

Minutes for January 9, 2006

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064967 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **January 9, 2006** at **9:00 a.m.** G.R. Finch, Chairman, Greg Partch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

9:00 a.m. - Call to Order/Board Business/BOCC Workshop.

Present: Sharron Cunningham and Kelli Campbell.

064968 1. Items discussed included the Lacrosse swearing in ceremony and a legislative update. No action taken.

9:15 a.m. - Recess.

10:00 a.m. - Pledge of Allegiance.

Present: Adam Roberts.

D064968A 2. Motion by Commissioner Wigen to approve the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

064969 3. Claims/Payroll warrants numbered **185877-185905, 185936-185966** and **186040-186137** for **\$758,270.21** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	40,176.85
104	Developmental Services	4.07
110	County Roads	140.09
118	Inmate Welfare	12.87
132	Auditor's Document Preservation	56.64
134	Elections Reserve Fund	1,038.61
137	Web Site Development	48.84
138	Federal Equitable Sharing	140.62
300	Capital Projects	1,504.22
510	Photocopier Revolving	577.28
660	Whitcom-General-660.911.000	5,327.35
690	Clearing Fund 690.002.000	251,685.04
690	Clearing Fund 690.004.000	69,031.65
690	CAC Agency Svc.-690.026.010	9,746.78
ET	Electronic Transfer	378,779.30

064970 4. January 3, 2005 minutes approved.

064971-064972 5. Personnel board orders approved.

10:05 a.m. - Bob Reynolds and Thinh Nguyen.

064973 6. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to sign a letter to all cities, towns and taxing districts regarding the availability of the 2006 .08 funds application process.

064974 7. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the 2006-07 CDBG-PS grant contract #06-64006-011.

8. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to sign the following required documents for Community Action Center's 2006 CDBG-PS grant.

- 064975 Resolution for certification of compliance,
- 064976 HUD applicant/recipient disclosure/update report, and
- 064977 Minutes of 12/27/05 hearing.
- 064977A Affidavit of publication

RESOLUTION NO. 064975
RESOLUTION WITH CERTIFICATIONS OF COMPLIANCE
For CDBG Public Services Grant Only

WHEREAS, Whitman County is applying to the state Department of Community, Trade and Economic Development for funding assistance;

WHEREAS, it is necessary that certain conditions be met as part of the application requirements;

WHEREAS, Greg Partch, Chairman, Whitman County Commissioners is authorized to submit this application to the state of Washington on behalf of Whitman County

NOW, THEREFORE, be it resolved that Whitman County authorizes submission of this application to the state Department of Community, Trade and Economic Development to request \$195,315.00 to fund public service activities in coordination with Community Action Center and certifies that, if funded, it:

Will comply with applicable provisions of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable state and federal laws;

Has provided opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a)(2)(3) of the

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Housing and Community Development Act of 1974, as amended); has complied with all public hearing requirements and provided citizens, especially low- and moderate-income persons, with reasonable advance notice of, and the opportunity to present their views during the assessment of community development and housing needs, during the review of available funding and eligible activities, and on the proposed activities;

Has provided technical assistance to citizens and groups representative of low- and moderate-income persons that request assistance in developing proposals;

Will provide opportunities for citizens to review and comment on proposed changes in the funded project and program performance;

Will not use assessments against properties owned and occupied by low- and moderate-income persons or charge user fees to recover the capital costs of CDBG-funded public improvements from low- and moderate-income owner-occupants;

Will establish a plan to minimize displacement as a result of activities assisted with CDBG funds; and assist persons actually displaced as a result of such activities, as provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended;

Will conduct and administer its program in conformance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and will affirmatively further fair housing, (Title VIII of the Civil Rights Act of 1968); and

Has adopted (or will adopt) and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and has adopted (or will adopt) and implement a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction, in accordance with Section 104(1) of the Title I of the Housing and Community Development Act of 1974, as amended; and

Will provide, upon request, and prior to any obligation of funds being made, a complete and accurate CDBG Federal Funds Disclosure Report detailing the required applicant / grantee information, and as appropriate other government assistance provided or applied for, interested parties and expected sources, and uses of funds.

Whitman County designates Greg Partch the authorized Chief Administrative Official and authorized representative to act in all official matters in connection with this application and Whitman County's participation in the Washington State CDBG Program.

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Dated this 9th day of January 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

064978 9. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to sign a professional services polygrapher contract for Juvenile Services.

064979 10. Adam Roberts presented and recommended approval to purchase a monitor for the Prosecutor from the Asset Acquisition fund. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve a monitor for the Prosecutor's office as presented (\$358.41).

