

Minutes for March 31st, 2003

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060956 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **March 31, 2003** at **10:00 a.m.** G.R. "Jerry" Finch, Chairman, Greg Partch, and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

10:00 a.m. - Board Business.

D060956A 1. Call to Order/Pledge of Allegiance.

Present: Brett Bosse and Denis Tracy.

D060956B 2. Motion by Commissioner Wigen to approve the Consent Agenda. Motion **seconded** by Commissioner Partch and **carried**.

060956C 3. Claims/Payroll warrants numbered **147555-147606** for **\$19,731.02** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	4,262.12
102	Building & Development	368.97
103	Countywide Planning	285.73
104	Developmental Services	1,726.09
110	County Roads	5,733.98
123	Paths & Trails	82.02
400	Solid Waste	1,881.11
501	Equipment Rental & Revolving	5,391.00

060957 4. March 24, 2003 minutes approved.

060958-060964 5. Personnel board orders approved.

060965 6. Motion by Commissioner Wigen **seconded** by Commissioner Partch and **carried** to sign a proclamation proclaiming April 6-12, 2003 as National County Government week.

P R O C L A M A T I O N

NATIONAL COUNTY GOVERNMENT WEEK

WHEREAS, counties care for kids; and,

WHEREAS, counties provide critical services to the children and families that live in our great country; and,

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WHEREAS, counties provide medical services, public safety, and educational development; and,

WHEREAS, counties provide immunizations to keep kids healthy, planning to keep parks safe places to play, maintenance to keep roads and bridges fit for traveling, and clean environments and livable communities in which to grow; and,

WHEREAS, when natural or man-made disaster strikes, county emergency services keep children and their families safe and informed until order can be restored; and,

WHEREAS, counties provide many services that make America's communities stronger, safer places to live and raise families; and,

WHEREAS, county officials and employees use their role as local leaders to encourage better children's health, increase early childhood development and promote safe and effective parenting strategies; and,

WHEREAS, counties have a long history of caring and providing for the nation's children; and,

WHEREAS, county governments are the citizen's local government voice, providing solutions that bring communities together.

NOW THEREFORE, in recognition of the leadership, innovation and valuable service provided by our nation's counties, the Whitman County Commissioners do hereby proclaim:

April 6-12, 2003 - National County Government Week

Dated this 31st day of March 2003.

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

10:05 a.m. - Kelli Campbell and Evon Ellis.

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7. The following emails were sent to the 9th district legislators regarding the county's position.

060966 CRAB/TIB restructuring, Public Health funding, personal property tax exemption, and transportation.

060967 Open Public Meetings Act

060968 Juvenile offenders

060968A 8. Commissioner Partch said the county has two options for selling tax title property, either through the open public auction process or the sealed bid process. On March 17th, the commissioners signed a resolution to sell county property in Malden. A minimum bid was established along with a sale date and sealed bid process. Commissioner Partch said he misspoke at that time concerning the sealed bid process because the county's standard method is the open public auction process. He would like to amend that action to read "open public auction". The legal notice would need to be amended, the legal publishing extended one week, and amended letters sent to neighbors and interested parties. Commissioner Partch apologized for any inconvenience.

Commissioner Partch **moved** to change the bidding method from the sealed bid process to the open public auction process with a minimum bid of \$1,000. Motion **seconded** by Commissioner Wigen and **carried**. The sale was rescheduled to April 18, 2003 at 9:00 a.m.

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

IN THE MATTER OF RESALE OF) **RESOLUTION NO. 060968A**
OF COUNTY TAX TITLE PROPERTY)

WHEREAS, the Whitman County Commissioners have deemed it in the counties best interest to sell the property described below, and

WHEREAS, the property listed below is county tax title property and may be sold,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the County Treasurer advertise and sell on April 18, 2003, through the verbal auction bidding process, the attached described real estate:

That part of the NW1/4 of the SE1/4 of Section 13, Township 20 North, Range 42, E.W.M., lying south of a line running from a point in the west line of said NW1/4 of the SE1/4 141.50 feet north of the Southwest corner thereof to a point in the east line of said quarter quarter 14 feet north of the southeast corner thereof, and containing 2.36 acres, more or less. Known as Assessors tract A, parcel number 8-0610-00-00-0001.

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A minimum bid of \$1,000.00 is required and the treasurer is not to sell the said property unless he receives a minimum bid of the above amount.

