

**BEFORE THE BOARD OF COMMISSIONERS
PACIFIC COUNTY, WASHINGTON
1216 W. Robert Bush Drive
South Bend, Washington**

August 11, 2015, 2015

9:00AM or shortly thereafter

The Board of County Commissioners meeting will be called to order following the business of the Local Board of Health

ADDITIONAL AGENDA

ITEMS REGARDING DEPARTMENT OF PUBLIC WORKS

- 1) Consider award of the 227th Street Culvert Replacement project to Hill & Sons Excavating
- 2) Consider award of the Oldani/Nelson/Sienko Roads resurfacing project to Naselle Rock & Asphalt Co.
- 3) Consider approval of request to advertise and hire three temporary fair workers
- 4) Consider approval of Contract with Paradise Amusements

ITEMS REGARDING GENERAL BUSINESS

- 5) Vendor Claims
Warrants Numbered 128251 thru 128325 - \$708,099.02

The Board may add and take action on other items not listed on this agenda and order of action is subject to change.

The hearing facility is "barrier free" and accessible by those with physical disabilities. Aids will be provided upon request for those with language/speaking or hearing impediments, but requests need to be received at least five (5) business days prior to this hearing. Such requests may be filed in person at the Commissioners' Office at the address noted above or at 360/875-9337.



Board of Pacific County Commissioners
 P O Box 187 * 1216 W Robert Bush Dr * South Bend, WA
 98586 Phone 360/875.9337 * Fax 360/875.9335

Meetings are held the 2nd
 and 4th Tuesday of each
 month, beginning at 9 a.m.

REQUESTED MEETING DATE:

08/11/15

AGENDA REQUEST FORM

TO BE COMPLETED BY CLERK OF THE BOARD / DEPUTY CLERK OF THE BOARD

ADDL 1

Agenda Item #: _____

BOCC ACTION: APPROVED DENIED

Initial: _____

Date: _____

SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

NO ACTION TAKEN/WITHDRAWN

DEFERRED TO: _____

Review Clerk of the Board

Risk Mgmt

CONTINUED TO DATE: _____

TIME: _____

Legal Required

OTHER: _____

DISTRIBUTION LIST:

RF

Assessor

DPW

PACCOM

Superior Court

CF

Auditor

PCEMA

PC Fair

Treasurer

SEA

Clerk

Health

Prosecutor

Veg Mgmt

Civil Service

Juvenile

SDC

WSU Ext.

DCD

NDC

Sheriff

Other

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Department of Public Works

DIVISION (if applicable):

OFFICIAL NAME & TITLE: Mike Collins, Director/County Engineer

PHONE / EXT: 3368

SIGNATURE:

Michael Collins

DATE: 8/7/2015

NARRATIVE OF REQUEST

Award the 227th Street Culvert Replacement Project to Hill & Son Excavating.

Bids were received from Hill & Son Construction of Chinook in the amount of \$22,659.00 and from Jubilee Construction LLC of Long Beach in the amount of \$54,850.97; all bids include WA State sales tax.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Award of the 227th Street Culvert Replacement project to Hill & Son Excavating in the amount of \$22,659, including WA State sales tax, subject to adequate budget appropriations



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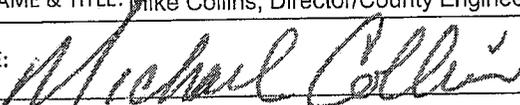
AGENDA REQUEST FORM

TO BE COMPLETED BY CLERK OF THE BOARD / DEPUTY CLERK OF THE BOARD.

| | |
|--|--|
| Agenda Item #: <u>ADDL 2</u> | |
| BOCC ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED | Initial: _____ Date: _____ |
| <input type="checkbox"/> SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS | Review <input type="checkbox"/> Clerk of the Board |
| <input type="checkbox"/> NO ACTION TAKEN/WITHDRAWN <input type="checkbox"/> DEFERRED TO: _____ | <input type="checkbox"/> Risk Mgmt |
| <input type="checkbox"/> CONTINUED TO DATE: _____ TIME: _____ | <input type="checkbox"/> Legal Required |
| <input type="checkbox"/> OTHER: _____ | |
| DISTRIBUTION LIST: | |
| <input type="checkbox"/> RF <input type="checkbox"/> Assessor <input type="checkbox"/> DPW <input type="checkbox"/> PACCOM <input type="checkbox"/> Superior Court | |
| <input type="checkbox"/> CF <input type="checkbox"/> Auditor <input type="checkbox"/> PCEMA <input type="checkbox"/> PC Fair <input type="checkbox"/> Treasurer | |
| <input type="checkbox"/> SEA <input type="checkbox"/> Clerk <input type="checkbox"/> Health <input type="checkbox"/> Prosecutor <input type="checkbox"/> Veg Mgmt | |
| <input type="checkbox"/> Civil Service <input type="checkbox"/> Juvenile <input type="checkbox"/> SDC <input type="checkbox"/> WSU Ext. | |
| <input type="checkbox"/> DCD <input type="checkbox"/> NDC <input type="checkbox"/> Sheriff <input type="checkbox"/> Other | |