064980 11. The second Asset Acquisition request was for a new printer for the District Court Probation office. Repairs to the current printer would be very expensive for this low volume printer. Mr. Roberts recommended purchasing a new printer designed to print a higher volume. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to accept the recommendation to purchase a new printer for District Court Probation (\$804.59).

Commissioner Partch suggested Mr. Roberts check on the availability of using 1/10 of 1% funds for the above 2 purchases rather than using Asset Acquisition funds.

064981 12. The last request involves purchasing a new laptop for the Parks Director who would then pass his old laptop to one of the rangers for use in the field. The original request was for 2 separate laptops, but Information Services is recommending purchasing only one that the rangers can share. The commissioners agreed to table this item for workshop discussion.

13. The following E911 documents were approved for signing by Commissioner Partch, the county's representative on the Whitcom Board, after a **motion** by Commissioner Wigen **seconded** by Commissioner Partch and **carried**.

064982 Whitman County certification of eligibility,

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064983 Letter of non-supplanting, and
064984 Memorandum of understanding.

064985 14. A letter was received from Carleton B. Waldrop concerning the proposed Rural Residential ordinance and related planning issues.

064986 15. Information received from the Department of Ecology concerning required training for members of the Water Conservancy Board.

064987 16. Notice of liquor licenses due to expire April 30, 2006 was received from the Washington State Liquor Control Board.

064988 17. An executed copy of the deed and real estate excise tax affidavit for the CETC building was received.

D064988A 18. Commissioners' pending list reviewed.

10:30 a.m. - Bob Reynolds, Fair/Facilities Management.

Present: Tinh Nguyen.

064990 1. Mr. Reynolds said in accordance with the Service Master contract, a service performance review is required annually. In doing so, he has collected data from the different departments for suggestions, modifications or general evaluation of service performance. A majority of the responses have been very positive. He will be visiting with Service Master representatives on the 11th about personnel access, scheduling frequency of service, review of the building books, general performance evaluation, negotiating any modifications or adjustments and any necessary amendments. Commissioner Partch requested a workshop with Mr. Reynolds to discuss particulars.

064989A 2. A copy of a memo to all Facilities Management staff was received from Mr. Reynolds. The memo defines staff, inmates and public service workers responsibilities.

D064989B 3. The Director spoke about the heating/cooling system run times in county buildings and the associated extreme expense. After consultation with the mechanical contractor, the only way to relieve this expense is to limit running times. A moratorium was placed on the use of the Courthouse and Public Service Building during weekends other than those previously committed in 2005. It is now time to review the situation again and determine if this policy should be continued. With the addition of the CETC Building, there are other options available. The heating/cooling system in that building runs more efficiently as far as dollars/hour. Mr. Reynolds reminded the commissioner of the \$26,000 budget amendment for the utilities budget to operate the buildings in 2005. The Chairman suggested this item also be discussed in workshop.

10:50 a.m. - An extended recess was necessary due to computer server problems connected to the commissioners' recording system. Therefore, the remainder of the agenda was modified.

2:10 p.m. - Dane Dunford, Public Works Director.

Present: Mark Storey and Think Nguyen.

Action Items:

064990 1. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that we publish the notice of call for bids for pick-up, retread and/or repair and delivery of tires.

064991 2. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that we publish the notice of call for bids for oil and grease.

064992 3. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** that we publish the notice of hearing regarding the vacation of a portion of Airport Access Road #8580.

064993 4. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that the notice of intent (resolution) to vacate a portion of Airport Access Road #8580 and Directive to County Engineer be signed as presented.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON**

In the Matter of the Intent to)	
Vacate and Abandon a Portion)	RESOLUTION NO. <u>064993</u>
of the Colfax Airport Access)	
Road No. 8580 located at the)	
Colfax Airport in Sections 20)	
and 21, Township 16 North,)	INTENT TO VACATE AND
Range 43 East, W.M. in Whitman)	DIRECTIVE TO COUNTY ENGINEER
County, Washington)	FOR REPORT

WHEREAS, the Whitman County Board of County Commissioners considers useless, for the public, a portion of the Colfax Airport Access Road No. 8580 located at the Colfax Airport in the SE ¼ of Section 20 and the SW ¼ of Section 21, Township 16 North, Range 43 East, W.M., in Whitman County, Washington, known as the Colfax Airport Access Road No. 8580, and based on RCW 36.87.010 it is hereby declared the intention of the Board of County Commissioners of Whitman County, Washington, to vacate and abandon a portion of said Colfax Airport Access Road.

