

## Minutes for February 6, 2006

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**065081 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **February 6, 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: Kelli Campbell.

**065082 1.** Items discussed included personnel related matters and Senator Morton's water request. No action taken.

**9:15 a.m. - Recess.**

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

Present: Sharron Cunningham and Kelli Campbell.

**D065082A 2. Motion** by Commissioner Partch to approve the consent agenda. Motion **seconded** by Commissioner Wigen and **carried**.

**065083 3.** Claims/Payroll warrants numbered **186858-186960** for **\$313,161.47** approved.

| FUND | FUND NAME                         | AMOUNT     |
|------|-----------------------------------|------------|
| 001  | Current Expense                   | 39,119.48  |
| 102  | Building & Development            | 7.39       |
| 103  | Countywide Planning               | 146.47     |
| 110  | County Roads                      | 19.60      |
| 112  | Public Facilities Improvement     | 5,000.00   |
| 114  | Bulk Purchasing                   | 265.69     |
| 118  | Inmate Welfare                    | 604.38     |
| 119  | Emergency Services                | 8,689.00   |
| 127  | Drug Enforcement-Quad City        | 613.89     |
| 137  | Web Site Development              | 50.48      |
| 138  | Federal Equitable Sharing         | 3,000.00   |
| 300  | Capital Projects-300.010.003      | 6,000.00   |
| 400  | Solid Waste                       | 6,075.36   |
| 501  | Equipment Rental & Revolving      | 1,046.70   |
| 510  | Photocopier Revolving             | 452.63     |
| 511  | Unemployment Insurance            | 46.86      |
| 660  | Whitcom-General-660.911.000       | 68,703.43  |
| 660  | Whitcom-Grant Funding-660.911.001 | 15,112.21  |
| 690  | Clearing Fund-Medical 690.005.000 | 158,207.90 |

**065084 4.** January 30, 2006 minutes approved.

065085-065092 5. Personnel board orders approved.

10:05 a.m. - Eunice Coker and Think Nguyen.

065093 6. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve a notice calling for 2006-07 legal printing bids.

065094 7. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve signing a contract extension between Gary Hunt & Associates and Whitman County.

065095 8. Eunice Coker advised that the recording fees enacted by the legislature in 2005 can be included in the Document Preservation fund, therefore no separate fund is necessary and fund #131.060.00 can be eliminated. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve rescinding the Centennial Document Preservation fund.

**RESOLUTION NO. 065095**  
**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, February 6, 2006; and

WHEREAS, the Whitman County Auditor and the Director of Administrative Services agree that fund 131.060.000 - AUDITOR'S CENTENNIAL DOCUMENT PRESERVATION FUND is not necessary because fund 132.060.000 - DOCUMENT PRESERVATION FUND previously instituted will deal with any and all transactions for Centennial Document Preservation; and

WHEREAS, the Board of County Commissioners believes that the elimination of fund 131.060.000 will not affect the proper accounting for Whitman County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that fund 131.060.000 - AUDITOR'S CENTENNIAL DOCUMENT PRESERVATION FUND is rescinded.

PASSED, APPROVED AND ADOPTED this 6th day of February 2006.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
G.R. Finch, Chairman

ATTEST:

Greg Partch, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Les Wigen, Commissioner

**065096** 9. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to amend county commissioners' travel.

**RESOLUTION NO. 065096**

**AUTHORIZING COUNTY COMMISSIONERS TO SELECT THE METHOD OF PAYMENT FOR COUNTY-RELATED TRAVEL.**

WHEREAS, R.C.W. 42.24.090 recognizes the nature of county responsibilities and transportation requirements and authorizes specific payments for the use of private automobiles for official county travel; and,

WHEREAS, elected county commissioners and, where appropriate, appointed county commissioners have official duties and responsibilities that require the use of a county vehicle or reimbursement for the use of their private vehicles; and,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE WHITMAN COUNTY COMMISSIONERS THAT:

1. Any resolution on file herein inconsistent with policies announced henceforth in this document are hereby rescinded and repealed; and,
2. Each Whitman County Commissioner is authorized to use his/her private vehicle or a county provided vehicle for all official transportation. Provided however, that this resolution shall not require any current or future Whitman County Commissioner who so chooses to use a county vehicle at county expense in lieu of mileage reimbursement; and,
3. Mileage reimbursement travel shall be paid at the same rate authorized for all other county officials and employees commencing at the Whitman County Courthouse; and,
4. Each county commissioner operating under the mileage reimbursement method shall by April 1 of each year provide the county auditor with a certificate of automobile liability insurance in the minimum amount of \$100,000/\$300,000 and said certificate shall name Whitman County, Washington as an additional insured; and,
5. Each Whitman County Commissioner who so chooses may receive a monthly payment of \$600.00 in lieu of the use of any county vehicle or mileage reimbursement as full payment for all vehicle expenses incurred within Whitman County, Washington. In addition, any vehicle expenses incurred

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outside Whitman County, Washington will be reimbursed at the same rate authorized for all other county officials and employees commencing at the Whitman County Courthouse; and,

6. A communications system, either radio or telephone, shall be provided and maintained in each commissioner's vehicle by Whitman County, whether the commissioner chooses to use his/her private vehicle or a county vehicle for official transportation.

ADOPTED this 6th day of February 2006 and effective as of January 1, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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G.R. Finch, Chairman

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Greg Partch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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Les Wigen, Commissioner

**065097** 10. Pursuant to County Code regarding delegation of purchase orders, claims and payroll responsibilities, an authorization form was received from the Clearing Fund 690.005, signed by the Board and forwarded to the Auditor's office. **Motion** by Commissioner Partch **seconded** by Commissioner Wigen and **carried**.

**065098** 11. A letter of appreciation was received from Linda Kirk Fox, WSU Extension Dean and Director for the county's continued support.

**065099** 12. The commissioners received a letter from Harold and Anne Schultheis supporting them in their efforts in keeping Whitman County such a wonderful place.

**065100** 13. A copy of a letter sent to Teamsters Local #690 was received from the county's negotiator regarding contracting for registered dietician services within the Health Department.

**065101** 14. An executed copy of DCTED contract #06-64006-011 for the Community Action Center was received.

**D065101A** 15. Commissioners' pending list reviewed.

**10:30 a.m. - Eunice Coker, Kathy Lemon and Joe Reynolds.**

Present: Sharron Cunningham and Thinkh Nguyen.

065102 1. Eunice Coker presented and explained the 2005 tax collection report at 98.36% collected.

065103 2. Kathy Lemon presented and reviewed the 2005 property tax refunds totaling \$22,073.35.

065104 3. Joe Reynolds presented the 2006 property tax certification for commissioner approval. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to certify the 2006 tax levies totaling \$2,002,922,470.00.

10:45 a.m. - Recess.

11:00 a.m. - Dane Dunford, Public Works Director.

Present: Mark Storey and Thinkh Nguyen.

**Action Items:**

065105 1. The Chairman convened the hearing for the proposed vacation of a portion of Airport Access Road #8580.

Mark Storey provided the Engineer's report recommending vacation of the unused portion of county right-of-way where the road no longer travels.

There being no comments from those in attendance, Chairman Finch closed the hearing.

Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that the resolution to vacate and abandon a portion of Colfax Airport Access Road #8580 be signed as presented.

**RESOLUTION NO. 065106**

|                                    |   |                              |
|------------------------------------|---|------------------------------|
| In the Matter of the Intent to     | ) | <b>RESOLUTION NO. 065106</b> |
| Vacate and Abandon a Portion of    | ) |                              |
| The Colfax Airport Access Road     | ) |                              |
| No. 8580 Located at the Colfax     | ) | RESOLUTION VACATING          |
| Airport in Sections 20 and 21,     | ) |                              |
| Township 16 North, Range 43 East   | ) |                              |
| W.M. in Whitman County, Washington | ) |                              |

WHEREAS, the Whitman County Board of County Commissioners declared their intention to vacate and abandon a portion of said Colfax Airport Access Road No. 8580 on the 9<sup>th</sup> day of January 2006.

WHEREAS, the Whitman County Engineer has submitted a report, which indicates it is not advisable to preserve a portion of said Colfax Airport Access Road

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No. 8580 for the county transportation system and therefore recommended the vacation of a portion of said Colfax Airport Access Road.

WHEREAS, the Whitman County Board of County Commissioners held a public hearing, after proper public notice, on the 6<sup>th</sup> day of February 2006 and no objection was filed or presented to the Board.