Dated this 31st of March 2003.

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

060969 **9.** Information on HB 1677 related to farm machinery exemptions was received from the County Assessor.

060970 **10.** A letter was received from the Natural Resources Advisory Committee strongly supporting the retention of the Washington State Conservation Commission as an independent Commission rather than including it with a cabinet agency. Commissioner Wigen encouraged the other members to send a letter to the Governor opposing any consolidation of the Conservation Commission. The other members added this legislation would remove local control and there is no proof of cost-savings, no change is necessary, the agency is mostly comprised of volunteers, and any perceived savings would hurt the small, rural counties as a whole. Commissioner Wigen **moved** to support opposing this legislation. Commissioner Partch **seconded** the motion and will take this information to the next WSAC Legislative Steering Committee meeting. Motion **carried**.

060971 **11. Motion** by Commissioner Wigen **seconded** by Commissioner Partch and **carried** to acknowledge responsibility to comply with the Health Insurance Portability and Accountability Act (HIPAA) regulations.

060972 **12.** Commissioner Wigen said Whitman County is involved in 5 Water Resource Inventory Areas. WRIA 35 is comprised of 4 counties and 2 tribes. It is the responsibility of this organization to develop a watershed plan. Whitman County is being asked to approve the recommended planning unit membership list and confirm the recommended planning elements to be addressed in the watershed plan.

Prosecutor Tracy having reviewed the information reported that the Asotin County Public Utility District has taken the role of lead agency. He reviewed all the documents and did not see any problem. The statute allows

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local governments to provide input on what they want to see done with their water resources. He did suggest the possibility of including the Port of Whitman County as a voting member, as is the Port of Clarkston, to the extent that the Port of Whitman County's objectives in managing the water in the Snake River would be the same as Whitman County's objectives. This issue was tabled to April 7th.

060973 **13.** Commissioner Partch said in 2002 Initiative 747 was passed by the people concerning a cap on property tax increases. This does not affect Whitman County government because we are at the property tax limit, but it does limit increases for our junior taxing districts (fire, library, cemetery, etc.) to 1%. The problem is that our junior taxing districts can not continue to maintain the cost of expenses and will probably go in the red in a couple of years. Whitman and King County were the only two counties in the state that disapproved I-747. Whitman County was asked to join a challenge of I-747 for our junior taxing districts. It is now time to make that determination.

Mr. Tracy commented according to the information, the county will not be asked for financial assistance. Two law firms in Seattle (Smith & Lowney and Preston, Gates and Ellis) are agreeing to represent the plaintiffs comprised of counties, cities, fire districts, and public interest groups in bringing this challenge to the state. They are making separate arrangements with each individual plaintiff. Their offer to Whitman County is to include Whitman County as a plaintiff at no cost. Presumably, some of the plaintiffs are going to be paying something but that does not include Whitman County. In speaking with one of the attorneys from Smith & Lowney, Mr. Tracy was advised if the plaintiffs lose and the State of Washington (Attorney General's (AG) Office) wins there is no basis to award the losing side to pay the other side's fees. There could be a basis to order costs but Mr. Tracy was told that term is fairly limited to \$2,000-\$3,000 and that the AG doesn't normally ask for cost reimbursement. Even if they did, those costs would be split among all the plaintiffs.

10:15 a.m. - Bob Lothspeich and Kathy Lemon.

Other prospective plaintiffs may include the City of Olympia, City of Tumwater, City of Seattle, Garfield County, various fire districts, some non-profit public interest groups, and possibly the City of Spokane.

Motion by Commissioner Partch **seconded** by Commissioner Wigen and **carried** to sign off to support the I-747 lawsuit. The Chairman signed the document and it was returned to Smith & Lowney.

10:20 a.m. - Bev Welch, Dan Brown, Sharon Roberts, Brandon Burch, Denis Tracy, Brett Bosse, Evon Ellis, Bob Lothspeich, and Terry Snead.

14. The following executed copies were received:

060974 WSDOT local agency agreement #LA5478 for the White Elephant Bridge

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- 060975** WSDOT local agency agreement #LA5476 for the Farband Bridge
- 060976** WSDOT local agency agreement #LA5475 for the Staley No. 3 Bridge
- 060977** WSDOT local agency agreement #LA5477 for the Henderson Mill Bridge
- 060978** Latah County mutual aid agreement.