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WHEREAS, pursuant to RCW 36.87.040, before a final decision can be reached on said vacation, the Whitman County Engineer shall investigate and prepare a report on the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED that the portion of the Colfax Airport Access Road located at the Colfax Airport, in the SE ¼ of Section 20 and the SW ¼ of Section 21, Township 16 North, Range 43 East, W.M., in Whitman County, more particularly described as follows: All that portion of the Colfax Airport Access Road No. 8580 as established on April 12, 1971 that lies westerly of the following described line; Commencing at the southeast corner of lot 11 as shown on a plat of the Port Of Whitman County Heavy Airport Industrial Park at Colfax, filed under Whitman County Auditor's microfilm No. 612061; thence N 23° 11' 00" E a distance 141.02 feet, more or less, along the easterly boundary of said lot 11, to a point on the southerly boundary of said Colfax Airport Access Road No. 8580 and the Point of Beginning of said line; thence N 23° 11' 00" E, along said easterly boundary and the northeasterly extension of said easterly boundary, to a point on the northerly boundary of said Colfax Airport Access Road No. 8580 and the terminus of this line description, is preliminarily found to be of no use to Whitman County and that the vacation of said road may be in the best interest of Whitman County.

IT IS FURTHER RESOLVED that pursuant to RCW 36.87.040 the Whitman County Engineer shall investigate and prepare a report on the issue of vacating said Colfax Airport Access Road No. 8580.

IT IS FURTHER RESOLVED that this resolution be entered upon the minutes of this Board.

DATED at Colfax, Washington, this 9th day of January 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

2:30 p.m. - Fran Martin, Public Health/Emergency Management.

Present: Bev Welch and Think Nguyen.

064994 1. Director Martin and the Board reviewed a Policy and Procedures Presumptively Reasonable Distance Implementation draft with respect to Initiative 901, RCW 70.160-Tobacco and the 25' rule. The Prosecutor has reviewed the draft. The law says the police are responsible for individual smokers and the Health Department is responsible for buildings and building owners. A fee of \$100 would be assessed for each 25' variance application and the required on-site review. The draft also outlines the complaints procedures.

Ms. Martin understood there are some portions of the initiative going to the Attorney General for review, but as the law currently stands, she has no other option than to follow the law as written.

There being no further discussion, Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to adopt the policy and procedures for RCW 70.160 enforcement.

D064994A 2. As a result of the county assuming ownership of the CETC building January 1, 2006, Director Martin stated the CETC County Committee is meeting tomorrow to review draft bylaws and work out all financial and maintenance issues. Information Services has assisted in setting up fund numbers for the upcoming budget amendment to authorize budget authority for CETC revenues/expenditures.

D064994B 3. The former CETC Treasurer is requesting a letter/minutes stating as of January 1, 2006 all information pertaining to the CETC not under the grant has been transferred to Whitman County. Once permission is authorized from the grantor (USDA), all grant information and grant inventory will be transferred to the county.

064995 4. A resolution establishing a fund for the Community Education Training Center (CETC) was received from Ms. Martin. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the resolution as presented.

RESOLUTION NO. 064995
OF
THE BOARD OF WHITMAN COUNTY COMMISSIONERS
FOR WHITMAN COUNTY, STATE OF WASHINGTON

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on Monday, January 9, 2006; and

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington recognizes the need for a Community Education & Training Center fund to account for the transfer of ownership of the Community Education & Training Center Building in Colfax to Whitman County (Resolution No. 064807, dated December 5, 2005); and

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WHEREAS, the Board of County Commissioners believe that a separate fund is the proper procedure to account for the revenues and expenditures.

NOW, THEREFORE, IT IS HEREBY RESOLVED that a Community Education & Training Center Fund numbered 111.280.000 is hereby created.

PASSED, APPROVED AND ADOPTED this 9th day of January 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

3:00 p.m. - Sharron Cunningham, Administrative Services.

D064995A 19. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individual(s) until 3:20 p.m. for personnel matters.

3:20 p.m. - Return to Open Session/Adjourn.

D064995B Commissioner Partch **moved** to adjourn the **January 9, 2006** meeting. Motion **seconded** by Commissioner Wigen and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **January 17, 2006**. The foregoing action made this **9th** day of **January 2006**.

ss/ Greg Partch, Commissioner
ss/ LES WIGEN, Commissioner

MARIBETH BECKER, CMC
Clerk of the Board

G.R. FINCH, CHAIRMAN
Board of County Commissioners