A. The Public Works Department may elect to waive the requirement for an appraisal if the acquisition is simple and the compensation estimate indicated on the ROW Funding Estimate is \$25,000.00 or less including cost-to cure items.
- B. The Public Works Department must make the property owner(s) aware that an appraisal has not been completed on the property for offers \$10,000 or less.
- C. The Public Works Department must make the property owner(s) aware that an appraisal has not been completed on the property for offers over \$10,000 and up to \$25,000, and that an appraisal will be prepared if requested by the property owner(s).
- D. Special care should be taken in the preparation of the AOS as no review is mandated, the preparer needs to assure that the compensation is fair and that all the calculations are correct.

Procedures

- A. An AOS is prepared using comparable sales found at the time of preparation or relevant appraisals performed for other property.
- B. The Agency's minimum payment policy is \$500.
- C. The AOS is approved by the Agency staff listed under Program Administration within these Right of Way Procedures. Upon signature, a first offer to the property owner(s) is authorized.



Monte Reinders, P.E.
Jefferson County Public Works Director/ County Engineer

3.10.23

Date

Washington State Department of Transportation
Approved By:

Local Programs Right of Way Manager

Date

STAFF RESUMES

Monte Reinders, P.E.

CONTACT INFORMATION

Jefferson County Public Works
623 Sheridan Street
Port Townsend, WA 98368
360-385-9160 (main office) / 360-385-9242 (direct) / 360-531-0163 (cell)
mreinders@co.jefferson.wa.us

EDUCATION

B.S. Civil Engineering, California Polytechnic University, 1991
WA State Civil Engineering P.E. #34444, 1997

EMPLOYMENT HISTORY

2014 – Present: *Public Works Director/County Engineer*, Jefferson County
Public Works, Port Townsend, WA
2004 – 2014: *County Engineer*, Jefferson County Public Works
1998 – 2004: *Engineer III*, Jefferson County Public Works
1997 – 1998: *Geotechnical Engineer*, Giles Engineering, Lynnwood, WA
1991 – 1997: *Geotechnical E.I.T.*, AGRA Engineering, Inc., Kirkland, WA

CURRENT JOB RESPONSIBILITIES

Mr. Reinder's responsibilities while employed at Jefferson County have included all aspects associated with managing and designing public works road projects and sewer utility projects. Duties include budgeting, funding, roadway design, environmental permitting, right of way acquisition, construction inspection, and consultant management. As the Jefferson County Engineer for 20 years, has overseen the transportation program, effectively leveraging limited local funding with federal and state grants and programs to accomplish a wide variety of priority projects. As the Public Works Director for nearly 10 years, has also overseen additional Public Works programs including Solid Waste Management, Parks and Recreation, and Sewer Planning and Construction.

PROJECT EXPERIENCE

Irondale Road Improvements: Widening and reconstruction of 0.80 miles of a rural major collector. Project also included replacement of a PUD water main for the entire length of the project and construction of a structural earth wall. Project manager responsible for funding, consultant management, budget, and construction management / inspection. Responsible for right of way acquisition from nearly 40 adjacent property owners. Project funding included STP (federal) and RAP (state). WSDOT Local Programs stated at the project end that the files were a "model" of how a project should be done.

Lindsay Hill Road Repair: Repaired landslide damage that threatened to close the only county road access to dozens of homes. Repair included 400 feet of soldier pile wall with drilled tie backs as well as welded HDPE slope drains each several hundred feet long. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owners, and construction management / inspection. Project funding was a loan from the Public Works Trust Fund Board.

Undi Road Bypass: A major landslide triggered by unstable glacial soils undercut by river action at the toe threatened to cut off the only access to homes. Mr. Reinders quickly determined that the only feasible option to maintain access was to construct an entirely new road over a ridge and abandon the road along the river. This project included upgrading over a mile of primitive logging road and constructing another 0.7 miles of entirely new road through steep, rugged terrain. The decision to construct this road was made in April. PS&E was completed by Mr. Reinders and an in-house engineer by June. Bid award was in mid-July and construction started August 1 and wrapped up November 15. The project involved 25,000 cubic yards of cut/fill with cut slopes up to 40 feet high as well as two large culverts. Right of way was acquired from WA DNR and also from a private timberland owner. At the outset of construction, funding was still local which would have placed a significant strain on County finances for years to come. By the project end, Mr. Reinders, working with State EMD, had secured FEMA funding to cover 90% of the costs. A month after the project was completed, the old road completely failed and is nearly unrecognizable today.