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

| | |
|---|---------------------------|
| DEPARTMENT/OFFICE: Department of Public Works | DIVISION (if applicable): |
| OFFICIAL NAME & TITLE: Mike Collins, Director/County Engineer | PHONE / EXT: 3368 |
| SIGNATURE:  | DATE: 8/7/2015 |
| NARRATIVE OF REQUEST Award the Oldani/Nelson/Sienko Roads Resurfacing- HMA Prelevel to Naselle Rock & Asphalt Co. Bids were received from Naselle Rock & Asphalt Co of Naselle in the amount of \$133,440.00 and from Lakeside Industries Inc. of Centralia in the amount of \$146,892.80; all bids include WA State sales tax. | |
| RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board) | |

REQUESTED MEETING DATE:

08/11/15

AGENDA REQUEST FORM

TO BE COMPLETED BY CLERK OF THE BOARD / DEPUTY CLERK OF THE BOARD

ADDL 3

Agenda Item #: _____

BOCC ACTION: APPROVED DENIED

Initial: _____

Date: _____

SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

Review Clerk of the Board

NO ACTION TAKEN/WITHDRAWN

DEFERRED TO: _____

Risk Mgmt

CONTINUED TO DATE: _____

TIME: _____

Legal Required

OTHER: _____

DISTRIBUTION LIST:

- | | | | | |
|------------------------------|--|-----------------------------------|-------------------------------------|---|
| <input type="checkbox"/> RF | <input type="checkbox"/> Assessor | <input type="checkbox"/> DPW | <input type="checkbox"/> PACCOM | <input type="checkbox"/> Superior Court |
| <input type="checkbox"/> CF | <input type="checkbox"/> Auditor | <input type="checkbox"/> PCEMA | <input type="checkbox"/> PC Fair | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> SEA | <input type="checkbox"/> Clerk | <input type="checkbox"/> Health | <input type="checkbox"/> Prosecutor | <input type="checkbox"/> Veg Mgmt |
| | <input type="checkbox"/> Civil Service | <input type="checkbox"/> Juvenile | <input type="checkbox"/> SDC | <input type="checkbox"/> WSU Ext. |
| | <input type="checkbox"/> DCD | <input type="checkbox"/> NDC | <input type="checkbox"/> Sheriff | <input type="checkbox"/> Other |

AGENDA ITEM REQUEST

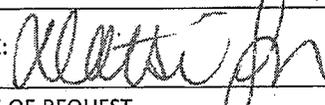
Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: DEPARTMENT OF PUBLIC WORKS

DIVISION (if applicable): FAIR

OFFICIAL NAME & TITLE: DOTSI GRAVES, FAIR MANAGER

PHONE / EXT: EXT 2288

SIGNATURE: 

DATE: 8/10/2015

NARRATIVE OF REQUEST

Fair requests permission to advertise and hire (3) three temporary fair workers for the week of August 24-29, 2015 at \$11 per hour.

RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board)

Approve advertising and hire of three temporary fair workers for August 24 through 29, 2015 at a rate of \$11/hour, subject to successful completion of background checks and adequate budget appropriations



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 month, beginning at 9 a.m.

REQUESTED MEETING DATE:

08/11/15

AGENDA REQUEST FORM

TO BE COMPLETED BY CLERK OF THE BOARD / DEPUTY CLERK OF THE BOARD

Agenda Item #: ADDL 4

BOCC ACTION: APPROVED DENIED

Initial: _____ Date: _____

SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

NO ACTION TAKEN/WITHDRAWN

DEFERRED TO: _____

Review Clerk of the Board

Risk Mgmt

CONTINUED TO DATE: _____ TIME: _____

Legal Required

OTHER: _____

DISTRIBUTION LIST:

- | | | | | |
|------------------------------|--|-----------------------------------|-------------------------------------|---|
| <input type="checkbox"/> RF | <input type="checkbox"/> Assessor | <input type="checkbox"/> DPW | <input type="checkbox"/> PACCOM | <input type="checkbox"/> Superior Court |
| <input type="checkbox"/> CF | <input type="checkbox"/> Auditor | <input type="checkbox"/> PCEMA | <input type="checkbox"/> PC Fair | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> SEA | <input type="checkbox"/> Clerk | <input type="checkbox"/> Health | <input type="checkbox"/> Prosecutor | <input type="checkbox"/> Veg Mgmt |
| | <input type="checkbox"/> Civil Service | <input type="checkbox"/> Juvenile | <input type="checkbox"/> SDC | <input type="checkbox"/> WSU Ext. |
| | <input type="checkbox"/> DCD | <input type="checkbox"/> NDC | <input type="checkbox"/> Sheriff | <input type="checkbox"/> Other |

AGENDA ITEM REQUEST

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

| | |
|---|---------------------------|
| DEPARTMENT/OFFICE: Fair | DIVISION (if applicable): |
| OFFICIAL NAME & TITLE: Dotsi Graves, Manager | PHONE / EXT: |
| SIGNATURE: | DATE: 8/10/2015 |
| NARRATIVE OF REQUEST Paradise Amusements has returned their Contract/Agreement for the county fair. | |
| RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board) Approve the 2015 Fair Contract and Agreement with Paradise Amusements to provide a carnival for the annual fair, subject to successful background check completion for all workers if not provided by Paradise | |

**2015 PACIFIC COUNTY FAIR CONTRACT AND AGREEMENT
BETWEEN PARADISE AMUSEMENTS AND PACIFIC COUNTY**

This Contract and Agreement is made and entered into this 5th day of August, 2015, by and between the Pacific County hereinafter referred to as the "COUNTY" and Paradise Amusements, LLC, hereinafter referred to as "PARADISE."

The COUNTY, in consideration for a percentage of PARADISE's net profits hereinafter set forth, agrees to allow PARADISE to operate amusement rides, games and concessions at the 2015 Pacific County Fair.

THE COUNTY AGREES TO:

1. Permit PARADISE to occupy the Pacific County Fairgrounds Midway August 26 – 29, 2015, inclusively. The Midway is defined as that field that has traditionally served as the Fair's Midway. This Midway will be clear of debris and any obstructions or obstacles that may prevent PARADISE concessions from being properly and safely operated, assembled and disassembled.
2. Permit PARADISE to be the exclusive provider of amusement rides as defined in RCW 67.42.010(2), amusement games as defined in RCW 9.46.201, and cotton candy, caramel apples and corn dogs.
3. Provide reasonable access to the midway before these dates for PARADISE to set up, and after these dates for Paradise to remove their equipment and clean the grounds.
4. Use reasonable safeguards against fire, theft and accidents. The COUNTY does not assume any liability for damages to goods or property of PARADISE arising from fire, theft, water, storm, flood, or earthquake, or any liability for accidents to persons or property caused under or by virtue of the operations of PARADISE under this Contract and Agreement.
5. Provide adequate potable water for PARADISE within 100 feet of the location of PARADISE's attractions, and portable toilets and trash containers available upon arrival of PARADISE.
6. Provide free gate admission for all employees, their traveling families and vehicles necessary for the transport and operation of PARADISE.
7. Provide adequate security during the fair as determined by the Pacific County Sheriff or his designee.

PARADISE AGREES TO:

8. Obey all Federal and State laws and regulations, including but not limited to RCW 67.42, 296-403A WAC, RCW 9.46, RCW 69.06, 246-215 WAC, 246-217 WAC and shall reasonably monitor the behavior of employees and subcontractors for legal compliance.
9. Have no employees working at the Fair who are required to register under RCW 9A.44.130.
10. Submit a list of employees working for PARADISE to the COUNTY. ~~PARADISE will conduct a Washington State Criminal Background check for list of employees by August 1, 2015, with background information available to the COUNTY upon request.~~ COUNTY may conduct a Washington State Criminal Background check for the list of employees submitted by PARADISE. Any PARADISE employee with a history of sex related crimes, drug dealing, or violent crimes will not be allowed to work at the Pacific County Fair.
11. Provide sufficient rides, at PARADISE's sole discretion, that fill the Midway.
12. Keep the Midway reasonably clear of debris and garbage during the contract period.
13. Leave the Midway in the state of cleanliness in which it was found.
14. Obtain the COUNTY'S written permission before assigning any right or privilege under this agreement.
15. Carry and maintain throughout the period of this Contract and Agreement comprehensive general liability insurance in the amount of \$5,000,000. Certificates demonstrating insurance coverage shall be furnished to the COUNTY prior to operation of the carnival under the executed Agreement. PARADISE shall also maintain statutory workers' compensation insurance and employer's liability insurance to cover employees and volunteers as required by state and federal law. All insurance required by this paragraph must be primary and non-contributory.
16. Assume full responsibility for payment of all federal, state and local taxes or contributions imposed or required under unemployment insurance, workman's compensation, social security and income tax laws, for PARADISE and any employees of PARADISE.
17. Indemnify COUNTY and all directors against all liability or loss sustained in connection with PARADISE's performance of this Contract and Agreement including any and all negligence and tortious conduct, and violations of any law, code or regulation.
18. Participate and assist with onsite promotions including the Special Wristband Day(s) Promotion. During the Wristband Promotion, wristbands shall be sold for \$20 each, entitling the wearer to unlimited rides on PARADISE's amusement rides on that day alone.