WHEREAS, the Whitman County Board of County Commissioners finds that the vacation of a portion of said Colfax Airport Access Road No. 8580 is in the best interest of the citizens of Whitman County.

NOW, THEREFORE BE IT HEREBY RESOLVED that said 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<sup>0</sup> 11' 00" E a distance 141.02 feet, more or less, along the 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 be vacated and passed to the owners of record of the adjoining land.

Dated at Colfax, Washington, this 6<sup>th</sup> day of February 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

**065107**      **2.**      Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that the bid for four new, heavy duty, ¾ ton regular cab 4 x 4 pickups and one new, heavy duty, ¾ ton extended cab 4x4 pickup be awarded to Paradise Ford in the total bid amount of \$114,997.00 without tax.

**065108**      **3.**      Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish the notice of call for bids for one new 2006, ½ ton, 4 door crew cab, 4 wheel drive pickup.

**Solid Waste Division:**

D065108A 4. Director Dunford noted the dates for Spring Cleanup and Tire Amnesty Day should be confirmed by next week.

**Finance Division:**

D065108B 5. Working on closing 2005 financials.

**Maintenance Division:**

D065108C 6. General maintenance works continues.

11:15 a.m. - Recess.

11:30 a.m. - Tim Myers, Parks and Developmental Services.

Present: Tinh Nguyen.

065109 1. According to Tim Myers, for liability reasons the Parks Department has been working towards the demolition of old residences in Elberton. In 2005 an asbestos survey of these residences was conducted by Affordable Asbestos, a company under contract with the county for a previous project. Asbestos was removed from one house through the 2005 capital improvement program. Mr. Myers requested authorization to proceed with asbestos removal in the remaining residences through the Parks Department 2006 capital improvement program award in order to complete the demolition process. Since this is a public works project under \$10,000 no formal bids are required. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to authorize Affordable Asbestos to proceed with the removal of asbestos in Parks Department structures in Elberton for \$5,900 less one building already completed.

2. The following grant application data forms were signed by the Board for Parks and Developmental Services:

065110 State of Washington/DSHS/Family Community Service Grant for \$9,366 (grant awarded),

065111 Federal Highway Administration \$81,000 (Sunshine Road trailhead- awaiting award decision) and,

065112-065113 Wilbur-Ellis-Community Enrichment Grant \$25,000 (grant not awarded).

11:45 a.m. - Recess.

12:00 p.m. - Board Business Continued/Gary Hunt and Kelli Campbell.

D065113A 16. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individual(s) until 1:30 p.m. for labor negotiations.

1:30 p.m. - Return to Open Session/Denis Tracy, Prosecutor.

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Present: Thinkh Nguyen, Susan Fagan, Cheryl Morgan, Steve Willson and Joe and Don Henderson.

**065114** Prosecutor Tracy distributed a memorandum regarding changes proposed by the Planning Commission in the Agricultural District regarding rural residential development. This is in response to the commissioners' requests for an opinion about the legality of the proposed changes.

He felt the county would be best served by hiring an expert in the area of zoning law to give the Board an exhaustive expert opinion on all the different aspects of the proposal. He has been unable to find comparable cases that have made their way through the court process. Therefore, he is unable to provide the commissioners with a very good opinion about whether or not all of the proposed changes will withstand a court challenge. Given that, he suggested the county pay for an outside expert whose main focus is zoning law to provide a qualified opinion.

Prosecutor Tracy had names of some land use attorneys in mind but was unable to set up any conference call prior to today's meeting. The purpose of the call would be to tell the commissioners what kind of opinion they could provide and the associated timeline. It was the advice of the Prosecutor that the attorney selected should be from out of the area to avoid any appearance of fairness conflicts.

Denis Tracy would send the proposed document to the attorney for a preliminary review prior to any conference call. He would also pay for the preliminary review (1-hour or less) from his existing budget. If the Board wants a thorough analysis of the proposal, that costs would be determined during the conference call. He saw no downside in consulting with an expert initially for a cost estimate for a very qualified opinion.

Commissioner Wigen wondered if the Board and Prosecutor should review the document paragraph by paragraph and make changes before sending the document to an expert. The Prosecutor said the Board can tinker with the document but at some point they will still need an outsider's review unless the entire Planning Commission concept is struck. Whether or not to go with the thrust of the Planning Commission's idea is a legislative decision.