Upper Hoh Road Repairs (Various mileposts and years): Over the course of 25 years, Mr. Reinders has been involved in numerous repairs to the problematic Upper Hoh Road that serves Olympic National Park. Repairs include rip rap bank revetments, culvert replacements, landslide repairs, and debris removal. Duties have included all aspects from project management, construction management, funding management, environmental permitting, and emergency response. Mr. Reinders was a key member of a local, state, and federal task force assembled to find solutions for this important road. A series of meetings and working relationships resulted in over \$20 million in FLAP funds being directed to proactive actions to protect access to the ONP Hoh Rainforest.

Cassel Creek Bridge, Oil City Rd. MP 7:

A culvert failure under a high fill threatened to cut off the only access to homes on the Oil City Road. A 3-span steel bridge was acquired under an emergency declaration and installed using force account methods. Mr. Reinder's duties included surveying and construction staking and contract management and project inspection. The bridge was installed before complete road failure ensuring uninterrupted resident access. Subsequently, 12,000 cubic yards of fill material was removed from the creek, and fish passage was restored.

Port Hadlock Sewer: Mr Reinders has been in charge of this project since 2012. This project will construct a public wastewater treatment plant and sewer collection system in a community that does not have any sewer infrastructure. Duties include managing consultants to complete studies and facility plans and oversee staff acquiring large parcels for future facility siting. In 2021 funding was obtained to complete final design and permitting. With additional funding secured in 2022, the project is moving into construction. Numerous easements for collection system lines are being obtained by Public Works staff for this project. The project is over \$30 million and includes funding from both State and Federal sources.

Eric Kuzma

CONTACT INFORMATION

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Port Townsend, WA 98368
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ekuzma@co.jefferson.wa.us

EDUCATION

Bachelor of Architecture, Syracuse University, 1997
Metaphysics and Epistemology Minor, Syracuse University, 1997

LICENSE

WA State Architect. #9898, 2009

EMPLOYMENT HISTORY

2015 - Present: *Assistant Public Works Director/ Engineering Services Manager*, Jefferson County Public Works, Port Townsend, WA
2013 – 2015: *Engineer III*, Jefferson County Public Works
2010 – 2013: *Vice President*, Terrapin Architecture, Port Townsend, WA
2005 – 2010: *Owner/Principal*, PT Design, Port Townsend, WA
2001 – 2005: *Lead Designer/Project Manager*, Richard Berg Architects, Port Townsend WA

CURRENT JOB RESPONSIBILITIES

Mr. Kuzma's responsibilities while employed with Jefferson County include organizing, planning, managing, budgeting, and directing the Engineering Division of the County Public Works Department. The above listed responsibilities require grant acquisition and management, design, permitting, consultant management, real estate acquisition, public outreach, and construction management. Position closely coordinates with, and in the absence of fulfills the duties of, the Public Works Director/County Engineer. In this role, duties include organizing, planning, administration, and coordination of all Public Works functions including but not limited to County Road Maintenance, Solid Waste, Parks and Recreation, Flood/Stormwater Management, and other capital improvement projects.

PROJECT EXPERIENCE

Jefferson County 6-Year Transportation Improvement Program (TIP):
Develops annual TIP and oversees all projects included therein. Implementation of included projects include, grant acquisition, public outreach, stakeholder coordination, design/engineering, permitting, right-of-way acquisition, bidding, construction management, and project close out.
<https://www.co.jefferson.wa.us/444/6-Yr-TIP>

Quilcene Complete Streets – Pedestrian and Bicycle Program Project:
The project, funded by a WSDOT Pedestrian and Bicycle Program grant, will provide the Quilcene community with enhanced pedestrian crossings, sidewalks, and bicycle lanes along Highway 101 thru the Quilcene center. To date, project includes project management, significant public outreach, design/engineering, permitting, and right of way acquisition. Project is ongoing.