D060978A 15. Commissioners' pending list reviewed.

10:35 a.m. - Information Services Building Remodel.

Present: Bev Welch, Dan Brown, Sharon Roberts, Brandon Burch, Denis Tracy, Brett Bosse, Evon Ellis, and Terry Snead.

060979 The issue of awarding the Information Services Building remodeling project was before the Board. Chairman Finch noted one correction. With respect to R.B. Olson Construction Company's bid, it was not read correctly. The mezzanine was bid as a separate item of \$33,220.00. By adding that to their bid of \$154,263.00 the total bid is \$191,483.00. Duracom, Inc.'s bid totaled \$213,000.00. **Motion** by Commissioner Partch **seconded** by Commissioner Wigen and **carried** to award the Information Services Building remodeling project to R.B. Olson Construction Company in the amount of \$191,483.00 as corrected. Funding for this project will be deducted from the bond proceeds.

10:55 a.m. - Dane Dunford, Public Works Director.

Present: Mark Storey and Terry Snead.

Action Items:

060980 1. **Motion** by Commissioner Wigen **seconded** by Commissioner Partch and **carried** that the bid for liquid asphalt be awarded to Idaho Asphalt for a total bid amount of \$287,056.01 without tax.

060981 The commissioners also signed the contract with Idaho Asphalt.

060982 2. **Motion** by Commissioner Partch **seconded** by Commissioner Wigen and **carried** to sign a resolution designating Central Pre-Mix of Spokane as a sole source provider for pre-stress bridge beams.

RESOLUTION NO. 060982

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of initiating County Bridge projects to be constructed by Day Labor forces.

WHEREAS, the Board of Whitman County Commissioners recognizes the Road Department needs to replace old functionally obsolete or structurally deficient bridges; and,

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WHEREAS, the construction of the replacement bridges need to be very durable, have a low lifetime maintenance cost, maintain long term load capacity, and serve the county for at least 50 years, the Road Department desires the bridge decks to be of prestressed reinforced concrete "solideck" or "bulb-t" construction; and,

WHEREAS, Central Premix Prestress Company is the only economically feasible provider of prestress "solideck" and "bulb-t" bridge decks in the area, and other companies cannot effectively compete due to transportation costs, design factors, and construction logistics, Central Premix Prestress Company is deemed a sole source provider of said products.

IT IS HEREBY RESOLVED that the Whitman County Road Department may enter into sole source supply agreement with Central Premix Prestress Company to provide precast concrete bridge decks for its projects.

ADOPTED this 31st day of March 2003.

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

Maintenance Division:

060983 3. Bridge lumber for 2003 was awarded through the Small Works Roster process to Kennedy-Johnson of Mountlake Terrace, WA for a total bid amount of \$19,750.74 without tax.

060984 4. Steel H-Pile for 2003 was awarded through the Small Works Roster process to Skyline Steel Corporation of Gig Harbor, WA for a total bid amount of \$12,974.40 without tax.

060985 5. Bridge decking for 2003 was awarded through the Small Works Roster process to Contech of Edmonds, WA for a total bid amount of \$6,321.60 without tax.

Administrative Division:

D060985A 6. Mr. Dunford received a message from the Idaho Department of Transportation (IDOT) regarding continued discussion about the Highway 95 reconstruction project as to where it might ultimately go as it comes from the south into Moscow heading north and if it might still have some life

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entering Whitman County from the west side of Moscow. Mr. Dunford and the County Engineer will be talking with IDOT representatives this week and report again on the project next week.

D060985B 7. Mr. Storey reported on last weeks' Palouse Basin Aquifer Committee (PBAC) meeting last week where the better part of the meeting was spent on the agreement. He explained the county's position that the \$4,000/year membership dues seemed a little steep. In response to that, the group gravitated towards the idea of having a \$2,000/year membership that would buy one vote on the committee and an \$8,000 membership level that would buy 2 votes for 2 years. Essentially each organization has two votes if they pay their dues right now (the vote of the commissioner/council member and a technical representative). They are basically allowing for a dilution of vote direction. Latah County was very much in favor of this idea as was Colfax. Mr. Storey thought this is a step in the right direction because it puts Whitman County into a partial voting status for the amount of money Whitman County can afford for participation.

The agreement is being revised for review again by the Board, Prosecutor, and Risk Pool. All comments previously submitted by Whitman County were also brought up by other membership entities.