THE COUNTY AND PARADISE AGREE THAT:

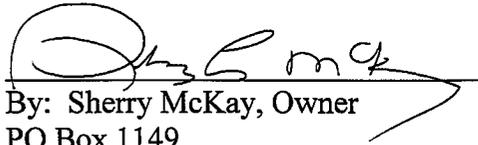
19. PARADISE is an independent contractor and is solely responsible for the work performed under this Contract and Agreement. PARADISE shall have exclusive control of the operations of all shows, riding devices, and concessions; the feature and character of which shall be satisfactory to COUNTY.
20. The COUNTY shall not allow any other amusement ride or amusement game (as previously defined) to operate at the Pacific County Fairgrounds within 60 days prior nor 30 days following the Fair.
21. If PARADISE is prevented from exhibiting or operating any of its shows or attractions OR if COUNTY is prevented from operating the Fair by an act of God, riot, strike, fire, war, blackout, or if by order or command of any of the military forces of the United States or Washington State, the regular ordinary course of business of PARADISE or COUNTY is curtailed, suspended, interrupted or interfered with and said PARTY thereby prevented from carrying on its usual course of business in whole or in part, then this Agreement or Contract at the option of either, shall become null and void and each PARTY released therefrom.
22. If any paragraph or sentence of this Contract and Agreement is held invalid, it is agreed that the balance thereof shall continue in full legal force and effect.
23. Parties agree that this Contract and Agreement shall be interpreted according to Washington State Law and the venue of any action shall be in the Superior Court for Pacific County, Washington. The prevailing party in any legal action shall be reimbursed for attorney fees and court costs by the other party.
24. At the completion of the contracted year 2015, there is to be a two (2) year extension period to this agreement, at which time any changes to this agreement must be exercised and executed through writing by the PARTIES. In the event that PARADISE or COUNTY fail to appear or perform within reasonable expectation for this contracted event, both parties reserve the right to cancel this Contract and Agreement. This cancellation must be invoked in writing, with valid explanation of the nonperformance, within 30 days after the conclusion of the Fair each year, and may be exercised by either party. Notice shall be accomplished by certified USPS mail with return receipt.

PAYMENT

25. PARADISE agrees to pay FAIR 20% from the sale of ride admission tickets AFTER deducting any government and/or state tax required by Federal and State Laws, if any, plus 5.5% liability insurance and 5.5% fuel surcharge. PARADISE also agrees to pay COUNTY \$20 for each game and food concession operated for the duration of the Fair. PARADISE agrees to provide COUNTY with an accounting of their receipts and taxes paid on the receipts with payment.

PARADISE AMUSEMENTS, LLC

PACIFIC COUNTY
BOARD OF COUNTY COMMISSIONERS



By: Sherry McKay, Owner
PO Box 1149
Coeur d'Alene, ID 83816
(208) 660-6829

Steve Rogers, Chairman

Lisa Ayers, Commissioner

Franke Wolfe, Commissioner

ATTEST:

Clerk of the Board

Date

COUNTY OF PACIFIC
VOUCHER APPROVAL TRANSMITTAL
VENDOR CLAIMS

The vouchers, hereinafter listed, have been audited and certified by the auditing officer as required by RCW 42.24.080 and those expenses/reimbursement claims have been certified as required by RCW 42.24.090 and have been recorded on the attached listing, which has been made available to the Board.

As of this date, August 11, 2015, the Board, by a unanimous/majority vote, does approve for payment, subject to adequate budget appropriations, those vouchers included in the attached list and further described as follows:

Vendors Claim Fund No. 692

128251 thru 128325 \$ 708,099.02

Warrants Dated: August 7, 2015

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

AUDITED:


Auditor/Deputy Auditor

Chairman

ATTEST:

Clerk of the Board

Commissioner

Commissioner

RECEIVED
PACIFIC COUNTY
AUG 10 2015
GENERAL ADMINISTRATION
BOARD OF COMMISSIONERS