Jefferson Universal Movement Project (JUMP!): The project, funded by a an RCO grant, Jefferson County, and private donations, is Jefferson County's first fully accessible and inclusive playground. The playground, situated in the County's HJ Carroll Park, was designed to provide play opportunities for all children regardless of ability. Project included project management, design/engineering, permitting, construction management, and volunteer coordination. Phase I was completed in 2022.

Wally Bowman Bridge - Salmon Creek Project: The project, funded by RCO and USFWS grants, lead to the construction of new 80 ft. long bridge to correct a fish barrier culvert. Project included project management, design/engineering, permitting, right of way acquisition, and construction management. Project was completed in 2018.

Olympic Discovery Trail-South Discovery Bay Project: The project, funded with RCO grants, lead to the construction of a 3/4 mile long segment of pedestrian-bicycle trail along the Discovery Bay shoreline. Project included project management, significant stakeholder coordination, design/engineering, permitting, right of way acquisition, and construction management. Project was completed in 2017.

Chimacum Safe Routes to School Project: The project, funded by a WSDOT Safe Routes to School grant, improved safety for pedestrians and bicyclists accessing the Chimacum school campus. Project improvements included upgraded crosswalks, pedestrian activated warning signals, sidewalks, ramps, a multi-use trail, improved transit stops, school zone beacons, and additional signage. Project included project management, design/engineering, permitting, right of way acquisition, and construction management. Project was completed in 2015.

Mark Thurston

CONTACT INFORMATION

Jefferson County Public Works
623 Sheridan Street
Port Townsend, WA 98368
360-385-9160 (main office) / 360-385-9210 (direct) / 360-301-9255 (cell)
mthurston@co.jefferson.wa.us

EDUCATION

B.S. Civil Engineering, Washington State University, 1993

EMPLOYMENT HISTORY

1998 – Present: *Engineer IV / Project Manager*, Jefferson County Public Works, Port Townsend, WA
1993 – 1998: *Design Engineer*, Sitts & Hill Engineers, Inc., Tacoma, WA

CURRENT JOB RESPONSIBILITIES

Mr. Thurston's responsibilities while employed at Jefferson County have included all aspects associated with managing and designing public works road projects. Duties include budgeting, funding, surveying, roadway design, environmental permitting, right of way acquisition, construction inspection, and consultant management. Mr. Thurston has also been the County's lead bridge inspector since 2003.

PROJECT EXPERIENCE

Thorndyke Road MP 4.71 Culvert Replacement: Construction of a new bridge to correct a fish passage barrier near Port Ludlow, WA., Project manager responsible for funding, consultant management, budget, assisted in right of way acquisition from adjoining property owner, and construction management / inspection.

Wally Bowman Bridge, West Uncas Road: Construction of new bridge to correct a fish passage barrier near Discovery Bay, WA. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from three adjoining property owners, and construction management / inspection.

Upper Hoh Road MP 6.95 Culvert Replacement, Upper Hoh Road: Construction of new bridge to correct a fish passage barrier on a tributary to the Hoh River. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from two adjoining property owners, and construction management / inspection.

Upper Hoh Road MP 3.338 Culvert Replacement, Upper Hoh Road: Replacement of a failing culvert under a deep embankment by the pipe ramming method. Project manager responsible for funding, consultant management, budget, assisted in right of way acquisition from adjoining property owner, and construction management / inspection.

Dowans Creek Road Realignment

Realignment of 0.43 miles of county road away from a slide area. Project manager responsible for funding, budget, design, permitting, assisted in

acquiring new road right of way from DNR, and construction management / inspection.