11:15 a.m. - Recess.

11:35 a.m. - Judy Allen, Community Action Center (CAC).

060986 Ms. Allen presented the Community Action Center Emergency Shelter grant local government certification. This grant provides essential social services for 90 households in Whitman County. CAC provides a Family Development Specialist to facilitate intensive case management services, a Child Advocacy Coordinator for oversight of child advocacy services, parental guidance, specialized children's programming to work with shelter staff to provide services to shelter residents. These services are provided in collaboration with Alternatives to Violence of the Palouse (ATVP). Of the \$27,989 received each year, 40% goes to ATVP and 60% is retained by CAC.

Since July 1, 2002, funds have been accruing from legal recording fees collected in the Auditor's Office. These fees substitute the Emergency Shelter Assistance program funds discontinued by the state. The CAC will be using these funds for homeless families. These families will then be transitioned into the housing program supported with other funds.

Motion by Commissioner Partch **seconded** by Commissioner Wigen and **carried** to allow the Chairman to sign the Emergency Shelter grant local government certification.

11:45 a.m. - Recess.

1:30 p.m. - Brett Myers, Sheriff.

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Present: Diana Dawson.

060987 According to the Sheriff, Deputy John Giudice accepted a 3-year appointment as the State DARE Coordinator. Although Deputy Giudice will be working for the state as of April 1, 2003, he is still an employee of the county, on the county's payroll, and will retain all county benefits. The county will be reimbursed by the state. However, the state at any time could discontinue this position.

The Sheriff is authorized for 4 appointed positions. At this time he has only one, the Undersheriff. He would like to fill Deputy Giudice's vacancy by transferring Deputy Dan Brown, who has been filling in for the Undersheriff on the Task Force, back on the road. He would then appoint Mark Gibbs to one of the 4 appointed positions as Inspector. Mr. Gibbs' training will be an approximate \$50,000-\$60,000 cost-savings to Whitman County because he has already been through the academy and had numerous hours of narcotics training.

In terms of rebuilding the DARE program, the Sheriff said he would be phasing in deputies to teach DARE. Police work would be treated as a priority while handling 1-2 schools each year as a DARE teacher. This would put 10-15 hours/week that was previously committed to DARE back on the road with no loss to the DARE program.

Whitman County is still responsible for supplying Deputy Giudice with a vehicle. The Sheriff is looking into the use of one of the older Sheriff's vehicles, donations, interlocal drug fund money, and drug seizure funds. This vehicle does not have to have a cage or siren package, but it must have a radio. Commissioner Partch suggested an economy vehicle previously used by the Assessor's office.

Deputy Giudice will be paid by the state beginning April 1, but will not assume full time state duties until July 1. Therefore, he will work for the county for 3 months on the state's dime.

If the state position is eliminated, Mr. Gibbs understands his position could be at risk. During the 3-years Deputy Giudice is with the state, the Sheriff hoped to work towards putting the money back into the budget and return to the 2002 staffing level.

The Sheriff said Deputy Guidance's office could be housed in a school in Rosalia. Others have offered office space in Rosalia for the cost of utilities. In this way, he would still be able to assist the county if necessary. Commissioner Partch said he would prefer to see Deputy Giudice housed in Colfax. The Sheriff agreed to further investigate this option.

The commissioners signed a board order authorizing an inspector position within the Sheriff's Department.

2:00 p.m. - Board Business Continued/BOCC Workshop.

Present: Fran Martin (2:15 p.m.) and Bob Lothspeich (2:30 p.m.).

060988 16. Items discussed included biennial contract for Development Services Director, "Facing the Future" forum, Liberty Bell funds, Malden property, Information Services remodel, Whitcom facility update, biodiesel update, ADO Call Center, and the Watershed Planning agreement. No action taken.

3:00 p.m. - Gary Hunt and Kelli Campbell.

D060988A Motion by Commissioner Partch to go into Executive Session with the above individuals for discussion of personnel matters until 4:00 p.m. **Seconded** by Commissioner Wigen and **carried**.

4:00 p.m. - Return to Open Session/Adjourn.

D060988B Commissioner Partch **moved** to adjourn the **March 31, 2003** 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 **April 1, 2003**. The foregoing action made this 31st day of **March 2003**.

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

MARIBETH BECKER, CMC
Clerk of the Board

G.R. FINCH, Chairman
Board of County Commissioners