

Chapter 136-12 WAC

STANDARDS OF GOOD PRACTICE—VACANCY IN POSITION OF COUNTY ENGINEER

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

136-12-040	Duties of acting county engineer. [Regulation 1, § 136-12-040, filed 12/13/67.] Repealed by Order 1, filed 7/17/68.
136-12-050	Construction during vacancy. [Regulation 1, § 136-12-050, filed 12/13/67.] Repealed by Order 1, filed 7/17/68.

WAC 136-12-010 Purpose and authority. The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county engineer in each county. This chapter specifies that the county legislative authority of each county shall employ a county road engineer on either a full-time or part-time basis, or by contracting with another county for the engineering services of a county road engineer; that he/she shall be a registered and licensed professional civil engineer under the laws of this state; that he/she shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he/she shall certify to the county legislative authority all bills with respect to county roads; that he/she shall keep complete public records of all road department activities; that he/she shall prepare plans and specifications for all construction work on the county road system.

[Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-010, filed 8/22/02, effective 9/22/02; WSR 99-01-021, § 136-12-010, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. WSR 96-17-013, § 136-12-010, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-010, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-010, filed 12/26/69; Regulation 1, § 136-12-010, filed 12/13/67.]

WAC 136-12-020 Procedure during vacancy. It is unavoidable that vacancies will occur from time to time in the position of county engineer. When a vacancy occurs in the office of county engineer due to resignation, retirement, death or for any other reason, the county legislative authority shall take immediate steps to find a replacement, either by promotion from within the organization if a competent and eligible person is available, or by advertisement for, and interview of, qualified applicants. The county legislative authority or county executive shall, in writing, by electronic email or official letter, within five working days, notify the

county road administration board of the vacancy, and of the procedure to be followed during the period of vacancy. The notice to the county road administration board shall state that the legislative authority or county executive has reviewed the requirements within this chapter.

[Statutory Authority: Chapter 36.78 RCW. WSR 14-17-035, § 136-12-020, filed 8/13/14, effective 9/13/14. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-020, filed 8/22/02, effective 9/22/02; WSR 99-01-021, § 136-12-020, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-020, filed 3/21/90, effective 4/21/90; Regulation 1, § 136-12-020, filed 12/13/67.]

WAC 136-12-030 Acting county engineer. If for any reason, it is impossible to employ a new county engineer immediately, the county legislative authority shall designate, by resolution, an acting county engineer for an interim period, not to exceed six months, except as provided in WAC 136-12-060. A copy of such resolution shall be forwarded to the county road administration board.

If the acting county engineer is not a licensed professional civil engineer, the legislative authority shall designate a licensed professional civil engineer to perform all engineering services during the interim period as required by chapter 18.43 RCW, and the acting county engineer shall perform only those functions of the office not requiring a professional civil engineer's license.

[Statutory Authority: Chapter 36.79 RCW. WSR 99-01-021, § 136-12-030, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-030, filed 3/21/90, effective 4/21/90; Order 25, § 136-12-030, filed 1/27/75; Order 1, § 136-12-030, filed 7/17/68; Regulation 1, § 136-12-030, filed 12/13/67.]

WAC 136-12-045 Notification of hiring. When final arrangements for the employment of a new county engineer have been made, the county legislative authority or the county executive shall, within five working days, notify the county road administration board in writing and shall include the following information: Name of new county engineer, Washington registration number, start date, and contact information, including an email address if available. In addition, the notification shall include a copy of the organization chart detailing the responsibilities of the county engineer.

[Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-045, filed 8/22/02, effective 9/22/02.]

WAC 136-12-060 Failure to comply. If notification is not received within the time frame established in WAC 136-12-045, the matter of the vacancy will be considered at the next regular meeting of the county road administration board. The county road administration board may require that all construction by county forces projects be shut down and/or that all distribution of gas tax funds to the county cease: Provided however, That it may continue to grant reasonable

extensions in the event the affected county can give adequate proof or demonstrate at the next regularly scheduled board meeting that a diligent effort has been made to secure the services of a qualified engineer.

[Statutory Authority: Chapter 36.78 RCW. WSR 09-23-044, § 136-12-060, filed 11/9/09, effective 12/10/09. Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-060, filed 8/22/02, effective 9/22/02; WSR 99-01-021, § 136-12-060, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-060, filed 3/21/90, effective 4/21/90; Regulation 1, § 136-12-060, filed 12/13/67.]

WAC 136-12-070 County engineer in counties that choose to employ a part-time county engineer or a contract county engineer. When the county legislative authority chooses to employ a county engineer on a part-time basis the terms of such employment shall be set forth in a contract adopted by resolution of the legislative authority. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of such resolution and contract shall be forwarded to the office of the county road administration board.

When the legislative authority chooses to contract with another county for services such contract shall be approved by resolution of both legislative authorities. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of the contract and both resolutions shall be forwarded to the office of the county road administration board. Any such contract shall be in accordance with the procedures of the Interlocal Cooperation Act, chapter 39.34 RCW.

[Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-070, filed 8/22/02, effective 9/22/02; WSR 99-01-021, § 136-12-070, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. WSR 96-17-013, § 136-12-070, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-070, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-070, filed 12/26/69.]

WAC 136-12-080 Assistant county engineer in counties with a part-time county engineer or a contract county engineer. When a legislative authority of a county chooses to employ a licensed professional civil engineer on a part-time basis or contract with another county for the services of its licensed professional civil engineer, it shall designate by resolution a full-time employee as assistant county engineer. In such cases, the designated assistant county engineer shall perform the day to day supervision of the road department under the county engineer in accordance with policies established by the legislative authority.

[Statutory Authority: Chapter 36.79 RCW. WSR 02-18-018, § 136-12-080, filed 8/22/02, effective 9/22/02. Statutory Authority: RCW 36.78.070 and 36.79.060. WSR 96-17-013, § 136-12-080, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.080. WSR 90-07-074 (Order 74), § 136-12-080, filed 3/21/90, effective 4/21/90; Order 13, § 136-12-080, filed 12/26/69.]