Alder Creek Tributary Culvert Replacement, Upper Hoh Road:

Construction of new bridge to correct a fish passage barrier on a tributary to the Hoh River. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Andrews Creek Culvert Replacement, Snow Creek Road: Construction of new bridge to correct a fish passage barrier on Andrews Creek. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Spruce Creek Culvert Replacement, Upper Hoh Road: Construction of new bridge to correct a fish passage barrier on a tributary to the Hoh River. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Willoughby Creek Bridge Repair, Upper Hoh Road: Repair of an existing county bridge by installing a new sheet pile wall and riprap abutment protection. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Fossil Creek Stream Stabilization: Stream reconstruction in the vicinity of Barlow Bridge to control down-cutting and provide fish passage. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Barlow Bridge: Construction of new bridge to replace a failing bridge on a tributary to the Hoh River. Project manager responsible for funding, consultant management, budget, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

Upper Hoh Road MP 6.7 Log Jams: Construction of engineered log jams in the Hoh River to provide bank stabilization and mitigation for past river bank repairs. Project manager responsible for funding, budget, assisted with design and permitting, assisted in construction easement acquisition from adjoining property owner, and construction management / inspection.

C. John Wayand

CONTACT INFORMATION

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623 Sheridan Street
Port Townsend, WA 98368
360-385-9160 (main office) / 360-385-9377 (direct) / 360-301-9256 (cell)
jwayand@co.jefferson.wa.us

EDUCATION

A.A.S. Civil Engineering Technology, Green River Community College, 1977

EMPLOYMENT HISTORY

1994 – Present: *Engineer III / Project Manager*, Jefferson County Public Works, Port Townsend, WA
1992 – 1994: *Engineering Technician*, Parametrix, Inc., Bremerton, WA
1989 – 1992: *Engineering Technician*, David Evans & Associates, Silverdale, WA
1984 – 1989: *Engineering Technician*, Inca Engineers, Inc., Bellevue, WA
1979 – 1982: *Surveying Technician*, Clark & Associates, Port Angeles, WA
1977 – 1979: *Surveying Technician*, Peninsula Surveying, Inc., Port Townsend, WA

CURRENT JOB RESPONSIBILITIES

Mr. Wayand's responsibilities while employed at Jefferson County have included all aspects associated with managing and designing public works road projects. Duties include budgeting, funding, surveying, roadway design, environmental permitting, right of way acquisition, construction inspection, and consultant management.

PROJECT EXPERIENCE

Rick Tollefson Memorial Trail, Phase I: Construction of pedestrian-bicycle trail near Port Hadlock, WA., Project manager responsible for surveying, design, funding and budget, environmental permitting, assisted in right of way acquisition from adjoining property owners, and construction management / inspection.

Undie Road Emergency Relocation: Construction of new relocated road due to landslides, Project manager responsible for surveying, design, budget, assisted in construction easement acquisition from D,N,R, and construction management / inspection.

Queets Bridge Painting: bridge repainting, Project manager responsible for surveying, design, funding and budget, environmental permitting, assisted in construction easement acquisition from adjoining property owners, and construction management / inspection.

South Discovery Road Realignment, M.P. 4.0: Shifting of road away from failing bluff, Project manager responsible for surveying, design, funding and budget, environmental permitting, assisted in right of way acquisition from adjoining property owners, and construction management / inspection.

Prospect Avenue Right Turn Lane: Addition of right turn lane on Prospect Ave. at SR 19 intersection. Project manager responsible for surveying, design, funding and budget, environmental permitting, easement acquisition from Port of Port Townsend for right turn lane, and construction management / inspection.

Paradise Bay Road Improvement, Phases I & II: Roadway widening and overlay projects thru a "Master Plan Resort" zoned area. Project manager responsible for surveying, design, funding and budget, environmental permitting, right of way acquisition, and construction management / inspection. Both phases of this project have state funding (RAP).

South Discovery Road /R.R. Bridge Overcrossing Replacement: Removal of an obsolete timber trestle bridge over an abandoned railroad grade, installation of a 16 foot diam. underpass culvert for trail, and reconstruction and widening of roadway. Project manager for surveying, design, funding and budget, permitting, overseeing of right of way acquisition, and construction management / inspection. This project had both federal (BRAC) and state funding.

Old Gardiner Road: Roadway and bridge construction project to replace a washed out high fill roadway with a steel pile, concrete superstructure, and wood deck bridge. Duties included roadway design, construction plan and specification preparation, construction management, construction inspection.

West Egg & I Road: Rural roadway realignment. Duties included right of way negotiation and acquisition, design and surveying management, construction management, construction inspection.