According to the Prosecutor, the Board's other options are to:

- Adopt the proposed revisions as submitted,
- Pick and choose revisions, or
- Refer the document back to the Planning Commission.

Chairman Finch suggested reviewing the Prosecutor's memo that was just received before any decision is rendered.

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Commissioner Partch didn't disagree with Commissioner Wigen, but noted talking to someone on the phone wouldn't cost very much. The Prosecutor informed the commissioners upfront he was not a land use expert and his advice is to consult with an expert.

Denis Tracy pointed out he was not suggesting the Board take action to expend an estimated \$3,000 today for an expert, the first step is to talk to a land use attorney. The Commissioners were in agreement with the Prosecutor arranging a conference call with a land use attorney as soon as possible.

In response to a question raised by Susan Fagan, Chairman Finch advised if the Prosecutor determines the public is permitted to attend the conference call they may do so but they will not be permitted to participate in the discussion.

**2:00 p.m. - Three (3) Utility Vehicles.**

Present: Dane Dunford, Mark Storey, Phil Myers and one bidder.

**065115** The following bids for 3 utility vehicles were received, opened and read aloud. Public Works will review the bids and make a recommendation for award on February 13<sup>th</sup> at 11 a.m.

| <b>BIDDER</b>                 | <b>AMOUNT</b>       |
|-------------------------------|---------------------|
| Wysup Chrysler Dodge          | \$77,374.00 w/o tax |
| Paradise Ford, Moscow, ID     | \$68,583.80 w/o tax |
| Jess Ford, Pullman, WA        | \$66,814.48 w/o tax |
| *Nelson GM Center, Moscow, ID | \$67,951.23 w/o tax |

\*Bid arrived at 2:09 p.m.

**2:15 p.m. - One (1) Sheriff's Cruiser.**

Present: Dane Dunford, Mark Storey and one bidder.

**065116** The following bids for 1 Sheriff's cruiser were received, opened and read aloud. Public Works will review the bids and make a recommendation for award on February 13<sup>th</sup> at 11 a.m.

| <b>BIDDER</b>                | <b>AMOUNT</b> |
|------------------------------|---------------|
| Paradise Ford, Moscow, ID    | \$22,280.88   |
| Jess Ford, Pullman, WA       | \$22,874.10   |
| Nelson GM Center, Moscow, ID | \$18,677.45   |

**2:35 p.m. - Brett Myers, Sheriff.**

Present: Tinh Nguyen.

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**D065116A 1.** Sheriff Myers said for quite some time many of the law enforcement grants have been for Homeland Security money through Emergency Management. One of the items requested for grant season 2004 was a "Total Station" which is a measuring device used for accidents/crime scenes costing from \$10,000-\$50,000. The Sheriff's Office was awarded a Nikon Total Station and mapping system along with accident/crime scene mapping for \$10,500. Many grants require the awarded entity to expend the funds first and then be reimbursed which was what the Sheriff originally planned to do. Since that time, the Emergency Management Director has offered to process this grant through her department. Sheriff Myers also mentioned there could be several other items within the next 6 months totaling \$50,000 that will follow the same process.

**065117-065118 2.** Due to the resignation of one corrections officer as of February 11th, the Sheriff requested authorization to refill the position. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to accept the resignation and authorize the rehire. Personnel board orders signed.

**2:40 p.m. - Recess.**

**3:00 p.m. - Board Business Continued/Joint Port of Whitman/County Commissioners.**

Present: John Love, Bob Gronholz and Dan Boone.

**D065118A 17.** Items discussed included the proposed biodiesel plant at the Port of Wilma, ISR update, PRCC rail, Colfax Airport land issue, Pullman-Moscow Airport, possible water district in the Corridor and the next meeting is May 8<sup>th</sup> at the Port of Whitman. No action taken.

**4:10 p.m. - Adjournment.**

**D065118B** Commissioner Partch **moved** to adjourn the **February 6, 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 **February 13, 2006**. The foregoing action made this **6th** day of **February 2006**.

ss/ GREG PARTCH, Commissioner  
ss/ LES WIGEN, Commissioner

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MARIBETH BECKER, CMC  
Clerk of the Board

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G.R. FINCH, CHAIRMAN  
Board of County Commissioners