John Scott Fleming

CONTACT INFORMATION

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EDUCATION

B.S. Mechanical Engineering, University of Massachusetts, Amherst 1986
Additional classwork in Soil Science, Electrical Engineering
Wetland Training Institute, Federal Way, WA 1994
Wetland Delineation
WA Environmental Training Center, Auburn, WA 1992
Water Distribution Manager; Wastewater Treatment Plant Operator
Century 21, Lacey, WA 1987
WA Real Estate Broker

LICENSES

Professional Engineer (Civil), Washington, #31207, 1994-Present
Real Estate Broker, Washington, (expired)

EMPLOYMENT HISTORY

2016 – Present: *Engineer III / Project Manager*, Jefferson County Public Works; Port Townsend, WA
2013 – 2016: *Solar Engineer*, Power Trip Energy, Port Townsend, WA
1994 – 2016: *Consulting Civil Engineer*; JSF Engineering, Port Angeles & Port Townsend, WA
1990 – 1998: *Civil Engineer*, Polaris Engineering & Surveying; Port Angeles, WA
1987 – 1987: *Real Estate Salesperson*, Century 21, Olympia, WA

CURRENT JOB RESPONSIBILITIES

Mr. Fleming's responsibilities while employed at Jefferson County have included all aspects associated with managing and designing public works projects, with emphasis on non-motorized trail projects. Duties include budgeting, preparation and presenting applications for grant funding, surveying, trail design, environmental permitting, *coordinate right of way acquisition*, construction inspection, consultant selection and management, development review for commercial and industrial projects, and *administering the WA State Recreation and Conservation Office (RCO) Manual 3, Acquisition Projects requirements on those projects funded by RCO.*

PROJECT EXPERIENCE

Right of Way, Design, & Construction for Olympic Discovery Trail (ODT)-Anderson Lake Connection: Project manager responsible for preliminary design for 3 miles of non-motorized trail, *coordinate right of way acquisition from 2 willing sellers (RCO Manual 3)*, grant funding application / presentation / management, design consultant advertising / selection / award / contract management.

Right of Way for Olympic Discovery Trail-West Discovery Bay:

Project manager responsible for survey, and *coordination of right of way acquisition of 0.8 miles of Old Pacific State Highway No. 9 from WA State Dept of Transportation (WSDOT), a willing seller.*

Right of Way & Route Study for Olympic Discovery Trail-

Eaglemount: Trail route selection process & documentation for closing the gap of 6 miles to complete the non-motorized trail between the Larry Scott Trail and the ODT in Discovery Bay. Project manager responsible for consultant selection, contract award, public outreach, advertising, route evaluation, summarize the necessary rights of way, presentation of recommendations, and *coordinate right of way acquisitions from 4 willing sellers (RCO Manual 3).*

Design & Permit for Solid Waste Transfer Station Office Building:

Project manager and engineer responsible for site evaluation, soils investigation, coordination with City of Port Townsend water extension, septic system design, plans and permit preparation, staking, construction management, inspection, commissioning, and certification.

Design & Construction for Larry Scott Trail Safety Improvements:

Project manager responsible for design and plan preparation for improving trail geometry, sight distance, staking, design, and construction management / inspection.

Review for City of Port Townsend Stormwater Infiltration Pond:

Development review and construction inspection of large stormwater facility for conformance with WA State Dept of Ecology Stormwater Management Manual for Western WA.

Right of Way & Construction for Olympic Discovery Trail-South

Discovery Bay: Construction of 0.75 miles pedestrian-bicycle trail along shoreline of Discovery Bay. Project manager responsible for bid package, advertising, contract award, surveying, and construction management / administration / inspection. *Coordinate acquisition of Trail Lease with WSDOT, and Land Use Agreement with WA Dept of Fish and Wildlife.*

Bruce D. Patterson

CONTACT INFORMATION

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623 Sheridan Street
Port Townsend, WA 98368
360-385-9160 (main office) / 360-385-9169 (direct) / 360-301-9026 (cell)
bpatterson@co.jefferson.wa.us

EDUCATION

B.S. Civil Engineering, University of Pittsburgh, 1971

LICENSES

Professional Engineer (Civil), Washington, #53577

EMPLOYMENT HISTORY

2016 – Present: *Engineer III / Project Manager*, Jefferson County Public Works, Port Townsend, WA
2006– 2016: *Prof. Eng/ Project Manager*, Porter Consulting Engineers, Meadville, PA
1989 – 2006: *Prof. Eng/Project Manager*, Northwest Engineers, Tidioute, PA
1988 – 1989: *Prof. Eng/Project Manager*, Wright-Pierce Engineers, Topsham, Maine
1971 – 1988: *Surveying and various Engineering positions* with Government agencies and private consultants in Alaska

CURRENT JOB RESPONSIBILITIES

Mr. Patterson's responsibilities while employed at Jefferson County have included all aspects associated with managing and designing public works road projects. Duties include budgeting, funding, surveying, roadway design, environmental permitting, right of way acquisition, construction inspection, and consultant management.

PROJECT EXPERIENCE

Road Departure Reduction (HSIP) Project: Design, contract document preparation and construction management for a county-wide highway safety improvement project.

Port Ludlow Culvert Lining Project: CIPP lining of deteriorating steel culverts, Project Manager responsible for design and construction management.

Naylor's Creek Culvert Replacements: Project manager responsible for surveying, design, funding, and environmental permitting, for replacing two fish barrier culverts on Naylor's Creek.

Ruby Creek Washout Repair: Construction inspection and management for the emergency replacement of a culvert washed out during a Federally declared disaster.

FEMA/Washington Emergency Management Coordination: Applications and coordination with FEMA and Washington Emergency Management Division for reimbursement after several federally declared disasters.

Center Road in Quilcene, Resurface and Restore Project: CRAB funded roadway resurface and restore project. Project manager responsible for surveying, design, funding and budget, environmental permitting, construction easement acquisitions, and construction management / inspection.

Colette M. Kostelec

CONTACT INFORMATION

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ckostelec@co.jefferson.wa.us

EDUCATION

Juris Doctor, University of Washington School of Law, 2005
B.Sc. Civil Engineering, Calif. State Univ., Chico 1985
B.A. Geology, Calif. State Univ., Chico 1981

LICENSES

Professional Engineer (Civil), Washington, #33515
Washington State Bar Association, #37151
Notary Public, Washington, #180599

EMPLOYMENT HISTORY (past 30+ years)

2022 – Present: *Engineer III/Right-of-Way Representative*; Jefferson County Public Works; Port Townsend, WA
2012 – 2022: *Attorney/Owner*; Kostelec Law Office; Port Townsend, WA
2003 – 2012: *Summer Intern/Associate Attorney*; Helsell Fetterman LLP; Seattle, WA
1998 – 2002: *Engineer/Owner*; Kostelec Engineering; Port Townsend, WA
1994 – 1998: *Contract Engineer/Development Review Engineer*; City of Port Townsend; Port Townsend, WA
1991 – 1994: *Superfund Project Manager*; U.S. Environmental Protection Agency Region IX, San Francisco, CA

CURRENT JOB RESPONSIBILITIES

Ms. Kostelec's responsibilities at Jefferson County Public Works include right-of-way related services including valuations, negotiations and acquisitions of easements and fee simple title, road vacations, quiet title review, research, franchises, permits and licenses.

PROJECT EXPERIENCE

Prepare Administrative Offer Summaries, Quit Claim Deeds, Real Estate Excise Tax affidavits for acquisitions of permanent and temporary easements for various public works projects.

Represented individuals and companies in real estate and land use transactions, litigation, arbitrations and mediations for ten years as a practicing solo attorney.

Represented sewer and water districts and rate payers in litigation related to municipal utility finances.

Prepared utility and street plans for real property development projects as solo practice engineer.

Reviewed development plans, co-authored engineering design standards, assisted City Attorney in revising utility and street codes as contract engineer/development review engineer for municipality.

San Fernando Superfund Site project manager – enforced Consent Decree between Lockheed, EPA and City of Burbank for remediation of groundwater contaminated with industrial solvents (volatile organic compounds); negotiated administrative order for remedial design involving 25 potentially responsible parties.